

As Introduced

**131st General Assembly
Regular Session
2015-2016**

S. B. No. 341

Senator Jordan

A BILL

To amend sections 109.69, 109.731, 1547.69, 1
2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 2
2923.124, 2923.125, 2923.126, 2923.128, 3
2923.129, 2923.1213, 2923.16, and 4749.10 and to 4
enact section 2923.111 of the Revised Code to 5
allow a person who has a concealed handgun 6
license to carry concealed all firearms other 7
than dangerous ordnance or firearms that state 8
or federal law prohibits the person from 9
possessing and to provide that a person 21 years 10
of age or older and not legally prohibited from 11
possessing or receiving a firearm by federal law 12
does not need a concealed handgun license in 13
order to carry or have concealed on the person's 14
person or ready at hand a firearm and is subject 15
to the same laws regarding carrying a concealed 16
firearm as a person who has a concealed handgun 17
license. 18

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 109.69, 109.731, 1547.69, 19
2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 2923.124, 20

2923.125, 2923.126, 2923.128, 2923.129, 2923.1213, 2923.16, and 21
4749.10 be amended and section 2923.111 of the Revised Code be 22
enacted to read as follows: 23

Sec. 109.69. (A) (1) The attorney general shall negotiate 24
and enter into a reciprocity agreement with any other license- 25
issuing state under which a concealed handgun license that is 26
issued by the other state is recognized in this state, except as 27
provided in division (B) of this section, if the attorney 28
general determines that both of the following apply: 29

(a) The eligibility requirements imposed by that license- 30
issuing state for that license are substantially comparable to 31
the eligibility requirements for a concealed handgun license 32
issued under section 2923.125 of the Revised Code. 33

(b) That license-issuing state recognizes a concealed 34
handgun license issued under section 2923.125 of the Revised 35
Code. 36

(2) A reciprocity agreement entered into under division 37
(A) (1) of this section also may provide for the recognition in 38
this state of a concealed handgun license issued on a temporary 39
or emergency basis by the other license-issuing state, if the 40
eligibility requirements imposed by that license-issuing state 41
for the temporary or emergency license are substantially 42
comparable to the eligibility requirements for a concealed 43
handgun license issued under section 2923.125 or 2923.1213 of 44
the Revised Code and if that license-issuing state recognizes a 45
concealed handgun license issued under section 2923.1213 of the 46
Revised Code. 47

(3) The attorney general shall not negotiate any agreement 48
with any other license-issuing state under which a concealed 49

handgun license issued by the other state is recognized in this 50
state other than as provided in divisions (A) (1) and (2) of this 51
section. 52

(B) (1) If, on or after ~~the effective date of this~~ 53
~~amendment~~ March 23, 2015, a person who is a resident of this 54
state has a valid concealed handgun license that was issued by 55
another license-issuing state that has entered into a 56
reciprocity agreement with the attorney general under division 57
(A) (1) of this section or the attorney general determines that 58
the eligibility requirements imposed by that license-issuing 59
state for that license are substantially comparable to the 60
eligibility requirements for a concealed handgun license issued 61
under section 2923.125 of the Revised Code, the license issued 62
by the other license-issuing state shall be recognized in this 63
state, shall be accepted and valid in this state, and grants the 64
person the same right to carry a concealed handgun in this state 65
as a person who was issued a concealed handgun license under 66
section 2923.125 of the Revised Code. 67

(2) If, on or after ~~the effective date of this amendment~~ 68
March 23, 2015, a person who is a resident of this state has a 69
valid concealed handgun license that was issued by another 70
license-issuing state that has not entered into a reciprocity 71
agreement with the attorney general under division (A) (1) of 72
this section, the license issued by the other license-issuing 73
state shall be recognized in this state, shall be accepted and 74
valid in this state, and grants the person the same right to 75
carry a concealed handgun in this state as a person who was 76
issued a concealed handgun license under section 2923.125 of the 77
Revised Code for a period of six months after the person became 78
a resident of this state. After that six-month period, if the 79
person wishes to obtain a concealed handgun license, the person 80

shall apply for a concealed handgun license pursuant to section 81
2923.125 of the Revised Code. 82

(3) If, on or after ~~the effective date of this amendment~~ 83
March 23, 2015, a person who is not a resident of this state has 84
a valid concealed handgun license that was issued by another 85
license-issuing state, regardless of whether the other license- 86
issuing state has entered into a reciprocity agreement with the 87
attorney general under division (A) (1) of this section, and the 88
person is temporarily in this state, during the time that the 89
person is temporarily in this state the license issued by the 90
other license-issuing state shall be recognized in this state, 91
shall be accepted and valid in this state, and grants the person 92
the same right to carry a concealed handgun in this state as a 93
person who was issued a concealed handgun license under section 94
2923.125 of the Revised Code. 95

(C) The attorney general shall publish each determination 96
described in division (B) (1) of this section that the attorney 97
general makes in the same manner that written agreements entered 98
into under division (A) (1) or (2) of this section are published. 99

(D) As used in this section: 100

(1) "Handgun," "firearm," "concealed handgun license," and 101
"valid concealed handgun license" have the same meanings as in 102
section 2923.11 of the Revised Code. 103

(2) "License-issuing state" means a state other than this 104
state that, pursuant to law, provides for the issuance of a 105
license to carry a concealed handgun or a license to carry a 106
concealed firearm. 107

Sec. 109.731. (A) (1) The attorney general shall prescribe, 108
and shall make available to sheriffs an application form that is 109

to be used under section 2923.125 of the Revised Code by a 110
person who applies for a concealed handgun license and an 111
application form that is to be used under section 2923.125 of 112
the Revised Code by a person who applies for the renewal of a 113
license of that nature. The attorney general shall design the 114
form to enable applicants to provide the information that is 115
required by law to be collected, and shall update the form as 116
necessary. Burdens or restrictions to obtaining a concealed 117
handgun license that are not expressly prescribed in law shall 118
not be incorporated into the form. The attorney general shall 119
post a printable version of the form on the website of the 120
attorney general and shall provide the address of the web site 121
to any person who requests the form. 122

(2) The Ohio peace officer training commission shall 123
prescribe, and shall make available to sheriffs, all of the 124
following: 125

(a) A form for the concealed handgun license that is to be 126
issued by sheriffs to persons who qualify for a concealed 127
handgun license under section 2923.125 of the Revised Code and 128
that conforms to the following requirements: 129

(i) It has space for the licensee's full name, residence 130
address, and date of birth and for a color photograph of the 131
licensee. 132

(ii) It has space for the date of issuance of the license, 133
its expiration date, its county of issuance, the name of the 134
sheriff who issues the license, and the unique combination of 135
letters and numbers that identify the county of issuance and the 136
license given to the licensee by the sheriff in accordance with 137
division (A) (2) (c) of this section. 138

(iii) It has space for the signature of the licensee and 139
the signature or a facsimile signature of the sheriff who issues 140
the license. 141

(iv) It does not require the licensee to include serial 142
numbers of ~~handguns~~firearms, other identification related to 143
~~handguns~~firearms, or similar data that is not pertinent or 144
relevant to obtaining the license and that could be used as a de 145
facto means of registration of ~~handguns~~ firearms owned by the 146
licensee. 147

(b) A series of three-letter county codes that identify 148
each county in this state; 149

(c) A procedure by which a sheriff shall give each 150
concealed handgun license, replacement concealed handgun 151
license, or renewal concealed handgun license and each concealed 152
handgun license on a temporary emergency basis or replacement 153
license on a temporary emergency basis the sheriff issues under 154
section 2923.125 or 2923.1213 of the Revised Code a unique 155
combination of letters and numbers that identifies the county in 156
which the license was issued and that uses the county code and a 157
unique number for each license the sheriff of that county 158
issues; 159

(d) A form for a concealed handgun license on a temporary 160
emergency basis that is to be issued by sheriffs to persons who 161
qualify for such a license under section 2923.1213 of the 162
Revised Code, which form shall conform to all the requirements 163
set forth in divisions (A) (2) (a) (i) to (iv) of this section and 164
shall additionally conspicuously specify that the license is 165
issued on a temporary emergency basis and the date of its 166
issuance. 167

(B) (1) The Ohio peace officer training commission, in 168
consultation with the attorney general, shall prepare a pamphlet 169
that does all of the following, in everyday language: 170

(a) Explains the firearms laws of this state; 171

(b) Instructs the reader in dispute resolution and 172
explains the laws of this state related to that matter; 173

(c) Provides information to the reader regarding all 174
aspects of the use of deadly force with a firearm, including, 175
but not limited to, the steps that should be taken before 176
contemplating the use of, or using, deadly force with a firearm, 177
possible alternatives to using deadly force with a firearm, and 178
the law governing the use of deadly force with a firearm. 179

(2) The attorney general shall consult with and assist the 180
commission in the preparation of the pamphlet described in 181
division (B) (1) of this section and, as necessary, shall 182
recommend to the commission changes in the pamphlet to reflect 183
changes in the law that are relevant to it. The attorney general 184
shall publish the pamphlet on the web site of the attorney 185
general and shall provide the address of the web site to any 186
person who requests the pamphlet. 187

(C) The Ohio peace officer training commission shall 188
maintain statistics with respect to the issuance, renewal, 189
suspension, revocation, and denial of concealed handgun licenses 190
under section 2923.125 of the Revised Code and the suspension of 191
processing of applications for those licenses, and with respect 192
to the issuance, suspension, revocation, and denial of concealed 193
handgun licenses on a temporary emergency basis under section 194
2923.1213 of the Revised Code, as reported by the sheriffs 195
pursuant to division (C) of section 2923.129 of the Revised 196

Code. Not later than the first day of March in each year, the 197
commission shall submit a statistical report to the governor, 198
the president of the senate, and the speaker of the house of 199
representatives indicating the number of concealed handgun 200
licenses that were issued, renewed, suspended, revoked, and 201
denied under section 2923.125 of the Revised Code in the 202
previous calendar year, the number of applications for those 203
licenses for which processing was suspended in accordance with 204
division (D) (3) of that section in the previous calendar year, 205
and the number of concealed handgun licenses on a temporary 206
emergency basis that were issued, suspended, revoked, or denied 207
under section 2923.1213 of the Revised Code in the previous 208
calendar year. Nothing in the statistics or the statistical 209
report shall identify, or enable the identification of, any 210
individual who was issued or denied a license, for whom a 211
license was renewed, whose license was suspended or revoked, or 212
for whom application processing was suspended. The statistics 213
and the statistical report are public records for the purpose of 214
section 149.43 of the Revised Code. 215

(D) As used in this section, "concealed handgun license," 216
"firearm," and "handgun" have the same meanings as in section 217
2923.11 of the Revised Code. 218

Sec. 1547.69. (A) As used in this section: 219

(1) "Firearm," "concealed handgun license," "handgun," 220
"restricted firearm," and "valid concealed handgun license" have 221
the same meanings as in section 2923.11 of the Revised Code. 222

(2) "Unloaded" has the same meanings as in divisions (K) 223
(5) and (6) of section 2923.16 of the Revised Code, except that 224
all references in the definition in division (K) (5) of that 225
section to "vehicle" shall be construed for purposes of this 226

section to be references to "vessel."	227
(B) No person shall knowingly discharge a firearm while in or on a vessel.	228 229
(C) No person shall knowingly transport or have a loaded firearm in a vessel in a manner that the firearm is accessible to the operator or any passenger.	230 231 232
(D) No person shall knowingly transport or have a firearm in a vessel unless it is unloaded and is carried in one of the following ways:	233 234 235
(1) In a closed package, box, or case;	236
(2) In plain sight with the action opened or the weapon stripped, or, if the firearm is of a type on which the action will not stay open or that cannot easily be stripped, in plain sight.	237 238 239 240
(E) (1) The affirmative defenses authorized in divisions (D) (1) and (2) of section 2923.12 of the Revised Code are affirmative defenses to a charge under division (C) or (D) of this section that involves a firearm other than a handgun <u>if division (H) (2) of this section does not apply to the person charged</u> . It is an affirmative defense to a charge under division (C) or (D) of this section of transporting or having a firearm of any type, including a handgun, in a vessel that the actor transported or had the firearm in the vessel for any lawful purpose and while the vessel was on the actor's own property, provided that this affirmative defense is not available unless the actor, prior to arriving at the vessel on the actor's own property, did not transport or possess the firearm in the vessel or in a motor vehicle in a manner prohibited by this section or division (B) or (C) of section 2923.16 of the Revised Code while	241 242 243 244 245 246 247 248 249 250 251 252 253 254 255

the vessel was being operated on a waterway that was not on the 256
actor's own property or while the motor vehicle was being 257
operated on a street, highway, or other public or private 258
property used by the public for vehicular traffic. 259

(2) No person who is charged with a violation of division 260
(C) or (D) of this section shall be required to obtain a license 261
or temporary emergency license to carry a concealed handgun 262
under section 2923.125 or 2923.1213 of the Revised Code as a 263
condition for the dismissal of the charge. 264

(F) Divisions (B), (C), and (D) of this section do not 265
apply to the possession or discharge of a United States coast 266
guard approved signaling device required to be carried aboard a 267
vessel under section 1547.251 of the Revised Code when the 268
signaling device is possessed or used for the purpose of giving 269
a visual distress signal. No person shall knowingly transport or 270
possess any signaling device of that nature in or on a vessel in 271
a loaded condition at any time other than immediately prior to 272
the discharge of the signaling device for the purpose of giving 273
a visual distress signal. 274

(G) No person shall operate or permit to be operated any 275
vessel on the waters in this state in violation of this section. 276

(H) (1) This section does not apply to any of the 277
following: 278

(a) An officer, agent, or employee of this or any other 279
state or of the United States, or to a law enforcement officer, 280
when authorized to carry or have loaded or accessible firearms 281
in a vessel and acting within the scope of the officer's, 282
agent's, or employee's duties; 283

(b) Any person who is employed in this state, who is 284

authorized to carry or have loaded or accessible firearms in a vessel, and who is subject to and in compliance with the requirements of section 109.801 of the Revised Code, unless the appointing authority of the person has expressly specified that the exemption provided in division (H) (1) (b) of this section does not apply to the person;

(c) Any person legally engaged in hunting.

(2) Divisions (C) and (D) of this section do not apply to a person who transports or possesses ~~a handgun~~ in a vessel a firearm that is not a restricted firearm and who, at the time of that transportation or possession, is carrying a valid concealed handgun license or is deemed under division (C) of section 2923.111 of the Revised Code to have been issued a concealed handgun license under section 2923.125 of the Revised Code, unless the person at that time knowingly is in ~~a~~ an unauthorized place ~~on the vessel described~~ specified in division (B) of section 2923.126 of the Revised Code or knowingly is transporting or possessing the firearm in any prohibited manner listed in that division.

(I) If a law enforcement officer stops a vessel for a violation of this section or any other law enforcement purpose, if any person on the vessel surrenders a firearm to the officer, either voluntarily or pursuant to a request or demand of the officer, and if the officer does not charge the person with a violation of this section or arrest the person for any offense, the person is not otherwise prohibited by law from possessing the firearm, and the firearm is not contraband, the officer shall return the firearm to the person at the termination of the stop.

(J) Division (L) of section 2923.16 of the Revised Code

applies with respect to division (A) (2) of this section, except 315
that all references in division (L) of section 2923.16 of the 316
Revised Code to "vehicle," to "this chapter," or to "division 317
(K) (5) (a) or (b) of this section" shall be construed for 318
purposes of this section to be, respectively, references to 319
"vessel," to "section 1547.69 of the Revised Code," and to 320
"divisions (K) (5) (a) and (b) of section 2923.16 of the Revised 321
Code as incorporated under the definition of firearm adopted 322
under division (A) (2) of this section." 323

Sec. 2923.11. As used in sections 2923.11 to 2923.24 of 324
the Revised Code: 325

(A) "Deadly weapon" means any instrument, device, or thing 326
capable of inflicting death, and designed or specially adapted 327
for use as a weapon, or possessed, carried, or used as a weapon. 328

(B) (1) "Firearm" means any deadly weapon capable of 329
expelling or propelling one or more projectiles by the action of 330
an explosive or combustible propellant. "Firearm" includes an 331
unloaded firearm, and any firearm that is inoperable but that 332
can readily be rendered operable. 333

(2) When determining whether a firearm is capable of 334
expelling or propelling one or more projectiles by the action of 335
an explosive or combustible propellant, the trier of fact may 336
rely upon circumstantial evidence, including, but not limited 337
to, the representations and actions of the individual exercising 338
control over the firearm. 339

(C) "Handgun" means any of the following: 340

(1) Any firearm that has a short stock and is designed to 341
be held and fired by the use of a single hand; 342

(2) Any combination of parts from which a firearm of a 343

type described in division (C) (1) of this section can be 344
assembled. 345

(D) "Semi-automatic firearm" means any firearm designed or 346
specially adapted to fire a single cartridge and automatically 347
chamber a succeeding cartridge ready to fire, with a single 348
function of the trigger. 349

(E) "Automatic firearm" means any firearm designed or 350
specially adapted to fire a succession of cartridges with a 351
single function of the trigger. 352

(F) "Sawed-off firearm" means a shotgun with a barrel less 353
than eighteen inches long, or a rifle with a barrel less than 354
sixteen inches long, or a shotgun or rifle less than twenty-six 355
inches long overall. 356

(G) "Zip-gun" means any of the following: 357

(1) Any firearm of crude and extemporized manufacture; 358

(2) Any device, including without limitation a starter's 359
pistol, that is not designed as a firearm, but that is specially 360
adapted for use as a firearm; 361

(3) Any industrial tool, signalling device, or safety 362
device, that is not designed as a firearm, but that as designed 363
is capable of use as such, when possessed, carried, or used as a 364
firearm. 365

(H) "Explosive device" means any device designed or 366
specially adapted to cause physical harm to persons or property 367
by means of an explosion, and consisting of an explosive 368
substance or agency and a means to detonate it. "Explosive 369
device" includes without limitation any bomb, any explosive 370
demolition device, any blasting cap or detonator containing an 371

explosive charge, and any pressure vessel that has been	372
knowingly tampered with or arranged so as to explode.	373
(I) "Incendiary device" means any firebomb, and any device	374
designed or specially adapted to cause physical harm to persons	375
or property by means of fire, and consisting of an incendiary	376
substance or agency and a means to ignite it.	377
(J) "Ballistic knife" means a knife with a detachable	378
blade that is propelled by a spring-operated mechanism.	379
(K) "Dangerous ordnance" means any of the following,	380
except as provided in division (L) of this section:	381
(1) Any automatic or sawed-off firearm, zip-gun, or	382
ballistic knife;	383
(2) Any explosive device or incendiary device;	384
(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN,	385
cyclonite, TNT, picric acid, and other high explosives; amatol,	386
tritonite, tetrytol, pentolite, pecretol, cyclotol, and other	387
high explosive compositions; plastic explosives; dynamite,	388
blasting gelatin, gelatin dynamite, sensitized ammonium nitrate,	389
liquid-oxygen blasting explosives, blasting powder, and other	390
blasting agents; and any other explosive substance having	391
sufficient brisance or power to be particularly suitable for use	392
as a military explosive, or for use in mining, quarrying,	393
excavating, or demolitions;	394
(4) Any firearm, rocket launcher, mortar, artillery piece,	395
grenade, mine, bomb, torpedo, or similar weapon, designed and	396
manufactured for military purposes, and the ammunition for that	397
weapon;	398
(5) Any firearm muffler or suppressor;	399

(6) Any combination of parts that is intended by the owner 400
for use in converting any firearm or other device into a 401
dangerous ordnance. 402

(L) "Dangerous ordnance" does not include any of the 403
following: 404

(1) Any firearm, including a military weapon and the 405
ammunition for that weapon, and regardless of its actual age, 406
that employs a percussion cap or other obsolete ignition system, 407
or that is designed and safe for use only with black powder; 408

(2) Any pistol, rifle, or shotgun, designed or suitable 409
for sporting purposes, including a military weapon as issued or 410
as modified, and the ammunition for that weapon, unless the 411
firearm is an automatic or sawed-off firearm; 412

(3) Any cannon or other artillery piece that, regardless 413
of its actual age, is of a type in accepted use prior to 1887, 414
has no mechanical, hydraulic, pneumatic, or other system for 415
absorbing recoil and returning the tube into battery without 416
displacing the carriage, and is designed and safe for use only 417
with black powder; 418

(4) Black powder, priming quills, and percussion caps 419
possessed and lawfully used to fire a cannon of a type defined 420
in division (L)(3) of this section during displays, 421
celebrations, organized matches or shoots, and target practice, 422
and smokeless and black powder, primers, and percussion caps 423
possessed and lawfully used as a propellant or ignition device 424
in small-arms or small-arms ammunition; 425

(5) Dangerous ordnance that is inoperable or inert and 426
cannot readily be rendered operable or activated, and that is 427
kept as a trophy, souvenir, curio, or museum piece. 428

(6) Any device that is expressly excepted from the 429
definition of a destructive device pursuant to the "Gun Control 430
Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a)(4), as amended, 431
and regulations issued under that act. 432

(M) "Explosive" means any chemical compound, mixture, or 433
device, the primary or common purpose of which is to function by 434
explosion. "Explosive" includes all materials that have been 435
classified as division 1.1, division 1.2, division 1.3, or 436
division 1.4 explosives by the United States department of 437
transportation in its regulations and includes, but is not 438
limited to, dynamite, black powder, pellet powders, initiating 439
explosives, blasting caps, electric blasting caps, safety fuses, 440
fuse igniters, squibs, cordeau detonant fuses, instantaneous 441
fuses, and igniter cords and igniters. "Explosive" does not 442
include "fireworks," as defined in section 3743.01 of the 443
Revised Code, or any substance or material otherwise meeting the 444
definition of explosive set forth in this section that is 445
manufactured, sold, possessed, transported, stored, or used in 446
any activity described in section 3743.80 of the Revised Code, 447
provided the activity is conducted in accordance with all 448
applicable laws, rules, and regulations, including, but not 449
limited to, the provisions of section 3743.80 of the Revised 450
Code and the rules of the fire marshal adopted pursuant to 451
section 3737.82 of the Revised Code. 452

(N) (1) "Concealed handgun license" or "license to carry a 453
concealed handgun" means, subject to division (N) (2) of this 454
section, a license or temporary emergency license ~~to carry a~~ 455
~~concealed handgun~~ issued under section 2923.125 or 2923.1213 of 456
the Revised Code that authorizes the person to whom it is issued 457
to carry a concealed firearm other than a restricted firearm or 458
a license ~~to carry a concealed handgun~~ issued by another state 459

with which the attorney general has entered into a reciprocity 460
agreement under section 109.69 of the Revised Code that 461
authorizes the person to whom it is issued either to carry a 462
concealed handgun or to carry a concealed firearm other than a 463
restricted firearm. 464

(2) A reference in any provision of the Revised Code to a 465
concealed handgun license issued under section 2923.125 of the 466
Revised Code or a license to carry a concealed handgun issued 467
under section 2923.125 of the Revised Code means only a license 468
of the type that is specified in that section. A reference in 469
any provision of the Revised Code to a concealed handgun license 470
issued under section 2923.1213 of the Revised Code, a license to 471
carry a concealed handgun issued under section 2923.1213 of the 472
Revised Code, or a license to carry a concealed handgun on a 473
temporary emergency basis means only a license of the type that 474
is specified in section 2923.1213 of the Revised Code. A 475
reference in any provision of the Revised Code to a concealed 476
handgun license issued by another state or a license to carry a 477
concealed handgun issued by another state means only a license 478
issued by another state with which the attorney general has 479
entered into a reciprocity agreement under section 109.69 of the 480
Revised Code. 481

A reference in any provision of the Revised Code to a 482
person who is deemed under division (C) of section 2923.111 of 483
the Revised Code to have been issued a concealed handgun license 484
under section 2923.125 of the Revised Code means only a person 485
who is so deemed and does not include a person who has been 486
issued a license of a type described in division (N)(1) of this 487
section. 488

(0) "Valid concealed handgun license" or "valid license to 489

carry a concealed handgun" means a concealed handgun license 490
that is currently valid, that is not under a suspension under 491
division (A) (1) of section 2923.128 of the Revised Code, under 492
section 2923.1213 of the Revised Code, or under a suspension 493
provision of the state other than this state in which the 494
license was issued, and that has not been revoked under division 495
(B) (1) of section 2923.128 of the Revised Code, under section 496
2923.1213 of the Revised Code, or under a revocation provision 497
of the state other than this state in which the license was 498
issued. 499

(P) "Misdemeanor punishable by imprisonment for a term 500
exceeding one year" does not include any of the following: 501

(1) Any federal or state offense pertaining to antitrust 502
violations, unfair trade practices, restraints of trade, or 503
other similar offenses relating to the regulation of business 504
practices; 505

(2) Any misdemeanor offense punishable by a term of 506
imprisonment of two years or less. 507

(Q) "Alien registration number" means the number issued by 508
the United States citizenship and immigration services agency 509
that is located on the alien's permanent resident card and may 510
also be commonly referred to as the "USCIS number" or the "alien 511
number." 512

(R) "Restricted firearm" means a firearm that is a 513
dangerous ordnance or that is a firearm that any law of this 514
state or the United States prohibits the subject person from 515
possessing, having, or carrying. 516

Sec. 2923.111. (A) Notwithstanding any other Revised Code 517
section to the contrary, subject to the limitations specified in 518

this division and to division (C) (2) of this section, a person 519
who is twenty-one years of age or older and is not legally 520
prohibited from possessing or receiving a firearm under 18 521
U.S.C. 922(g) (1) to (9) shall not be required to obtain a 522
concealed handgun license under section 2923.125 or 2923.1213 of 523
the Revised Code in order to carry in this state a concealed 524
firearm that is not a restricted firearm. 525

Except as provided in divisions (B) and (C) of section 526
2923.126 of the Revised Code and regardless of whether the 527
person has been issued a concealed handgun license under section 528
2923.125 or 2923.1213 of the Revised Code or by another state, a 529
person who is twenty-one years of age or older and is not 530
legally prohibited from possessing or receiving a firearm under 531
18 U.S.C. 922(g) (1) to (9) may carry a concealed firearm that is 532
not a restricted firearm anywhere in this state. The person's 533
right to carry a concealed firearm that is not a restricted 534
firearm that is granted under this division is the same right as 535
is granted to a person who is issued a concealed handgun license 536
under section 2923.125 of the Revised Code, and the person 537
described in this division is subject to the same restrictions 538
as apply to a person who is issued a license under section 539
2923.125 of the Revised Code. 540

(B) The mere carrying or possession of a firearm that is 541
not a restricted firearm pursuant to the right described in 542
division (A) of this section, with or without a concealed 543
handgun license issued under section 2923.125 or 2923.1213 of 544
the Revised Code or by another state, does not constitute 545
grounds for any law enforcement officer or any agent of the 546
state, a county, a municipal corporation, or a township to 547
conduct any search, seizure, or detention, no matter how 548
temporary in duration, of an otherwise law-abiding person. 549

(C) (1) For purposes of sections 1547.69 and 2923.12 to 550
2923.1213 of the Revised Code and any other provision of law 551
that refers to a concealed handgun license or a concealed 552
handgun licensee, except when the context clearly indicates 553
otherwise, a person who is described in division (A) of this 554
section and is carrying or has, concealed on the person's person 555
or ready at hand, a firearm that is not a restricted firearm 556
shall be deemed to have been issued a concealed handgun license 557
under section 2923.125 of the Revised Code. 558

(2) The concealed handgun license expiration provisions of 559
section 2923.125 of the Revised Code and the concealed handgun 560
license suspension and revocation provisions of section 2923.128 561
of the Revised Code do not apply with respect to a person who is 562
described in division (A) of this section unless the person has 563
been issued a concealed handgun license. If a person is 564
described in division (A) of this section and the person 565
thereafter comes within any category of persons specified in 18 566
U.S.C. 922(g) (1) to (9) so that the person as a result is 567
legally prohibited under the applicable provision from 568
possessing or receiving a firearm, both of the following apply 569
automatically and immediately upon the person coming within that 570
category: 571

(a) Division (A) of this section and the authority and 572
right to carry a concealed firearm that are described in that 573
division do not apply to the person. 574

(b) Division (C) (1) of this section does not apply to the 575
person, and the person no longer is deemed to have been issued a 576
concealed handgun license under section 2923.125 of the Revised 577
Code as described in that division. 578

Sec. 2923.12. (A) No person shall knowingly carry or have, 579

concealed on the person's person or concealed ready at hand, any 580
of the following: 581

(1) A deadly weapon other than a handgun; 582

(2) A handgun other than a dangerous ordnance; 583

(3) A dangerous ordnance. 584

(B) No person who has been issued a concealed handgun 585
license and is carrying a concealed firearm that is not a 586
restricted firearm or who is deemed under division (C) of 587
section 2923.111 of the Revised Code to have been issued a 588
concealed handgun license under section 2923.125 of the Revised 589
Code and is carrying a concealed firearm that is not a 590
restricted firearm shall do any of the following: 591

(1) If the person is stopped for a law enforcement purpose 592
~~and is carrying a concealed handgun~~, fail to promptly inform any 593
law enforcement officer who approaches the person after the 594
person has been stopped that the person ~~has been issued a~~ 595
~~concealed handgun license~~ and that the person then is carrying a 596
concealed handgun firearm and, if the person has been issued a 597
concealed handgun license, that the person has been issued the 598
license; 599

(2) If the person is stopped for a law enforcement purpose 600
~~and is carrying a concealed handgun~~, knowingly fail to keep the 601
person's hands in plain sight at any time after any law 602
enforcement officer begins approaching the person while stopped 603
and before the law enforcement officer leaves, unless the 604
failure is pursuant to and in accordance with directions given 605
by a law enforcement officer; 606

(3) If the person is stopped for a law enforcement 607
purpose, ~~if the person is carrying a concealed handgun~~, and if 608

the person is approached by any law enforcement officer while 609
stopped, knowingly remove or attempt to remove the loaded 610
~~handgun~~ firearm from the holster, pocket, or other place in 611
which the person is carrying it, knowingly grasp or hold the 612
loaded ~~handgun~~ firearm, or knowingly have contact with the 613
loaded ~~handgun~~ firearm by touching it with the person's hands or 614
fingers at any time after the law enforcement officer begins 615
approaching and before the law enforcement officer leaves, 616
unless the person removes, attempts to remove, grasps, holds, or 617
has contact with the loaded ~~handgun~~ firearm pursuant to and in 618
accordance with directions given by the law enforcement officer; 619

(4) If the person is stopped for a law enforcement purpose 620
~~and is carrying a concealed handgun~~, knowingly disregard or fail 621
to comply with any lawful order of any law enforcement officer 622
given while the person is stopped, including, but not limited 623
to, a specific order to the person to keep the person's hands in 624
plain sight. 625

(C) (1) This section does not apply to any of the 626
following: 627

(a) An officer, agent, or employee of this or any other 628
state or the United States, or to a law enforcement officer, who 629
is authorized to carry concealed weapons or dangerous ordnance 630
or is authorized to carry handguns and is acting within the 631
scope of the officer's, agent's, or employee's duties; 632

(b) Any person who is employed in this state, who is 633
authorized to carry concealed weapons or dangerous ordnance or 634
is authorized to carry handguns, and who is subject to and in 635
compliance with the requirements of section 109.801 of the 636
Revised Code, unless the appointing authority of the person has 637
expressly specified that the exemption provided in division (C) 638

(1) (b) of this section does not apply to the person; 639

(c) A person's transportation or storage of a firearm, 640
other than a firearm described in divisions (G) to (M) of 641
section 2923.11 of the Revised Code, in a motor vehicle for any 642
lawful purpose if the firearm is not on the actor's person; 643

(d) A person's storage or possession of a firearm, other 644
than a firearm described in divisions (G) to (M) of section 645
2923.11 of the Revised Code, in the actor's own home for any 646
lawful purpose. 647

(2) ~~Division~~ Divisions (A) (1) and (2) of this section does 648
do not apply to any person who with respect to the carrying or 649
possession of any firearm that is not a restricted firearm if, 650
at the time of the alleged carrying or possession of a 651
~~handgun~~ the firearm, the person is carrying a valid concealed 652
handgun license or is deemed under division (C) of section 653
2923.111 of the Revised Code to have been issued a concealed 654
handgun license under section 2923.125 of the Revised Code, 655
unless the person at that time knowingly is in a ~~an unauthorized~~ 656
place ~~described~~ specified in division (B) of section 2923.126 of 657
the Revised Code or knowingly is transporting or possessing the 658
firearm in any prohibited manner listed in that division. 659

(D) It is an affirmative defense to a charge under 660
division (A) (1) of this section of carrying or having control of 661
a deadly weapon other than a handgun and other than a dangerous 662
ordnance that division (C) (1) or (2) of this section does not 663
apply, that the actor was not otherwise prohibited by law from 664
having the weapon, and that any of the following applies: 665

(1) The weapon was carried or kept ready at hand by the 666
actor for defensive purposes while the actor was engaged in or 667

was going to or from the actor's lawful business or occupation, 668
which business or occupation was of a character or was 669
necessarily carried on in a manner or at a time or place as to 670
render the actor particularly susceptible to criminal attack, 671
such as would justify a prudent person in going armed. 672

(2) The weapon was carried or kept ready at hand by the 673
actor for defensive purposes while the actor was engaged in a 674
lawful activity and had reasonable cause to fear a criminal 675
attack upon the actor, a member of the actor's family, or the 676
actor's home, such as would justify a prudent person in going 677
armed. 678

(3) The weapon was carried or kept ready at hand by the 679
actor for any lawful purpose and while in the actor's own home. 680

(E) No person who is charged with a violation of this 681
section shall be required to obtain a concealed handgun license 682
as a condition for the dismissal of the charge. 683

(F) (1) Whoever violates this section is guilty of carrying 684
concealed weapons. Except as otherwise provided in this division 685
~~or division (F) (2) of this section,~~ carrying concealed weapons 686
in violation of division (A) of this section is a misdemeanor of 687
the first degree. Except as otherwise provided in this division 688
~~or division (F) (2) of this section,~~ if the offender previously 689
has been convicted of a violation of this section or of any 690
offense of violence, if the weapon involved is a firearm that is 691
either loaded or for which the offender has ammunition ready at 692
hand, or if the weapon involved is dangerous ordnance, carrying 693
concealed weapons in violation of division (A) of this section 694
is a felony of the fourth degree. ~~Except as otherwise provided~~ 695
~~in division (F) (2) of this section, if~~ If the offense is 696
committed aboard an aircraft, or with purpose to carry a 697

concealed weapon aboard an aircraft, regardless of the weapon 698
involved, carrying concealed weapons in violation of division 699
(A) of this section is a felony of the third degree. 700

~~(2) If a person being arrested for a violation of division 701
(A) (2) of this section promptly produces a valid concealed 702
handgun license, and if at the time of the violation the person 703
was not knowingly in a place described in division (B) of 704
section 2923.126 of the Revised Code, the officer shall not 705
arrest the person for a violation of that division. If the 706
person is not able to promptly produce any concealed handgun 707
license and if the person is not in a place described in that 708
section, the officer may arrest the person for a violation of 709
that division, and the offender shall be punished as follows: 710~~

~~(a) The offender shall be guilty of a minor misdemeanor if 711
both of the following apply: 712~~

~~(i) Within ten days after the arrest, the offender 713
presents a concealed handgun license, which license was valid at 714
the time of the arrest to the law enforcement agency that 715
employs the arresting officer. 716~~

~~(ii) At the time of the arrest, the offender was not 717
knowingly in a place described in division (B) of section 718
2923.126 of the Revised Code. 719~~

~~(b) The offender shall be guilty of a misdemeanor and 720
shall be fined five hundred dollars if all of the following 721
apply: 722~~

~~(i) The offender previously had been issued a concealed 723
handgun license, and that license expired within the two years 724
immediately preceding the arrest. 725~~

~~(ii) Within forty five days after the arrest, the offender 726~~

~~presents a concealed handgun license to the law enforcement agency that employed the arresting officer, and the offender waives in writing the offender's right to a speedy trial on the charge of the violation that is provided in section 2945.71 of the Revised Code.~~ 727
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~~(iii) At the time of the commission of the offense, the offender was not knowingly in a place described in division (B) of section 2923.126 of the Revised Code.~~ 732
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~~(c) If neither division (F) (2) (a) nor (b) of this section applies, the offender shall be punished under division (F) (1) of this section.~~ 735
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~~(3) Except as otherwise provided in this division, carrying concealed weapons in violation of division (B) (1) of this section is a misdemeanor of the first degree, and, in addition to any other penalty or sanction imposed for a violation of division (B) (1) of this section, if the offender has been issued a concealed handgun license, the offender's ~~concealed handgun~~ license shall be suspended pursuant to division (A) (2) of section 2923.128 of the Revised Code. If, at the time of the stop of the offender for a law enforcement purpose that was the basis of the violation, any law enforcement officer involved with the stop had actual knowledge that the offender has been issued a concealed handgun license or that the offender is deemed under division (C) of section 2923.111 of the Revised Code to have been issued a concealed handgun license under section 2923.125 of the Revised Code, carrying concealed weapons in violation of division (B) (1) of this section is a minor misdemeanor, and if the offender has been issued a concealed handgun license, the offender's ~~concealed handgun~~ license shall not be suspended pursuant to division (A) (2) of~~ 738
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section 2923.128 of the Revised Code. 757

~~(4)~~ (3) Carrying concealed weapons in violation of 758
division (B) (2) or (4) of this section is a misdemeanor of the 759
first degree or, if the offender previously has been convicted 760
of or pleaded guilty to a violation of division (B) (2) or (4) of 761
this section, a felony of the fifth degree. In addition to any 762
other penalty or sanction imposed for a misdemeanor violation of 763
division (B) (2) or (4) of this section, if the offender has been 764
issued a concealed handgun license, the offender's ~~concealed~~ 765
~~handgun~~ license shall be suspended pursuant to division (A) (2) 766
of section 2923.128 of the Revised Code. 767

~~(5)~~ (4) Carrying concealed weapons in violation of 768
division (B) (3) of this section is a felony of the fifth degree. 769

(G) If a law enforcement officer stops a person to 770
question the person regarding a possible violation of this 771
section, for a traffic stop, or for any other law enforcement 772
purpose, if the person surrenders a firearm to the officer, 773
either voluntarily or pursuant to a request or demand of the 774
officer, and if the officer does not charge the person with a 775
violation of this section or arrest the person for any offense, 776
the person is not otherwise prohibited by law from possessing 777
the firearm, and the firearm is not contraband, the officer 778
shall return the firearm to the person at the termination of the 779
stop. If a court orders a law enforcement officer to return a 780
firearm to a person pursuant to the requirement set forth in 781
this division, division (B) of section 2923.163 of the Revised 782
Code applies. 783

Sec. 2923.121. (A) No person shall possess a firearm in 784
any room in which any person is consuming beer or intoxicating 785
liquor in a premises for which a D permit has been issued under 786

Chapter 4303. of the Revised Code or in an open air arena for 787
which a permit of that nature has been issued. 788

(B) (1) This section does not apply to any of the 789
following: 790

(a) An officer, agent, or employee of this or any other 791
state or the United States, or to a law enforcement officer, who 792
is authorized to carry firearms and is acting within the scope 793
of the officer's, agent's, or employee's duties; 794

(b) Any person who is employed in this state, who is 795
authorized to carry firearms, and who is subject to and in 796
compliance with the requirements of section 109.801 of the 797
Revised Code, unless the appointing authority of the person has 798
expressly specified that the exemption provided in division (B) 799
(1) (b) of this section does not apply to the person; 800

(c) Any room used for the accommodation of guests of a 801
hotel, as defined in section 4301.01 of the Revised Code; 802

(d) The principal holder of a D permit issued for a 803
premises or an open air arena under Chapter 4303. of the Revised 804
Code while in the premises or open air arena for which the 805
permit was issued if the principal holder of the D permit also 806
possesses a valid concealed handgun license or is deemed under 807
division (C) of section 2923.111 of the Revised Code to have 808
been issued a concealed handgun license under section 2923.125 809
of the Revised Code and as long as the firearm is not a 810
restricted firearm and the principal holder is not consuming 811
beer or intoxicating liquor or under the influence of alcohol or 812
a drug of abuse, or any agent or employee of that holder who 813
also is a peace officer, as defined in section 2151.3515 of the 814
Revised Code, who is off duty, and who otherwise is authorized 815

to carry firearms while in the course of the officer's official 816
duties and while in the premises or open air arena for which the 817
permit was issued and as long as the firearm is not a restricted 818
firearm and the agent or employee of that holder is not 819
consuming beer or intoxicating liquor or under the influence of 820
alcohol or a drug of abuse. 821

(e) Any person who is carrying a valid concealed handgun 822
license or is deemed under division (C) of section 2923.111 of 823
the Revised Code to have been issued a concealed handgun license 824
under section 2923.125 of the Revised Code, as long as the 825
firearm is not a restricted firearm and the person is not 826
consuming beer or intoxicating liquor or under the influence of 827
alcohol or a drug of abuse. 828

(2) This section does not prohibit any person who is a 829
member of a veteran's organization, as defined in section 830
2915.01 of the Revised Code, from possessing a rifle in any room 831
in any premises owned, leased, or otherwise under the control of 832
the veteran's organization, if the rifle is not loaded with live 833
ammunition and if the person otherwise is not prohibited by law 834
from having the rifle. 835

(3) This section does not apply to any person possessing 836
or displaying firearms in any room used to exhibit unloaded 837
firearms for sale or trade in a soldiers' memorial established 838
pursuant to Chapter 345. of the Revised Code, in a convention 839
center, or in any other public meeting place, if the person is 840
an exhibitor, trader, purchaser, or seller of firearms and is 841
not otherwise prohibited by law from possessing, trading, 842
purchasing, or selling the firearms. 843

(C) It is an affirmative defense to a charge under this 844
section of illegal possession of a firearm in a liquor permit 845

premises ~~that involves~~ involving the possession of a firearm 846
other than a handgun, that divisions (B) (1) (d) and (e) of this 847
section do not apply, that the actor was not otherwise 848
prohibited by law from having the firearm, and that any of the 849
following apply: 850

(1) The firearm was carried or kept ready at hand by the 851
actor for defensive purposes, while the actor was engaged in or 852
was going to or from the actor's lawful business or occupation, 853
which business or occupation was of such character or was 854
necessarily carried on in such manner or at such a time or place 855
as to render the actor particularly susceptible to criminal 856
attack, such as would justify a prudent person in going armed. 857

(2) The firearm was carried or kept ready at hand by the 858
actor for defensive purposes, while the actor was engaged in a 859
lawful activity, and had reasonable cause to fear a criminal 860
attack upon the actor or a member of the actor's family, or upon 861
the actor's home, such as would justify a prudent person in 862
going armed. 863

(D) No person who is charged with a violation of this 864
section shall be required to obtain a concealed handgun license 865
as a condition for the dismissal of the charge. 866

(E) Whoever violates this section is guilty of illegal 867
possession of a firearm in a liquor permit premises. Except as 868
otherwise provided in this division, illegal possession of a 869
firearm in a liquor permit premises is a felony of the fifth 870
degree. If the offender commits the violation of this section by 871
knowingly carrying or having the firearm concealed on the 872
offender's person or concealed ready at hand, illegal possession 873
of a firearm in a liquor permit premises is a felony of the 874
third degree. 875

(F) As used in this section, "beer" and "intoxicating liquor" have the same meanings as in section 4301.01 of the Revised Code. 876
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Sec. 2923.122. (A) No person shall knowingly convey, or attempt to convey, a deadly weapon or dangerous ordnance into a school safety zone. 879
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(B) No person shall knowingly possess a deadly weapon or dangerous ordnance in a school safety zone. 882
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(C) No person shall knowingly possess an object in a school safety zone if both of the following apply: 884
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(1) The object is indistinguishable from a firearm, whether or not the object is capable of being fired. 886
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(2) The person indicates that the person possesses the object and that it is a firearm, or the person knowingly displays or brandishes the object and indicates that it is a firearm. 888
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(D) (1) This section does not apply to any of the following: 892
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(a) An officer, agent, or employee of this or any other state or the United States, or a law enforcement officer, who is authorized to carry deadly weapons or dangerous ordnance and is acting within the scope of the officer's, agent's, or employee's duties, a security officer employed by a board of education or governing body of a school during the time that the security officer is on duty pursuant to that contract of employment, or any other person who has written authorization from the board of education or governing body of a school to convey deadly weapons or dangerous ordnance into a school safety zone or to possess a deadly weapon or dangerous ordnance in a school safety zone and 894
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who conveys or possesses the deadly weapon or dangerous ordnance 905
in accordance with that authorization; 906

(b) Any person who is employed in this state, who is 907
authorized to carry deadly weapons or dangerous ordnance, and 908
who is subject to and in compliance with the requirements of 909
section 109.801 of the Revised Code, unless the appointing 910
authority of the person has expressly specified that the 911
exemption provided in division (D) (1) (b) of this section does 912
not apply to the person. 913

(2) Division (C) of this section does not apply to 914
premises upon which home schooling is conducted. Division (C) of 915
this section also does not apply to a school administrator, 916
teacher, or employee who possesses an object that is 917
indistinguishable from a firearm for legitimate school purposes 918
during the course of employment, a student who uses an object 919
that is indistinguishable from a firearm under the direction of 920
a school administrator, teacher, or employee, or any other 921
person who with the express prior approval of a school 922
administrator possesses an object that is indistinguishable from 923
a firearm for a legitimate purpose, including the use of the 924
object in a ceremonial activity, a play, reenactment, or other 925
dramatic presentation, or a ROTC activity or another similar use 926
of the object. 927

(3) This section does not apply to a person who conveys or 928
attempts to convey a handgun-firearm that is not a restricted 929
firearm into, or possesses a handgun-firearm that is not a 930
restricted firearm in, a school safety zone if, at the time of 931
that conveyance, attempted conveyance, or possession of the 932
handgun firearm that is not a restricted firearm, all the person 933
is carrying a valid concealed handgun license or is deemed under 934

division (C) of section 2923.111 of the Revised Code to have 935
been issued a concealed handgun license under section 2923.125 936
of the Revised Code and either of the following ~~apply~~ applies: 937

(a) The person does not enter into a school building or 938
onto school premises and is not at a school activity. 939

~~(b) The person is carrying a valid concealed handgun~~ 940
~~license.~~ 941

~~(c) The~~ the person is in the school safety zone in 942
accordance with 18 U.S.C. 922(q) (2) (B). 943

~~(d) The~~ and the person is not knowingly in a~~an~~ 944
unauthorized place ~~described~~ specified in division (B) (1) or (B) 945
(3) to (10) of section 2923.126 of the Revised Code and is not 946
knowingly conveying, attempting to convey, or possessing the 947
firearm in any prohibited manner specified in any of those 948
divisions. 949

~~(4) This section does not apply to a person who conveys or~~ 950
~~attempts to convey a handgun into, or possesses a handgun in, a~~ 951
~~school safety zone if at the time of that conveyance, attempted~~ 952
~~conveyance, or possession of the handgun all of the following~~ 953
~~apply:~~ 954

~~(a) The person is carrying a valid concealed handgun~~ 955
~~license.~~ 956

(b) The person is the driver or passenger in a motor 957
vehicle and is in the school safety zone while immediately in 958
the process of picking up or dropping off a child. 959

~~(c) The~~ and the person is not in violation of section 960
2923.16 of the Revised Code. 961

(E) (1) Whoever violates division (A) or (B) of this 962

section is guilty of illegal conveyance or possession of a 963
deadly weapon or dangerous ordnance in a school safety zone. 964
Except as otherwise provided in this division, illegal 965
conveyance or possession of a deadly weapon or dangerous 966
ordnance in a school safety zone is a felony of the fifth 967
degree. If the offender previously has been convicted of a 968
violation of this section, illegal conveyance or possession of a 969
deadly weapon or dangerous ordnance in a school safety zone is a 970
felony of the fourth degree. 971

(2) Whoever violates division (C) of this section is 972
guilty of illegal possession of an object indistinguishable from 973
a firearm in a school safety zone. Except as otherwise provided 974
in this division, illegal possession of an object 975
indistinguishable from a firearm in a school safety zone is a 976
misdemeanor of the first degree. If the offender previously has 977
been convicted of a violation of this section, illegal 978
possession of an object indistinguishable from a firearm in a 979
school safety zone is a felony of the fifth degree. 980

(F) (1) In addition to any other penalty imposed upon a 981
person who is convicted of or pleads guilty to a violation of 982
this section and subject to division (F) (2) of this section, if 983
the offender has not attained nineteen years of age, regardless 984
of whether the offender is attending or is enrolled in a school 985
operated by a board of education or for which the state board of 986
education prescribes minimum standards under section 3301.07 of 987
the Revised Code, the court shall impose upon the offender a 988
class four suspension of the offender's probationary driver's 989
license, restricted license, driver's license, commercial 990
driver's license, temporary instruction permit, or probationary 991
commercial driver's license that then is in effect from the 992
range specified in division (A) (4) of section 4510.02 of the 993

Revised Code and shall deny the offender the issuance of any 994
permit or license of that type during the period of the 995
suspension. 996

If the offender is not a resident of this state, the court 997
shall impose a class four suspension of the nonresident 998
operating privilege of the offender from the range specified in 999
division (A) (4) of section 4510.02 of the Revised Code. 1000

(2) If the offender shows good cause why the court should 1001
not suspend one of the types of licenses, permits, or privileges 1002
specified in division (F) (1) of this section or deny the 1003
issuance of one of the temporary instruction permits specified 1004
in that division, the court in its discretion may choose not to 1005
impose the suspension, revocation, or denial required in that 1006
division, but the court, in its discretion, instead may require 1007
the offender to perform community service for a number of hours 1008
determined by the court. 1009

(G) As used in this section, "object that is 1010
indistinguishable from a firearm" means an object made, 1011
constructed, or altered so that, to a reasonable person without 1012
specialized training in firearms, the object appears to be a 1013
firearm. 1014

Sec. 2923.123. (A) No person shall knowingly convey or 1015
attempt to convey a deadly weapon or dangerous ordnance into a 1016
courthouse or into another building or structure in which a 1017
courtroom is located. 1018

(B) No person shall knowingly possess or have under the 1019
person's control a deadly weapon or dangerous ordnance in a 1020
courthouse or in another building or structure in which a 1021
courtroom is located. 1022

(C) This section does not apply to any of the following:	1023
(1) Except as provided in division (E) of this section, a judge of a court of record of this state or a magistrate;	1024 1025
(2) A peace officer, officer of a law enforcement agency, or person who is in either of the following categories:	1026 1027
(a) Except as provided in division (E) of this section, a peace officer, or an officer of a law enforcement agency of another state, a political subdivision of another state, or the United States, who is authorized to carry a deadly weapon or dangerous ordnance, who possesses or has under that individual's control a deadly weapon or dangerous ordnance as a requirement of that individual's duties, and who is acting within the scope of that individual's duties at the time of that possession or control;	1028 1029 1030 1031 1032 1033 1034 1035 1036
(b) Except as provided in division (E) of this section, a person who is employed in this state, who is authorized to carry a deadly weapon or dangerous ordnance, who possesses or has under that individual's control a deadly weapon or dangerous ordnance as a requirement of that person's duties, and who is subject to and in compliance with the requirements of section 109.801 of the Revised Code, unless the appointing authority of the person has expressly specified that the exemption provided in division (C) (2) (b) of this section does not apply to the person.	1037 1038 1039 1040 1041 1042 1043 1044 1045 1046
(3) A person who conveys, attempts to convey, possesses, or has under the person's control a deadly weapon or dangerous ordnance that is to be used as evidence in a pending criminal or civil action or proceeding;	1047 1048 1049 1050
(4) Except as provided in division (E) of this section, a	1051

bailiff or deputy bailiff of a court of record of this state who 1052
is authorized to carry a firearm pursuant to section 109.77 of 1053
the Revised Code, who possesses or has under that individual's 1054
control a firearm as a requirement of that individual's duties, 1055
and who is acting within the scope of that individual's duties 1056
at the time of that possession or control; 1057

(5) Except as provided in division (E) of this section, a 1058
prosecutor, or a secret service officer appointed by a county 1059
prosecuting attorney, who is authorized to carry a deadly weapon 1060
or dangerous ordnance in the performance of the individual's 1061
duties, who possesses or has under that individual's control a 1062
deadly weapon or dangerous ordnance as a requirement of that 1063
individual's duties, and who is acting within the scope of that 1064
individual's duties at the time of that possession or control; 1065

(6) Except as provided in division (E) of this section, a 1066
person who conveys or attempts to convey a ~~handgun~~ firearm that 1067
is not a restricted firearm into a courthouse or into another 1068
building or structure in which a courtroom is located, ~~or who~~ 1069
possesses or has under the person's control a firearm that is 1070
not a restricted firearm in a courthouse or such a building or 1071
structure, if the person at the time of the conveyance ~~or,~~ 1072
attempt, possession, or control, is carrying a valid concealed 1073
handgun license, ~~or is deemed under division (C) of section~~ 1074
2923.111 of the Revised Code to have been issued a concealed 1075
handgun license under section 2923.125 of the Revised Code and 1076
~~who the person~~ transfers possession of the ~~handgun~~ firearm to 1077
the officer or officer's designee who has charge of the 1078
courthouse or building. The officer shall secure the ~~handgun~~ 1079
firearm until the ~~licensee~~ person is prepared to leave the 1080
premises. The exemption described in this division applies only 1081
if the officer who has charge of the courthouse or building 1082

provides services of the nature described in this division. An 1083
officer who has charge of the courthouse or building is not 1084
required to offer services of the nature described in this 1085
division. 1086

(D) (1) Whoever violates division (A) of this section is 1087
guilty of illegal conveyance of a deadly weapon or dangerous 1088
ordnance into a courthouse. Except as otherwise provided in this 1089
division, illegal conveyance of a deadly weapon or dangerous 1090
ordnance into a courthouse is a felony of the fifth degree. If 1091
the offender previously has been convicted of a violation of 1092
division (A) or (B) of this section, illegal conveyance of a 1093
deadly weapon or dangerous ordnance into a courthouse is a 1094
felony of the fourth degree. 1095

(2) Whoever violates division (B) of this section is 1096
guilty of illegal possession or control of a deadly weapon or 1097
dangerous ordnance in a courthouse. Except as otherwise provided 1098
in this division, illegal possession or control of a deadly 1099
weapon or dangerous ordnance in a courthouse is a felony of the 1100
fifth degree. If the offender previously has been convicted of a 1101
violation of division (A) or (B) of this section, illegal 1102
possession or control of a deadly weapon or dangerous ordnance 1103
in a courthouse is a felony of the fourth degree. 1104

(E) The exemptions described in divisions (C) (1), (2) (a), 1105
(2) (b), (4), (5), and (6) of this section do not apply to any 1106
judge, magistrate, peace officer, officer of a law enforcement 1107
agency, bailiff, deputy bailiff, prosecutor, secret service 1108
officer, or other person described in any of those divisions if 1109
a rule of superintendence or another type of rule adopted by the 1110
supreme court pursuant to Article IV, Ohio Constitution, or an 1111
applicable local rule of court prohibits all persons from 1112

conveying or attempting to convey a deadly weapon or dangerous 1113
ordnance into a courthouse or into another building or structure 1114
in which a courtroom is located or from possessing or having 1115
under one's control a deadly weapon or dangerous ordnance in a 1116
courthouse or in another building or structure in which a 1117
courtroom is located. 1118

(F) As used in this section: 1119

(1) "Magistrate" means an individual who is appointed by a 1120
court of record of this state and who has the powers and may 1121
perform the functions specified in Civil Rule 53, Criminal Rule 1122
19, or Juvenile Rule 40. 1123

(2) "Peace officer" and "prosecutor" have the same 1124
meanings as in section 2935.01 of the Revised Code. 1125

Sec. 2923.124. As used in sections 2923.124 to 2923.1213 1126
of the Revised Code: 1127

(A) "Application form" means the application form 1128
prescribed pursuant to division (A)(1) of section 109.731 of the 1129
Revised Code and includes a copy of that form. 1130

(B) "Competency certification" and "competency 1131
certificate" mean a document of the type described in division 1132
(B)(3) of section 2923.125 of the Revised Code. 1133

(C) "Detention facility" has the same meaning as in 1134
section 2921.01 of the Revised Code. 1135

(D) "Licensee" means a person to whom a concealed handgun 1136
license has been issued under section 2923.125 of the Revised 1137
Code and, except when the context clearly indicates otherwise, 1138
includes a person to whom a concealed handgun license on a 1139
temporary emergency basis has been issued under section 1140

2923.1213 of the Revised Code ~~and~~, a person to whom a concealed 1141
handgun license has been issued by another state, and a person 1142
who is deemed under division (C) of section 2923.111 of the 1143
Revised Code to have been issued a concealed handgun license 1144
under section 2923.125 of the Revised Code. 1145

(E) "License fee" or "license renewal fee" means the fee 1146
for a concealed handgun license or the fee to renew that license 1147
that is to be paid by an applicant for a license of that type. 1148

(F) "Peace officer" has the same meaning as in section 1149
2935.01 of the Revised Code. 1150

(G) "State correctional institution" has the same meaning 1151
as in section 2967.01 of the Revised Code. 1152

(H) "Civil protection order" means a protection order 1153
issued, or consent agreement approved, under section 2903.214 or 1154
3113.31 of the Revised Code. 1155

(I) "Temporary protection order" means a protection order 1156
issued under section 2903.213 or 2919.26 of the Revised Code. 1157

(J) "Protection order issued by a court of another state" 1158
has the same meaning as in section 2919.27 of the Revised Code. 1159

(K) "Child day-care center," "type A family day-care home" 1160
and "type B family day-care home" have the same meanings as in 1161
section 5104.01 of the Revised Code. 1162

(L) "Foreign air transportation," "interstate air 1163
transportation," and "intrastate air transportation" have the 1164
same meanings as in 49 U.S.C. 40102, as now or hereafter 1165
amended. 1166

(M) "Commercial motor vehicle" has the same meaning as in 1167
division (A) of section 4506.25 of the Revised Code. 1168

(N) "Motor carrier enforcement unit" has the same meaning 1169
as in section 2923.16 of the Revised Code. 1170

Sec. 2923.125. It is the intent of the general assembly 1171
that Ohio concealed handgun license law be compliant with the 1172
national instant criminal background check system, that the 1173
bureau of alcohol, tobacco, firearms, and explosives is able to 1174
determine that Ohio law is compliant with the national instant 1175
criminal background check system, and that no person shall be 1176
eligible to receive a concealed handgun license permit under 1177
section 2923.125 or 2923.1213 of the Revised Code unless the 1178
person is eligible lawfully to receive or possess a firearm in 1179
the United States. 1180

(A) This section applies with respect to the application 1181
for and issuance by this state of concealed handgun licenses 1182
other than concealed handgun licenses on a temporary emergency 1183
basis that are issued under section 2923.1213 of the Revised 1184
Code. Upon the request of a person who wishes to obtain a 1185
concealed handgun license with respect to which this section 1186
applies or to renew a concealed handgun license with respect to 1187
which this section applies, a sheriff, as provided in division 1188
(I) of this section, shall provide to the person free of charge 1189
an application form and the web site address at which a 1190
printable version of the application form that can be downloaded 1191
and the pamphlet described in division (B) of section 109.731 of 1192
the Revised Code may be found. A sheriff shall accept a 1193
completed application form and the fee, items, materials, and 1194
information specified in divisions (B)(1) to (5) of this section 1195
at the times and in the manners described in division (I) of 1196
this section. 1197

(B) An applicant for a concealed handgun license who is a 1198

resident of this state shall submit a completed application form 1199
and all of the material and information described in divisions 1200
(B) (1) to (6) of this section to the sheriff of the county in 1201
which the applicant resides or to the sheriff of any county 1202
adjacent to the county in which the applicant resides. An 1203
applicant for a license who resides in another state shall 1204
submit a completed application form and all of the material and 1205
information described in divisions (B) (1) to (7) of this section 1206
to the sheriff of the county in which the applicant is employed 1207
or to the sheriff of any county adjacent to the county in which 1208
the applicant is employed: 1209

(1) (a) A nonrefundable license fee as described in either 1210
of the following: 1211

(i) For an applicant who has been a resident of this state 1212
for five or more years, a fee of sixty-seven dollars; 1213

(ii) For an applicant who has been a resident of this 1214
state for less than five years or who is not a resident of this 1215
state, but who is employed in this state, a fee of sixty-seven 1216
dollars plus the actual cost of having a background check 1217
performed by the federal bureau of investigation. 1218

(b) No sheriff shall require an applicant to pay for the 1219
cost of a background check performed by the bureau of criminal 1220
identification and investigation. 1221

(c) A sheriff shall waive the payment of the license fee 1222
described in division (B) (1) (a) of this section in connection 1223
with an initial or renewal application for a license that is 1224
submitted by an applicant who is a retired peace officer, a 1225
retired person described in division (B) (1) (b) of section 109.77 1226
of the Revised Code, or a retired federal law enforcement 1227

officer who, prior to retirement, was authorized under federal 1228
law to carry a firearm in the course of duty, unless the retired 1229
peace officer, person, or federal law enforcement officer 1230
retired as the result of a mental disability. 1231

(d) The sheriff shall deposit all fees paid by an 1232
applicant under division (B) (1) (a) of this section into the 1233
sheriff's concealed handgun license issuance fund established 1234
pursuant to section 311.42 of the Revised Code. The county shall 1235
distribute the fees in accordance with section 311.42 of the 1236
Revised Code. 1237

(2) A color photograph of the applicant that was taken 1238
within thirty days prior to the date of the application; 1239

(3) One or more of the following competency 1240
certifications, each of which shall reflect that, regarding a 1241
certification described in division (B) (3) (a), (b), (c), (e), or 1242
(f) of this section, within the three years immediately 1243
preceding the application the applicant has performed that to 1244
which the competency certification relates and that, regarding a 1245
certification described in division (B) (3) (d) of this section, 1246
the applicant currently is an active or reserve member of the 1247
armed forces of the United States or within the ten years 1248
immediately preceding the application the honorable discharge or 1249
retirement to which the competency certification relates 1250
occurred: 1251

(a) An original or photocopy of a certificate of 1252
completion of a firearms safety, training, or requalification or 1253
firearms safety instructor course, class, or program that was 1254
offered by or under the auspices of a national gun advocacy 1255
organization and that complies with the requirements set forth 1256
in division (G) of this section; 1257

(b) An original or photocopy of a certificate of 1258
completion of a firearms safety, training, or requalification or 1259
firearms safety instructor course, class, or program that 1260
satisfies all of the following criteria: 1261

(i) It was open to members of the general public. 1262

(ii) It utilized qualified instructors who were certified 1263
by a national gun advocacy organization, the executive director 1264
of the Ohio peace officer training commission pursuant to 1265
section 109.75 or 109.78 of the Revised Code, or a governmental 1266
official or entity of another state. 1267

(iii) It was offered by or under the auspices of a law 1268
enforcement agency of this or another state or the United 1269
States, a public or private college, university, or other 1270
similar postsecondary educational institution located in this or 1271
another state, a firearms training school located in this or 1272
another state, or another type of public or private entity or 1273
organization located in this or another state. 1274

(iv) It complies with the requirements set forth in 1275
division (G) of this section. 1276

(c) An original or photocopy of a certificate of 1277
completion of a state, county, municipal, or department of 1278
natural resources peace officer training school that is approved 1279
by the executive director of the Ohio peace officer training 1280
commission pursuant to section 109.75 of the Revised Code and 1281
that complies with the requirements set forth in division (G) of 1282
this section, or the applicant has satisfactorily completed and 1283
been issued a certificate of completion of a basic firearms 1284
training program, a firearms requalification training program, 1285
or another basic training program described in section 109.78 or 1286

109.801 of the Revised Code that complies with the requirements 1287
set forth in division (G) of this section; 1288

(d) A document that evidences both of the following: 1289

(i) That the applicant is an active or reserve member of 1290
the armed forces of the United States, has retired from or was 1291
honorably discharged from military service in the active or 1292
reserve armed forces of the United States, is a retired trooper 1293
of the state highway patrol, or is a retired peace officer or 1294
federal law enforcement officer described in division (B)(1) of 1295
this section or a retired person described in division (B)(1)(b) 1296
of section 109.77 of the Revised Code and division (B)(1) of 1297
this section; 1298

(ii) That, through participation in the military service 1299
or through the former employment described in division (B)(3)(d) 1300
(i) of this section, the applicant acquired experience with 1301
handling ~~handguns or other~~ firearms, and the experience so 1302
acquired was equivalent to training that the applicant could 1303
have acquired in a course, class, or program described in 1304
division (B)(3)(a), (b), or (c) of this section. 1305

(e) A certificate or another similar document that 1306
evidences satisfactory completion of a firearms training, 1307
safety, or requalification or firearms safety instructor course, 1308
class, or program that is not otherwise described in division 1309
(B)(3)(a), (b), (c), or (d) of this section, that was conducted 1310
by an instructor who was certified by an official or entity of 1311
the government of this or another state or the United States or 1312
by a national gun advocacy organization, and that complies with 1313
the requirements set forth in division (G) of this section; 1314

(f) An affidavit that attests to the applicant's 1315

satisfactory completion of a course, class, or program described 1316
in division (B) (3) (a), (b), (c), or (e) of this section and that 1317
is subscribed by the applicant's instructor or an authorized 1318
representative of the entity that offered the course, class, or 1319
program or under whose auspices the course, class, or program 1320
was offered; 1321

(g) A document that evidences that the applicant has 1322
successfully completed the Ohio peace officer training program 1323
described in section 109.79 of the Revised Code. 1324

(4) A certification by the applicant that the applicant 1325
has read the pamphlet prepared by the Ohio peace officer 1326
training commission pursuant to section 109.731 of the Revised 1327
Code that reviews firearms, dispute resolution, and use of 1328
deadly force matters. 1329

(5) A set of fingerprints of the applicant provided as 1330
described in section 311.41 of the Revised Code through use of 1331
an electronic fingerprint reading device or, if the sheriff to 1332
whom the application is submitted does not possess and does not 1333
have ready access to the use of such a reading device, on a 1334
standard impression sheet prescribed pursuant to division (C) (2) 1335
of section 109.572 of the Revised Code. 1336

(6) If the applicant is not a citizen or national of the 1337
United States, the name of the applicant's country of 1338
citizenship and the applicant's alien registration number issued 1339
by the United States citizenship and immigration services 1340
agency. 1341

(7) If the applicant resides in another state, adequate 1342
proof of employment in Ohio. 1343

(C) Upon receipt of the completed application form, 1344

supporting documentation, and, if not waived, license fee of an 1345
applicant under this section, a sheriff, in the manner specified 1346
in section 311.41 of the Revised Code, shall conduct or cause to 1347
be conducted the criminal records check and the incompetency 1348
records check described in section 311.41 of the Revised Code. 1349

(D) (1) Except as provided in division (D) (3) of this 1350
section, within forty-five days after a sheriff's receipt of an 1351
applicant's completed application form for a concealed handgun 1352
license under this section, the supporting documentation, and, 1353
if not waived, the license fee, the sheriff shall make available 1354
through the law enforcement automated data system in accordance 1355
with division (H) of this section the information described in 1356
that division and, upon making the information available through 1357
the system, shall issue to the applicant a concealed handgun 1358
license that shall expire as described in division (D) (2) (a) of 1359
this section if all of the following apply: 1360

(a) The applicant is legally living in the United States. 1361
For purposes of division (D) (1) (a) of this section, if a person 1362
is absent from the United States in compliance with military or 1363
naval orders as an active or reserve member of the armed forces 1364
of the United States and if prior to leaving the United States 1365
the person was legally living in the United States, the person, 1366
solely by reason of that absence, shall not be considered to 1367
have lost the person's status as living in the United States. 1368

(b) The applicant is at least twenty-one years of age. 1369

(c) The applicant is not a fugitive from justice. 1370

(d) The applicant is not under indictment for or otherwise 1371
charged with a felony; an offense under Chapter 2925., 3719., or 1372
4729. of the Revised Code that involves the illegal possession, 1373

use, sale, administration, or distribution of or trafficking in 1374
a drug of abuse; a misdemeanor offense of violence; or a 1375
violation of section 2903.14 or 2923.1211 of the Revised Code. 1376

(e) Except as otherwise provided in division (D) (4) or (5) 1377
of this section, the applicant has not been convicted of or 1378
pleaded guilty to a felony or an offense under Chapter 2925., 1379
3719., or 4729. of the Revised Code that involves the illegal 1380
possession, use, sale, administration, or distribution of or 1381
trafficking in a drug of abuse; has not been adjudicated a 1382
delinquent child for committing an act that if committed by an 1383
adult would be a felony or would be an offense under Chapter 1384
2925., 3719., or 4729. of the Revised Code that involves the 1385
illegal possession, use, sale, administration, or distribution 1386
of or trafficking in a drug of abuse; has not been convicted of, 1387
pleaded guilty to, or adjudicated a delinquent child for 1388
committing a violation of section 2903.13 of the Revised Code 1389
when the victim of the violation is a peace officer, regardless 1390
of whether the applicant was sentenced under division (C) (4) of 1391
that section; and has not been convicted of, pleaded guilty to, 1392
or adjudicated a delinquent child for committing any other 1393
offense that is not previously described in this division that 1394
is a misdemeanor punishable by imprisonment for a term exceeding 1395
one year. 1396

(f) Except as otherwise provided in division (D) (4) or (5) 1397
of this section, the applicant, within three years of the date 1398
of the application, has not been convicted of or pleaded guilty 1399
to a misdemeanor offense of violence other than a misdemeanor 1400
violation of section 2921.33 of the Revised Code or a violation 1401
of section 2903.13 of the Revised Code when the victim of the 1402
violation is a peace officer, or a misdemeanor violation of 1403
section 2923.1211 of the Revised Code; and has not been 1404

adjudicated a delinquent child for committing an act that if 1405
committed by an adult would be a misdemeanor offense of violence 1406
other than a misdemeanor violation of section 2921.33 of the 1407
Revised Code or a violation of section 2903.13 of the Revised 1408
Code when the victim of the violation is a peace officer or for 1409
committing an act that if committed by an adult would be a 1410
misdemeanor violation of section 2923.1211 of the Revised Code. 1411

(g) Except as otherwise provided in division (D) (1) (e) of 1412
this section, the applicant, within five years of the date of 1413
the application, has not been convicted of, pleaded guilty to, 1414
or been adjudicated a delinquent child for committing two or 1415
more violations of section 2903.13 or 2903.14 of the Revised 1416
Code. 1417

(h) Except as otherwise provided in division (D) (4) or (5) 1418
of this section, the applicant, within ten years of the date of 1419
the application, has not been convicted of, pleaded guilty to, 1420
or been adjudicated a delinquent child for committing a 1421
violation of section 2921.33 of the Revised Code. 1422

(i) The applicant has not been adjudicated as a mental 1423
defective, has not been committed to any mental institution, is 1424
not under adjudication of mental incompetence, has not been 1425
found by a court to be a mentally ill person subject to court 1426
order, and is not an involuntary patient other than one who is a 1427
patient only for purposes of observation. As used in this 1428
division, "mentally ill person subject to court order" and 1429
"patient" have the same meanings as in section 5122.01 of the 1430
Revised Code. 1431

(j) The applicant is not currently subject to a civil 1432
protection order, a temporary protection order, or a protection 1433
order issued by a court of another state. 1434

(k) The applicant certifies that the applicant desires a legal means to carry a concealed ~~handgun~~ firearm for defense of the applicant or a member of the applicant's family while engaged in lawful activity.

(l) The applicant submits a competency certification of the type described in division (B) (3) of this section and submits a certification of the type described in division (B) (4) of this section regarding the applicant's reading of the pamphlet prepared by the Ohio peace officer training commission pursuant to section 109.731 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.

(n) If the applicant resides in another state, the applicant is employed in this state.

(o) The applicant certifies that the applicant is not an unlawful user of or addicted to any controlled substance as defined in 21 U.S.C. 802.

(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.

(r) The applicant certifies that the applicant has not renounced the applicant's United States citizenship, if

applicable. 1464

(s) The applicant has not been convicted of, pleaded 1465
guilty to, or adjudicated a delinquent child for committing a 1466
violation of section 2919.25 of the Revised Code or a similar 1467
violation in another state. 1468

(2) (a) A concealed handgun license that a sheriff issues 1469
under division (D) (1) of this section shall expire five years 1470
after the date of issuance. 1471

If a sheriff issues a license under this section, the 1472
sheriff shall place on the license a unique combination of 1473
letters and numbers identifying the license in accordance with 1474
the procedure prescribed by the Ohio peace officer training 1475
commission pursuant to section 109.731 of the Revised Code. 1476

(b) If a sheriff denies an application under this section 1477
because the applicant does not satisfy the criteria described in 1478
division (D) (1) of this section, the sheriff shall specify the 1479
grounds for the denial in a written notice to the applicant. The 1480
applicant may appeal the denial pursuant to section 119.12 of 1481
the Revised Code in the county served by the sheriff who denied 1482
the application. If the denial was as a result of the criminal 1483
records check conducted pursuant to section 311.41 of the 1484
Revised Code and if, pursuant to section 2923.127 of the Revised 1485
Code, the applicant challenges the criminal records check 1486
results using the appropriate challenge and review procedure 1487
specified in that section, the time for filing the appeal 1488
pursuant to section 119.12 of the Revised Code and this division 1489
is tolled during the pendency of the request or the challenge 1490
and review. 1491

(c) If the court in an appeal under section 119.12 of the 1492

Revised Code and division (D) (2) (b) of this section enters a 1493
judgment sustaining the sheriff's refusal to grant to the 1494
applicant a concealed handgun license, the applicant may file a 1495
new application beginning one year after the judgment is 1496
entered. If the court enters a judgment in favor of the 1497
applicant, that judgment shall not restrict the authority of a 1498
sheriff to suspend or revoke the license pursuant to section 1499
2923.128 or 2923.1213 of the Revised Code or to refuse to renew 1500
the license for any proper cause that may occur after the date 1501
the judgment is entered. In the appeal, the court shall have 1502
full power to dispose of all costs. 1503

(3) If the sheriff with whom an application for a 1504
concealed handgun license was filed under this section becomes 1505
aware that the applicant has been arrested for or otherwise 1506
charged with an offense that would disqualify the applicant from 1507
holding the license, the sheriff shall suspend the processing of 1508
the application until the disposition of the case arising from 1509
the arrest or charge. 1510

(4) If an applicant has been convicted of or pleaded 1511
guilty to an offense identified in division (D) (1) (e), (f), or 1512
(h) of this section or has been adjudicated a delinquent child 1513
for committing an act or violation identified in any of those 1514
divisions, and if a court has ordered the sealing or expungement 1515
of the records of that conviction, guilty plea, or adjudication 1516
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 1517
2953.36, or section 2953.37 of the Revised Code or the applicant 1518
has been relieved under operation of law or legal process from 1519
the disability imposed pursuant to section 2923.13 of the 1520
Revised Code relative to that conviction, guilty plea, or 1521
adjudication, the sheriff with whom the application was 1522
submitted shall not consider the conviction, guilty plea, or 1523

adjudication in making a determination under division (D)(1) or 1524
(F) of this section or, in relation to an application for a 1525
concealed handgun license on a temporary emergency basis 1526
submitted under section 2923.1213 of the Revised Code, in making 1527
a determination under division (B)(2) of that section. 1528

(5) If an applicant has been convicted of or pleaded 1529
guilty to a minor misdemeanor offense or has been adjudicated a 1530
delinquent child for committing an act or violation that is a 1531
minor misdemeanor offense, the sheriff with whom the application 1532
was submitted shall not consider the conviction, guilty plea, or 1533
adjudication in making a determination under division (D)(1) or 1534
(F) of this section or, in relation to an application for a 1535
concealed handgun license on a temporary basis submitted under 1536
section 2923.1213 of the Revised Code, in making a determination 1537
under division (B)(2) of that section. 1538

(E) If a concealed handgun license issued under this 1539
section is lost or is destroyed, the licensee may obtain from 1540
the sheriff who issued that license a duplicate license upon the 1541
payment of a fee of fifteen dollars and the submission of an 1542
affidavit attesting to the loss or destruction of the license. 1543
The sheriff, in accordance with the procedures prescribed in 1544
section 109.731 of the Revised Code, shall place on the 1545
replacement license a combination of identifying numbers 1546
different from the combination on the license that is being 1547
replaced. 1548

(F)(1)(a) Except as provided in division (F)(1)(b) of this 1549
section, a licensee who wishes to renew a concealed handgun 1550
license issued under this section shall do so not earlier than 1551
ninety days before the expiration date of the license or at any 1552
time after the expiration date of the license by filing with the 1553

sheriff of the county in which the applicant resides or with the 1554
sheriff of an adjacent county, or in the case of ~~a~~ an applicant 1555
who resides in another state with the sheriff of the county that 1556
issued the applicant's previous concealed handgun license an 1557
application for renewal of the license obtained pursuant to 1558
division (D) of this section, a certification by the applicant 1559
that, subsequent to the issuance of the license, the applicant 1560
has reread the pamphlet prepared by the Ohio peace officer 1561
training commission pursuant to section 109.731 of the Revised 1562
Code that reviews firearms, dispute resolution, and use of 1563
deadly force matters, and a nonrefundable license renewal fee in 1564
an amount determined pursuant to division (F) (4) of this section 1565
unless the fee is waived. 1566

(b) A person on active duty in the armed forces of the 1567
United States or in service with the peace corps, volunteers in 1568
service to America, or the foreign service of the United States 1569
is exempt from the license requirements of this section for the 1570
period of the person's active duty or service and for six months 1571
thereafter, provided the person was a licensee under this 1572
section at the time the person commenced the person's active 1573
duty or service or had obtained a license while on active duty 1574
or service. The spouse or a dependent of any such person on 1575
active duty or in service also is exempt from the license 1576
requirements of this section for the period of the person's 1577
active duty or service and for six months thereafter, provided 1578
the spouse or dependent was a licensee under this section at the 1579
time the person commenced the active duty or service or had 1580
obtained a license while the person was on active duty or 1581
service, and provided further that the person's active duty or 1582
service resulted in the spouse or dependent relocating outside 1583
of this state during the period of the active duty or service. 1584

This division does not prevent such a person or the person's spouse or dependent from making an application for the renewal of a concealed handgun license during the period of the person's active duty or service.

(2) A sheriff shall accept a completed renewal application, the license renewal fee, and the information specified in division (F)(1) of this section at the times and in the manners described in division (I) of this section. Upon receipt of a completed renewal application, of certification that the applicant has reread the specified pamphlet prepared by the Ohio peace officer training commission, and of a license renewal fee unless the fee is waived, a sheriff, in the manner specified in section 311.41 of the Revised Code shall conduct or cause to be conducted the criminal records check and the incompetency records check described in section 311.41 of the Revised Code. The sheriff shall renew the license if the sheriff determines that the applicant continues to satisfy the requirements described in division (D)(1) of this section, except that the applicant is not required to meet the requirements of division (D)(1)(1) of this section. A renewed license shall expire five years after the date of issuance. A renewed license is subject to division (E) of this section and sections 2923.126 and 2923.128 of the Revised Code. A sheriff shall comply with divisions (D)(2) and (3) of this section when the circumstances described in those divisions apply to a requested license renewal. If a sheriff denies the renewal of a concealed handgun license, the applicant may appeal the denial, or challenge the criminal record check results that were the basis of the denial if applicable, in the same manner as specified in division (D)(2)(b) of this section and in section 2923.127 of the Revised Code, regarding the denial of a license

under this section. 1616

(3) A renewal application submitted pursuant to division 1617
(F) of this section shall only require the licensee to list on 1618
the application form information and matters occurring since the 1619
date of the licensee's last application for a license pursuant 1620
to division (B) or (F) of this section. A sheriff conducting the 1621
criminal records check and the incompetency records check 1622
described in section 311.41 of the Revised Code shall conduct 1623
the check only from the date of the licensee's last application 1624
for a license pursuant to division (B) or (F) of this section 1625
through the date of the renewal application submitted pursuant 1626
to division (F) of this section. 1627

(4) An applicant for a renewal concealed handgun license 1628
under this section shall submit to the sheriff of the county in 1629
which the applicant resides or to the sheriff of any county 1630
adjacent to the county in which the applicant resides, or in the 1631
case of an applicant who resides in another state to the sheriff 1632
of the county that issued the applicant's previous concealed 1633
handgun license, a nonrefundable license fee as described in 1634
either of the following: 1635

(a) For an applicant who has been a resident of this state 1636
for five or more years, a fee of fifty dollars; 1637

(b) For an applicant who has been a resident of this state 1638
for less than five years or who is not a resident of this state 1639
but who is employed in this state, a fee of fifty dollars plus 1640
the actual cost of having a background check performed by the 1641
federal bureau of investigation. 1642

(5) The concealed handgun license of a licensee who is no 1643
longer a resident of this state or no longer employed in this 1644

state, as applicable, is valid until the date of expiration on 1645
the license, and the licensee is prohibited from renewing the 1646
concealed handgun license. 1647

(G)(1) Each course, class, or program described in 1648
division (B)(3)(a), (b), (c), or (e) of this section shall 1649
provide to each person who takes the course, class, or program 1650
the web site address at which the pamphlet prepared by the Ohio 1651
peace officer training commission pursuant to section 109.731 of 1652
the Revised Code that reviews firearms, dispute resolution, and 1653
use of deadly force matters may be found. Each such course, 1654
class, or program described in one of those divisions shall 1655
include at least eight hours of training in the safe handling 1656
and use of a firearm that shall include training, provided as 1657
described in division (G)(3) of this section, on all of the 1658
following: 1659

(a) The ability to name, explain, and demonstrate the 1660
rules for safe handling of a ~~handgun~~firearm and proper storage 1661
practices for ~~handguns~~firearms and ammunition; 1662

(b) The ability to demonstrate and explain how to handle 1663
ammunition in a safe manner; 1664

(c) The ability to demonstrate the knowledge, skills, and 1665
attitude necessary to shoot a ~~handgun~~firearm in a safe manner; 1666

(d) Gun handling training; 1667

(e) A minimum of two hours of in-person training that 1668
consists of range time and live-fire training. 1669

(2) To satisfactorily complete the course, class, or 1670
program described in division (B)(3)(a), (b), (c), or (e) of 1671
this section, the applicant shall pass a competency examination 1672
that shall include both of the following: 1673

(a) A written section, provided as described in division 1674
(G) (3) of this section, on the ability to name and explain the 1675
rules for the safe handling of a ~~handgun~~-firearm and proper 1676
storage practices for ~~handguns~~-firearms and ammunition; 1677

(b) An in-person physical demonstration of competence in 1678
the use of a ~~handgun~~-firearm and in the rules for safe handling 1679
and storage of a ~~handgun~~-firearm and a physical demonstration of 1680
the attitude necessary to shoot a ~~handgun~~-firearm in a safe 1681
manner. 1682

(3) (a) Except as otherwise provided in this division, the 1683
training specified in division (G) (1) (a) of this section shall 1684
be provided to the person receiving the training in person by an 1685
instructor. If the training specified in division (G) (1) (a) of 1686
this section is provided by a course, class, or program 1687
described in division (B) (3) (a) of this section, or it is 1688
provided by a course, class, or program described in division 1689
(B) (3) (b), (c), or (e) of this section and the instructor is a 1690
qualified instructor certified by a national gun advocacy 1691
organization, the training so specified, other than the training 1692
that requires the person receiving the training to demonstrate 1693
handling abilities, may be provided online or as a combination 1694
of in-person and online training, as long as the online training 1695
includes an interactive component that regularly engages the 1696
person. 1697

(b) Except as otherwise provided in this division, the 1698
written section of the competency examination specified in 1699
division (G) (2) (a) of this section shall be administered to the 1700
person taking the competency examination in person by an 1701
instructor. If the training specified in division (G) (1) (a) of 1702
this section is provided to the person receiving the training by 1703

a course, class, or program described in division (B) (3) (a) of 1704
this section, or it is provided by a course, class, or program 1705
described in division (B) (3) (b), (c), or (e) of this section and 1706
the instructor is a qualified instructor certified by a national 1707
gun advocacy organization, the written section of the competency 1708
examination specified in division (G) (2) (a) of this section may 1709
be administered online, as long as the online training includes 1710
an interactive component that regularly engages the person. 1711

(4) The competency certification described in division (B) 1712
(3) (a), (b), (c), or (e) of this section shall be dated and 1713
shall attest that the course, class, or program the applicant 1714
successfully completed met the requirements described in 1715
division (G) (1) of this section and that the applicant passed 1716
the competency examination described in division (G) (2) of this 1717
section. 1718

(H) Upon deciding to issue a concealed handgun license, 1719
deciding to issue a replacement concealed handgun license, or 1720
deciding to renew a concealed handgun license pursuant to this 1721
section, and before actually issuing or renewing the license, 1722
the sheriff shall make available through the law enforcement 1723
automated data system all information contained on the license. 1724
If the license subsequently is suspended under division (A) (1) 1725
or (2) of section 2923.128 of the Revised Code, revoked pursuant 1726
to division (B) (1) of section 2923.128 of the Revised Code, or 1727
lost or destroyed, the sheriff also shall make available through 1728
the law enforcement automated data system a notation of that 1729
fact. The superintendent of the state highway patrol shall 1730
ensure that the law enforcement automated data system is so 1731
configured as to permit the transmission through the system of 1732
the information specified in this division. 1733

(I) A sheriff shall accept a completed application form or 1734
renewal application, and the fee, items, materials, and 1735
information specified in divisions (B) (1) to (5) or division (F) 1736
of this section, whichever is applicable, and shall provide an 1737
application form or renewal application to any person during at 1738
least fifteen hours a week and shall provide the web site 1739
address at which a printable version of the application form 1740
that can be downloaded and the pamphlet described in division 1741
(B) of section 109.731 of the Revised Code may be found at any 1742
time, upon request. The sheriff shall post notice of the hours 1743
during which the sheriff is available to accept or provide the 1744
information described in this division. 1745

Sec. 2923.126. (A) A concealed handgun license that is 1746
issued under section 2923.125 of the Revised Code shall expire 1747
five years after the date of issuance. A licensee who has been 1748
issued a license under that section shall be granted a grace 1749
period of thirty days after the licensee's license expires 1750
during which the licensee's license remains valid. Except as 1751
provided in divisions (B) and (C) of this section, a licensee 1752
who has been issued a concealed handgun license under section 1753
2923.125 or 2923.1213 of the Revised Code, regardless of whether 1754
the license was issued prior to, on, or after the effective date 1755
of this amendment, may carry a concealed ~~handgun~~-firearm that is 1756
not a restricted firearm anywhere in this state if the licensee 1757
also carries a valid license and valid identification when the 1758
licensee is in actual possession of ~~a~~the concealed 1759
~~handgun~~firearm. The A licensee who has been issued a concealed 1760
handgun license under section 2923.125 or 2923.1213 of the 1761
Revised Code shall give notice of any change in the licensee's 1762
residence address to the sheriff who issued the license within 1763
forty-five days after that change. 1764

If a licensee or a person who is deemed under division (C) 1765
of section 2923.111 of the Revised Code to have been issued a 1766
concealed handgun license under section 2923.125 of the Revised 1767
Code is the driver or an occupant of a motor vehicle that is 1768
stopped as the result of a traffic stop or a stop for another 1769
law enforcement purpose and if the licensee or person is 1770
transporting or has a loaded ~~handgun~~ firearm that is not a 1771
restricted firearm in the motor vehicle at that time, the 1772
licensee or person shall promptly inform any law enforcement 1773
officer who approaches the vehicle while stopped that the 1774
licensee has been issued a concealed handgun license and that 1775
the licensee currently possesses or has a loaded ~~handgun~~ firearm; 1776
the licensee or person shall not knowingly disregard or fail to 1777
comply with lawful orders of a law enforcement officer given 1778
while the motor vehicle is stopped, knowingly fail to remain in 1779
the motor vehicle while stopped, or knowingly fail to keep the 1780
licensee's or person's hands in plain sight after any law 1781
enforcement officer begins approaching the licensee or person 1782
while stopped and before the officer leaves, unless directed 1783
otherwise by a law enforcement officer; and the licensee or 1784
person shall not knowingly have contact with the loaded ~~handgun~~ 1785
firearm by touching it with the licensee's or person's hands or 1786
fingers, in any manner in violation of division (E) of section 1787
2923.16 of the Revised Code, after any law enforcement officer 1788
begins approaching the licensee or person while stopped and 1789
before the officer leaves. Additionally, if a licensee or a 1790
person who is deemed under division (C) of section 2923.111 of 1791
the Revised Code to have been issued a concealed handgun license 1792
under section 2923.125 of the Revised Code is the driver or an 1793
occupant of a commercial motor vehicle that is stopped by an 1794
employee of the motor carrier enforcement unit for the purposes 1795
defined in section ~~5503.04~~ 5503.34 of the Revised Code and if 1796

the licensee or person is transporting or has a loaded ~~handgun-~~ 1797
firearm that is not a restricted firearm in the commercial motor 1798
vehicle at that time, the licensee shall promptly inform the 1799
employee of the unit who approaches the vehicle while stopped 1800
that the licensee or person has been issued a concealed handgun 1801
license and that the licensee or person currently possesses or 1802
has a loaded ~~handgun~~firearm. 1803

If a licensee or a person who is deemed under division (C) 1804
of section 2923.111 of the Revised Code to have been issued a 1805
concealed handgun license under section 2923.125 of the Revised 1806
Code is stopped for a law enforcement purpose and if the 1807
licensee or person is carrying a concealed ~~handgun-~~ firearm that 1808
is not a restricted firearm at the time the officer approaches, 1809
the licensee or person shall promptly inform any law enforcement 1810
officer who approaches the licensee while stopped that the 1811
licensee has been issued a concealed handgun license and that 1812
the licensee or person currently is carrying a concealed 1813
~~handgun~~firearm; the licensee or person shall not knowingly 1814
disregard or fail to comply with lawful orders of a law 1815
enforcement officer given while the licensee or person is 1816
stopped or knowingly fail to keep the licensee's or person's 1817
hands in plain sight after any law enforcement officer begins 1818
approaching the licensee or person while stopped and before the 1819
officer leaves, unless directed otherwise by a law enforcement 1820
officer; and the licensee or person shall not knowingly remove, 1821
attempt to remove, grasp, or hold the loaded ~~handgun-~~ firearm or 1822
knowingly have contact with the loaded ~~handgun-~~ firearm by 1823
touching it with the licensee's or person's hands or fingers, in 1824
any manner in violation of division (B) of section 2923.12 of 1825
the Revised Code, after any law enforcement officer begins 1826
approaching the licensee or person while stopped and before the 1827

officer leaves. 1828

(B) ~~A valid~~ The right to carry a concealed firearm that is 1829
granted under division (A) of this section to a licensee that 1830
has been issued a concealed handgun license or that is granted 1831
under division (A) of section 2923.111 of the Revised Code to a 1832
licensee who is deemed under division (C) of that section to 1833
have been issued a concealed handgun license under section 1834
2923.125 of the Revised Code does not authorize the licensee to 1835
carry any restricted firearm, does not authorize the licensee to 1836
carry a firearm or a concealed handgun ~~firearm~~ in any manner 1837
prohibited under division (B) of section 2923.12 of the Revised 1838
Code or in any manner prohibited under section 1547.69, 2921.36, 1839
2923.12, 2923.121, 2923.122, 2923.123, 2923.13, 2923.131, 1840
2923.15, or 2923.16 of the Revised Code. ~~A valid license and~~ 1841
does not authorize the licensee to carry a concealed ~~handgun~~ 1842
firearm into any of the following places: 1843

(1) A police station, sheriff's office, or state highway 1844
patrol station, premises controlled by the bureau of criminal 1845
identification and investigation, a state correctional 1846
institution, jail, workhouse, or other detention facility, an 1847
airport passenger terminal, or an institution that is 1848
maintained, operated, managed, and governed pursuant to division 1849
(A) of section 5119.14 of the Revised Code or division (A) (1) of 1850
section 5123.03 of the Revised Code; 1851

(2) A school safety zone if the licensee's carrying the 1852
concealed ~~handgun~~ firearm is in violation of section 2923.122 of 1853
the Revised Code; 1854

(3) A courthouse or another building or structure in which 1855
a courtroom is located, if the licensee's carrying the concealed 1856
firearm is in violation of section 2923.123 of the Revised Code; 1857

(4) Any premises or open air arena for which a D permit 1858
has been issued under Chapter 4303. of the Revised Code if the 1859
licensee's carrying the concealed ~~handgun~~-firearm is in 1860
violation of section 2923.121 of the Revised Code; 1861

(5) Any premises owned or leased by any public or private 1862
college, university, or other institution of higher education, 1863
unless the ~~handgun~~-firearm is in a locked motor vehicle or the 1864
licensee is in the immediate process of placing the ~~handgun~~- 1865
firearm in a locked motor vehicle; 1866

(6) Any church, synagogue, mosque, or other place of 1867
worship, unless the church, synagogue, mosque, or other place of 1868
worship posts or permits otherwise; 1869

(7) A child day-care center, a type A family day-care 1870
home, or a type B family day-care home, except that this 1871
division does not prohibit a licensee who resides in a type A 1872
family day-care home or a type B family day-care home from 1873
carrying a concealed ~~handgun~~-firearm at any time in any part of 1874
the home that is not dedicated or used for day-care purposes, or 1875
from carrying a concealed ~~handgun~~-firearm in a part of the home 1876
that is dedicated or used for day-care purposes at any time 1877
during which no children, other than children of that licensee, 1878
are in the home; 1879

(8) An aircraft that is in, or intended for operation in, 1880
foreign air transportation, interstate air transportation, 1881
intrastate air transportation, or the transportation of mail by 1882
aircraft; 1883

(9) Any building that is a government facility of this 1884
state or a political subdivision of this state and that is not a 1885
building that is used primarily as a shelter, restroom, parking 1886

facility for motor vehicles, or rest facility and is not a 1887
courthouse or other building or structure in which a courtroom 1888
is located that is subject to division (B) (3) of this section; 1889

(10) A place in which federal law prohibits the carrying 1890
of ~~handguns~~any firearm. 1891

(C) (1) Nothing in this section or section 2923.111 of the 1892
Revised Code shall negate or restrict a rule, policy, or 1893
practice of a private employer that is not a private college, 1894
university, or other institution of higher education concerning 1895
or prohibiting the presence of firearms on the private 1896
employer's premises or property, including motor vehicles owned 1897
by the private employer. Nothing in this section or section 1898
2923.111 of the Revised Code shall require a private employer of 1899
that nature to adopt a rule, policy, or practice concerning or 1900
prohibiting the presence of firearms on the private employer's 1901
premises or property, including motor vehicles owned by the 1902
private employer. 1903

(2) (a) A private employer shall be immune from liability 1904
in a civil action for any injury, death, or loss to person or 1905
property that allegedly was caused by or related to a licensee 1906
bringing a ~~handgun~~firearm onto the premises or property of the 1907
private employer, including motor vehicles owned by the private 1908
employer, unless the private employer acted with malicious 1909
purpose. A private employer is immune from liability in a civil 1910
action for any injury, death, or loss to person or property that 1911
allegedly was caused by or related to the private employer's 1912
decision to permit a licensee to bring, or prohibit a licensee 1913
from bringing, a ~~handgun~~firearm onto the premises or property 1914
of the private employer. As used in this division, "private 1915
employer" includes a private college, university, or other 1916

institution of higher education. 1917

(b) A political subdivision shall be immune from liability 1918
in a civil action, to the extent and in the manner provided in 1919
Chapter 2744. of the Revised Code, for any injury, death, or 1920
loss to person or property that allegedly was caused by or 1921
related to a licensee bringing a ~~handgun~~firearm onto any 1922
premises or property owned, leased, or otherwise under the 1923
control of the political subdivision. As used in this division, 1924
"political subdivision" has the same meaning as in section 1925
2744.01 of the Revised Code. 1926

(3) (a) Except as provided in division (C) (3) (b) of this 1927
section, the owner or person in control of private land or 1928
premises, and a private person or entity leasing land or 1929
premises owned by the state, the United States, or a political 1930
subdivision of the state or the United States, may post a sign 1931
in a conspicuous location on that land or on those premises 1932
prohibiting persons from carrying firearms or concealed firearms 1933
on or onto that land or those premises. Except as otherwise 1934
provided in this division, a person who knowingly violates a 1935
posted prohibition of that nature is guilty of criminal trespass 1936
in violation of division (A) (4) of section 2911.21 of the 1937
Revised Code and is guilty of a misdemeanor of the fourth 1938
degree. If a person knowingly violates a posted prohibition of 1939
that nature and the posted land or premises primarily was a 1940
parking lot or other parking facility, the person is not guilty 1941
of criminal trespass under section 2911.21 of the Revised Code 1942
or under any other criminal law of this state or criminal law, 1943
ordinance, or resolution of a political subdivision of this 1944
state, and instead is subject only to a civil cause of action 1945
for trespass based on the violation. 1946

(b) A landlord may not prohibit or restrict a tenant who 1947
is a licensee and who on or after September 9, 2008, enters into 1948
a rental agreement with the landlord for the use of residential 1949
premises, and the tenant's guest while the tenant is present, 1950
from lawfully carrying or possessing a handgun on those 1951
residential premises. A landlord may not prohibit or restrict a 1952
tenant who is a licensee and who on or after the effective date 1953
of this amendment enters into a rental agreement with the 1954
landlord for the use of residential premises and the tenant's 1955
guest while the tenant is present from lawfully carrying or 1956
possessing a firearm that is not a restricted firearm on those 1957
premises. 1958

(c) As used in division (C) (3) of this section: 1959

(i) "Residential premises" has the same meaning as in 1960
section 5321.01 of the Revised Code, except "residential 1961
premises" does not include a dwelling unit that is owned or 1962
operated by a college or university. 1963

(ii) "Landlord," "tenant," and "rental agreement" have the 1964
same meanings as in section 5321.01 of the Revised Code. 1965

(D) A person who holds a valid concealed handgun license 1966
issued by another state that is recognized by the attorney 1967
general pursuant to a reciprocity agreement entered into 1968
pursuant to section 109.69 of the Revised Code ~~or~~, a person who 1969
holds a valid concealed handgun license under the circumstances 1970
described in division (B) of section 109.69 of the Revised Code, 1971
and any person who is deemed under division (C) of section 1972
2923.111 of the Revised Code to have been issued a concealed 1973
handgun license under section 2923.125 of the Revised Code, 1974
has the same right to carry a concealed ~~handgun~~ firearm that is not 1975
a restricted firearm in this state as a person who was issued a 1976

concealed handgun license under section 2923.125 of the Revised Code and is subject to the same restrictions that apply to a person who carries a license issued under that section.

(E) A peace officer has the same right to carry a concealed ~~handgun~~ firearm that is not a restricted firearm in this state as a person who was issued a concealed handgun license under section 2923.125 of the Revised Code. For purposes of reciprocity with other states, a peace officer shall be considered to be a licensee in this state who has been issued such a license under that section.

(F) (1) A qualified retired peace officer who possesses a retired peace officer identification card issued pursuant to division (F) (2) of this section and a valid firearms requalification certification issued pursuant to division (F) (3) of this section has the same right to carry a concealed ~~handgun~~ firearm that is not a restricted firearm in this state as a person who was issued a concealed handgun license under section 2923.125 of the Revised Code and is subject to the same restrictions that apply to a person who carries a license issued under that section. For purposes of reciprocity with other states, a qualified retired peace officer who possesses a retired peace officer identification card issued pursuant to division (F) (2) of this section and a valid firearms requalification certification issued pursuant to division (F) (3) of this section shall be considered to be a licensee in this state who has been issued such a license under that section.

(2) (a) Each public agency of this state or of a political subdivision of this state that is served by one or more peace officers shall issue a retired peace officer identification card to any person who retired from service as a peace officer with

that agency, if the issuance is in accordance with the agency's 2007
policies and procedures and if the person, with respect to the 2008
person's service with that agency, satisfies all of the 2009
following: 2010

(i) The person retired in good standing from service as a 2011
peace officer with the public agency, and the retirement was not 2012
for reasons of mental instability. 2013

(ii) Before retiring from service as a peace officer with 2014
that agency, the person was authorized to engage in or supervise 2015
the prevention, detection, investigation, or prosecution of, or 2016
the incarceration of any person for, any violation of law and 2017
the person had statutory powers of arrest. 2018

(iii) At the time of the person's retirement as a peace 2019
officer with that agency, the person was trained and qualified 2020
to carry firearms in the performance of the peace officer's 2021
duties. 2022

(iv) Before retiring from service as a peace officer with 2023
that agency, the person was regularly employed as a peace 2024
officer for an aggregate of fifteen years or more, or, in the 2025
alternative, the person retired from service as a peace officer 2026
with that agency, after completing any applicable probationary 2027
period of that service, due to a service-connected disability, 2028
as determined by the agency. 2029

(b) A retired peace officer identification card issued to 2030
a person under division (F)(2)(a) of this section shall identify 2031
the person by name, contain a photograph of the person, identify 2032
the public agency of this state or of the political subdivision 2033
of this state from which the person retired as a peace officer 2034
and that is issuing the identification card, and specify that 2035

the person retired in good standing from service as a peace officer with the issuing public agency and satisfies the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this section. In addition to the required content specified in this division, a retired peace officer identification card issued to a person under division (F) (2) (a) of this section may include the firearms requalification certification described in division (F) (3) of this section, and if the identification card includes that certification, the identification card shall serve as the firearms requalification certification for the retired peace officer. If the issuing public agency issues credentials to active law enforcement officers who serve the agency, the agency may comply with division (F) (2) (a) of this section by issuing the same credentials to persons who retired from service as a peace officer with the agency and who satisfy the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this section, provided that the credentials so issued to retired peace officers are stamped with the word "RETIRED."

(c) A public agency of this state or of a political subdivision of this state may charge persons who retired from service as a peace officer with the agency a reasonable fee for issuing to the person a retired peace officer identification card pursuant to division (F) (2) (a) of this section.

(3) If a person retired from service as a peace officer with a public agency of this state or of a political subdivision of this state and the person satisfies the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this section, the public agency may provide the retired peace officer with the opportunity to attend a firearms requalification program that is approved for purposes of firearms requalification required under section 109.801 of the Revised Code. The retired peace officer

may be required to pay the cost of the course. 2067

If a retired peace officer who satisfies the criteria set 2068
forth in divisions (F) (2) (a) (i) to (iv) of this section attends 2069
a firearms requalification program that is approved for purposes 2070
of firearms requalification required under section 109.801 of 2071
the Revised Code, the retired peace officer's successful 2072
completion of the firearms requalification program requalifies 2073
the retired peace officer for purposes of division (F) of this 2074
section for five years from the date on which the program was 2075
successfully completed, and the requalification is valid during 2076
that five-year period. If a retired peace officer who satisfies 2077
the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 2078
section satisfactorily completes such a firearms requalification 2079
program, the retired peace officer shall be issued a firearms 2080
requalification certification that identifies the retired peace 2081
officer by name, identifies the entity that taught the program, 2082
specifies that the retired peace officer successfully completed 2083
the program, specifies the date on which the course was 2084
successfully completed, and specifies that the requalification 2085
is valid for five years from that date of successful completion. 2086
The firearms requalification certification for a retired peace 2087
officer may be included in the retired peace officer 2088
identification card issued to the retired peace officer under 2089
division (F) (2) of this section. 2090

A retired peace officer who attends a firearms 2091
requalification program that is approved for purposes of 2092
firearms requalification required under section 109.801 of the 2093
Revised Code may be required to pay the cost of the program. 2094

(G) As used in this section: 2095

(1) "Qualified retired peace officer" means a person who 2096

satisfies all of the following: 2097

(a) The person satisfies the criteria set forth in 2098
divisions (F) (2) (a) (i) to (v) of this section. 2099

(b) The person is not under the influence of alcohol or 2100
another intoxicating or hallucinatory drug or substance. 2101

(c) The person is not prohibited by federal law from 2102
receiving firearms. 2103

(2) "Retired peace officer identification card" means an 2104
identification card that is issued pursuant to division (F) (2) 2105
of this section to a person who is a retired peace officer. 2106

(3) "Government facility of this state or a political 2107
subdivision of this state" means any of the following: 2108

(a) A building or part of a building that is owned or 2109
leased by the government of this state or a political 2110
subdivision of this state and where employees of the government 2111
of this state or the political subdivision regularly are present 2112
for the purpose of performing their official duties as employees 2113
of the state or political subdivision; 2114

(b) The office of a deputy registrar serving pursuant to 2115
Chapter 4503. of the Revised Code that is used to perform deputy 2116
registrar functions. 2117

Sec. 2923.128. (A) (1) (a) If a licensee holding a valid 2118
concealed handgun license is arrested for or otherwise charged 2119
with an offense described in division (D) (1) (d) of section 2120
2923.125 of the Revised Code or with a violation of section 2121
2923.15 of the Revised Code or becomes subject to a temporary 2122
protection order or to a protection order issued by a court of 2123
another state that is substantially equivalent to a temporary 2124

protection order, the sheriff who issued the license shall 2125
suspend it and shall comply with division (A) (3) of this section 2126
upon becoming aware of the arrest, charge, or protection order. 2127
Upon suspending the license, the sheriff also shall comply with 2128
division (H) of section 2923.125 of the Revised Code. 2129

(b) A suspension under division (A) (1) (a) of this section 2130
shall be considered as beginning on the date that the licensee 2131
is arrested for or otherwise charged with an offense described 2132
in that division or on the date the appropriate court issued the 2133
protection order described in that division, irrespective of 2134
when the sheriff notifies the licensee under division (A) (3) of 2135
this section. The suspension shall end on the date on which the 2136
charges are dismissed or the licensee is found not guilty of the 2137
offense described in division (A) (1) (a) of this section or, 2138
subject to division (B) of this section, on the date the 2139
appropriate court terminates the protection order described in 2140
that division. If the suspension so ends, the sheriff shall 2141
return the license or temporary emergency license to the 2142
licensee. 2143

(2) (a) If a licensee holding a valid concealed handgun 2144
license is convicted of or pleads guilty to a misdemeanor 2145
violation of division (B) (1), (2), or (4) of section 2923.12 of 2146
the Revised Code or of division (E) (1), (2), (3), or (5) of 2147
section 2923.16 of the Revised Code, except as provided in 2148
division (A) (2) (c) of this section and subject to division (C) 2149
of this section, the sheriff who issued the license shall 2150
suspend it and shall comply with division (A) (3) of this section 2151
upon becoming aware of the conviction or guilty plea. Upon 2152
suspending the license, the sheriff also shall comply with 2153
division (H) of section 2923.125 of the Revised Code. 2154

(b) A suspension under division (A) (2) (a) of this section 2155
shall be considered as beginning on the date that the licensee 2156
is convicted of or pleads guilty to the offense described in 2157
that division, irrespective of when the sheriff notifies the 2158
licensee under division (A) (3) of this section. If the 2159
suspension is imposed for a misdemeanor violation of division 2160
(B) (1) or (2) of section 2923.12 of the Revised Code or of 2161
division (E) (1), (2), or (3) of section 2923.16 of the Revised 2162
Code, it shall end on the date that is one year after the date 2163
that the licensee is convicted of or pleads guilty to that 2164
violation. If the suspension is imposed for a misdemeanor 2165
violation of division (B) (4) of section 2923.12 of the Revised 2166
Code or of division (E) (5) of section 2923.16 of the Revised 2167
Code, it shall end on the date that is two years after the date 2168
that the licensee is convicted of or pleads guilty to that 2169
violation. If the licensee's license was issued under section 2170
2923.125 of the Revised Code and the license remains valid after 2171
the suspension ends as described in this division, when the 2172
suspension ends, the sheriff shall return the license to the 2173
licensee. If the licensee's license was issued under section 2174
2923.125 of the Revised Code and the license expires before the 2175
suspension ends as described in this division, or if the 2176
licensee's license was issued under section 2923.1213 of the 2177
Revised Code, the licensee is not eligible to apply for a new 2178
license under section 2923.125 or 2923.1213 of the Revised Code 2179
or to renew the license under section 2923.125 of the Revised 2180
Code until after the suspension ends as described in this 2181
division. 2182

(c) The license of a licensee who is convicted of or 2183
pleads guilty to a violation of division (B) (1) of section 2184
2923.12 or division (E) (1) or (2) of section 2923.16 of the 2185

Revised Code shall not be suspended pursuant to division (A) (2) 2186
(a) of this section if, at the time of the stop of the licensee 2187
for a law enforcement purpose, for a traffic stop, or for a 2188
purpose defined in section 5503.34 of the Revised Code that was 2189
the basis of the violation, any law enforcement officer involved 2190
with the stop or the employee of the motor carrier enforcement 2191
unit who made the stop had actual knowledge of the licensee's 2192
status as a licensee. 2193

(3) Upon becoming aware of an arrest, charge, or 2194
protection order described in division (A) (1) (a) of this section 2195
with respect to a licensee who was issued a concealed handgun 2196
license, or a conviction of or plea of guilty to a misdemeanor 2197
offense described in division (A) (2) (a) of this section with 2198
respect to a licensee who was issued a concealed handgun license 2199
and with respect to which division (A) (2) (c) of this section 2200
does not apply, subject to division (C) of this section, the 2201
sheriff who issued the licensee's license shall notify the 2202
licensee, by certified mail, return receipt requested, at the 2203
licensee's last known residence address that the license has 2204
been suspended and that the licensee is required to surrender 2205
the license at the sheriff's office within ten days of the date 2206
on which the notice was mailed. If the suspension is pursuant to 2207
division (A) (2) of this section, the notice shall identify the 2208
date on which the suspension ends. 2209

(B) (1) A sheriff who issues a concealed handgun license to 2210
a licensee shall revoke the license in accordance with division 2211
(B) (2) of this section upon becoming aware that the licensee 2212
satisfies any of the following: 2213

(a) The licensee is under twenty-one years of age. 2214

(b) Subject to division (C) of this section, at the time 2215

of the issuance of the license, the licensee did not satisfy the 2216
eligibility requirements of division (D) (1) (c), (d), (e), (f), 2217
(g), or (h) of section 2923.125 of the Revised Code. 2218

(c) Subject to division (C) of this section, on or after 2219
the date on which the license was issued, the licensee is 2220
convicted of or pleads guilty to a violation of section 2923.15 2221
of the Revised Code or an offense described in division (D) (1) 2222
(e), (f), (g), or (h) of section 2923.125 of the Revised Code. 2223

(d) On or after the date on which the license was issued, 2224
the licensee becomes subject to a civil protection order or to a 2225
protection order issued by a court of another state that is 2226
substantially equivalent to a civil protection order. 2227

(e) The licensee knowingly carries a concealed ~~handgun~~ 2228
firearm into a place that the licensee knows is an unauthorized 2229
place specified in division (B) of section 2923.126 of the 2230
Revised Code, knowingly carries a concealed firearm in any 2231
prohibited manner listed in that division, or knowingly carries 2232
under alleged authority as a licensee a concealed restricted 2233
firearm. 2234

(f) On or after the date on which the license was issued, 2235
the licensee is adjudicated as a mental defective or is 2236
committed to a mental institution. 2237

(g) At the time of the issuance of the license, the 2238
licensee did not meet the residency requirements described in 2239
division (D) (1) of section 2923.125 of the Revised Code and 2240
currently does not meet the residency requirements described in 2241
that division. 2242

(h) Regarding a license issued under section 2923.125 of 2243
the Revised Code, the competency certificate the licensee 2244

submitted was forged or otherwise was fraudulent. 2245

(2) Upon becoming aware of any circumstance listed in 2246
division (B) (1) of this section that applies to a particular 2247
licensee who was issued a concealed handgun license, subject to 2248
division (C) of this section, the sheriff who issued the license 2249
to the licensee shall notify the licensee, by certified mail, 2250
return receipt requested, at the licensee's last known residence 2251
address that the license is subject to revocation and that the 2252
licensee may come to the sheriff's office and contest the 2253
sheriff's proposed revocation within fourteen days of the date 2254
on which the notice was mailed. After the fourteen-day period 2255
and after consideration of any information that the licensee 2256
provides during that period, if the sheriff determines on the 2257
basis of the information of which the sheriff is aware that the 2258
licensee is described in division (B) (1) of this section and no 2259
longer satisfies the requirements described in division (D) (1) 2260
of section 2923.125 of the Revised Code that are applicable to 2261
the licensee's type of license, the sheriff shall revoke the 2262
license, notify the licensee of that fact, and require the 2263
licensee to surrender the license. Upon revoking the license, 2264
the sheriff also shall comply with division (H) of section 2265
2923.125 of the Revised Code. 2266

(C) If a sheriff who issues a concealed handgun license to 2267
a licensee becomes aware that at the time of the issuance of the 2268
license the licensee had been convicted of or pleaded guilty to 2269
an offense identified in division (D) (1) (e), (f), or (h) of 2270
section 2923.125 of the Revised Code or had been adjudicated a 2271
delinquent child for committing an act or violation identified 2272
in any of those divisions or becomes aware that on or after the 2273
date on which the license was issued the licensee has been 2274
convicted of or pleaded guilty to an offense identified in 2275

division (A) (2) (a) or (B) (1) (c) of this section, the sheriff 2276
shall not consider that conviction, guilty plea, or adjudication 2277
as having occurred for purposes of divisions (A) (2), (A) (3), (B) 2278
(1), and (B) (2) of this section if a court has ordered the 2279
sealing or expungement of the records of that conviction, guilty 2280
plea, or adjudication pursuant to sections 2151.355 to 2151.358 2281
or sections 2953.31 to 2953.36 of the Revised Code or the 2282
licensee has been relieved under operation of law or legal 2283
process from the disability imposed pursuant to section 2923.13 2284
of the Revised Code relative to that conviction, guilty plea, or 2285
adjudication. 2286

(D) As used in this section, "motor carrier enforcement 2287
unit" has the same meaning as in section 2923.16 of the Revised 2288
Code. 2289

Sec. 2923.129. (A) (1) If a sheriff, the superintendent of 2290
the bureau of criminal identification and investigation, the 2291
employees of the bureau, the Ohio peace officer training 2292
commission, or the employees of the commission make a good faith 2293
effort in performing the duties imposed upon the sheriff, the 2294
superintendent, the bureau's employees, the commission, or the 2295
commission's employees by sections 109.731, 311.41, and 2923.124 2296
to 2923.1213 of the Revised Code, in addition to the personal 2297
immunity provided by section 9.86 of the Revised Code or 2298
division (A) (6) of section 2744.03 of the Revised Code and the 2299
governmental immunity of sections 2744.02 and 2744.03 of the 2300
Revised Code and in addition to any other immunity possessed by 2301
the bureau, the commission, and their employees, the sheriff, 2302
the sheriff's office, the county in which the sheriff has 2303
jurisdiction, the bureau, the superintendent of the bureau, the 2304
bureau's employees, the commission, and the commission's 2305
employees are immune from liability in a civil action for 2306

injury, death, or loss to person or property that allegedly was 2307
caused by or related to any of the following: 2308

(a) The issuance, renewal, suspension, or revocation of a 2309
concealed handgun license; 2310

(b) The failure to issue, renew, suspend, or revoke a 2311
concealed handgun license; 2312

(c) Any action or misconduct with a ~~handgun~~firearm 2313
committed by a licensee. 2314

(2) Any action of a sheriff relating to the issuance, 2315
renewal, suspension, or revocation of a concealed handgun 2316
license shall be considered to be a governmental function for 2317
purposes of Chapter 2744. of the Revised Code. 2318

(3) An entity that or instructor who provides a competency 2319
certification of a type described in division (B) (3) of section 2320
2923.125 of the Revised Code is immune from civil liability that 2321
might otherwise be incurred or imposed for any death or any 2322
injury or loss to person or property that is caused by or 2323
related to a person to whom the entity or instructor has issued 2324
the competency certificate if all of the following apply: 2325

(a) The alleged liability of the entity or instructor 2326
relates to the training provided in the course, class, or 2327
program covered by the competency certificate. 2328

(b) The entity or instructor makes a good faith effort in 2329
determining whether the person has satisfactorily completed the 2330
course, class, or program and makes a good faith effort in 2331
assessing the person in the competency examination conducted 2332
pursuant to division (G) (2) of section 2923.125 of the Revised 2333
Code. 2334

(c) The entity or instructor did not issue the competency certificate with malicious purpose, in bad faith, or in a wanton or reckless manner. 2335
2336
2337

(4) An entity that or instructor who, prior to ~~the~~ 2338
~~effective date of this amendment~~ March 27, 2013, provides a 2339
renewed competency certification of a type described in division 2340
(G) (4) of section 2923.125 of the Revised Code as it existed 2341
prior to ~~the effective date of this amendment~~ March 27, 2013, is 2342
immune from civil liability that might otherwise be incurred or 2343
imposed for any death or any injury or loss to person or 2344
property that is caused by or related to a person to whom the 2345
entity or instructor has issued the renewed competency 2346
certificate if all of the following apply: 2347

(a) The entity or instructor makes a good faith effort in 2348
assessing the person in the physical demonstrations or the 2349
competency examination conducted pursuant to division (G) (4) of 2350
section 2923.125 of the Revised Code as it existed prior to ~~the~~ 2351
~~effective date of this amendment~~ March 27, 2013. 2352

(b) The entity or instructor did not issue the renewed 2353
competency certificate with malicious purpose, in bad faith, or 2354
in a wanton or reckless manner. 2355

(5) A law enforcement agency that employs a peace officer 2356
is immune from liability in a civil action to recover damages 2357
for injury, death, or loss to person or property allegedly 2358
caused by any act of that peace officer if the act occurred 2359
while the peace officer carried a concealed ~~handgun~~ firearm and 2360
was off duty and if the act allegedly involved the peace 2361
officer's use of the concealed ~~handgun~~ firearm. Sections 9.86 and 2362
9.87, and Chapter 2744., of the Revised Code apply to any civil 2363
action involving a peace officer's use of a concealed ~~handgun~~ 2364

firearm in the performance of the peace officer's official 2365
duties while the peace officer is off duty. 2366

(B) (1) Notwithstanding section 149.43 of the Revised Code, 2367
except as provided in division (B) (2) of this section, the 2368
records that a sheriff keeps relative to the issuance, renewal, 2369
suspension, or revocation of a concealed handgun license, 2370
including, but not limited to, completed applications for the 2371
issuance or renewal of a license, completed affidavits submitted 2372
regarding an application for a license on a temporary emergency 2373
basis, reports of criminal records checks and incompetency 2374
records checks under section 311.41 of the Revised Code, and 2375
applicants' social security numbers and fingerprints that are 2376
obtained under division (A) of section 311.41 of the Revised 2377
Code, are confidential and are not public records. Except as 2378
provided in division (B) (2) of this section, no person shall 2379
release or otherwise disseminate records that are confidential 2380
under this division unless required to do so pursuant to a court 2381
order. 2382

(2) (a) A journalist, on or after April 8, 2004, may submit 2383
to a sheriff a signed, written request to view the name, county 2384
of residence, and date of birth of each person to whom the 2385
sheriff has issued, renewed, or issued a replacement for a 2386
concealed handgun license, or a signed, written request to view 2387
the name, county of residence, and date of birth of each person 2388
for whom the sheriff has suspended or revoked a concealed 2389
handgun license. The request shall include the journalist's name 2390
and title, shall include the name and address of the 2391
journalist's employer, and shall state that disclosure of the 2392
information sought would be in the public interest. If a 2393
journalist submits a signed, written request to the sheriff to 2394
view the information described in this division, the sheriff 2395

shall grant the journalist's request. The journalist shall not 2396
copy the name, county of residence, or date of birth of each 2397
person to or for whom the sheriff has issued, suspended, or 2398
revoked a license described in this division. 2399

(b) As used in division (B)(2) of this section, 2400
"journalist" means a person engaged in, connected with, or 2401
employed by any news medium, including a newspaper, magazine, 2402
press association, news agency, or wire service, a radio or 2403
television station, or a similar medium, for the purpose of 2404
gathering, processing, transmitting, compiling, editing, or 2405
disseminating information for the general public. 2406

(C) Each sheriff shall report to the Ohio peace officer 2407
training commission the number of concealed handgun licenses 2408
that the sheriff issued, renewed, suspended, revoked, or denied 2409
under section 2923.125 of the Revised Code during the previous 2410
quarter of the calendar year, the number of applications for 2411
those licenses for which processing was suspended in accordance 2412
with division (D)(3) of section 2923.125 of the Revised Code 2413
during the previous quarter of the calendar year, and the number 2414
of concealed handgun licenses on a temporary emergency basis 2415
that the sheriff issued, suspended, revoked, or denied under 2416
section 2923.1213 of the Revised Code during the previous 2417
quarter of the calendar year. The sheriff shall not include in 2418
the report the name or any other identifying information of an 2419
applicant or licensee. The sheriff shall report that information 2420
in a manner that permits the commission to maintain the 2421
statistics described in division (C) of section 109.731 of the 2422
Revised Code and to timely prepare the statistical report 2423
described in that division. The information that is received by 2424
the commission under this division is a public record kept by 2425
the commission for the purposes of section 149.43 of the Revised 2426

Code. 2427

(D) Law enforcement agencies may use the information a 2428
sheriff makes available through the use of the law enforcement 2429
automated data system pursuant to division (H) of section 2430
2923.125 or division (B) (2) or (D) of section 2923.1213 of the 2431
Revised Code for law enforcement purposes only. The information 2432
is confidential and is not a public record. A person who 2433
releases or otherwise disseminates this information obtained 2434
through the law enforcement automated data system in a manner 2435
not described in this division is guilty of a violation of 2436
section 2913.04 of the Revised Code. 2437

(E) Whoever violates division (B) of this section is 2438
guilty of illegal release of confidential concealed handgun 2439
license records, a felony of the fifth degree. In addition to 2440
any penalties imposed under Chapter 2929. of the Revised Code 2441
for a violation of division (B) of this section or a violation 2442
of section 2913.04 of the Revised Code described in division (D) 2443
of this section, if the offender is a sheriff, an employee of a 2444
sheriff, or any other public officer or employee, and if the 2445
violation was willful and deliberate, the offender shall be 2446
subject to a civil fine of one thousand dollars. Any person who 2447
is harmed by a violation of division (B) or (C) of this section 2448
or a violation of section 2913.04 of the Revised Code described 2449
in division (D) of this section has a private cause of action 2450
against the offender for any injury, death, or loss to person or 2451
property that is a proximate result of the violation and may 2452
recover court costs and attorney's fees related to the action. 2453

Sec. 2923.1213. (A) As used in this section: 2454

(1) "Evidence of imminent danger" means any of the 2455
following: 2456

(a) A statement sworn by the person seeking to carry a
concealed ~~handgun~~ firearm other than a restricted firearm that
is made under threat of perjury and that states that the person
has reasonable cause to fear a criminal attack upon the person
or a member of the person's family, such as would justify a
prudent person in going armed;

(b) A written document prepared by a governmental entity
or public official describing the facts that give the person
seeking to carry a concealed ~~handgun~~ firearm other than a
restricted firearm reasonable cause to fear a criminal attack
upon the person or a member of the person's family, such as
would justify a prudent person in going armed. Written documents
of this nature include, but are not limited to, any temporary
protection order, civil protection order, protection order
issued by another state, or other court order, any court report,
and any report filed with or made by a law enforcement agency or
prosecutor.

(2) "Prosecutor" has the same meaning as in section
2935.01 of the Revised Code.

(B)(1) A person seeking a concealed handgun license on a
temporary emergency basis shall submit to the sheriff of the
county in which the person resides or, if the person usually
resides in another state, to the sheriff of the county in which
the person is temporarily staying, all of the following:

(a) Evidence of imminent danger to the person or a member
of the person's family;

(b) A sworn affidavit that contains all of the information
required to be on the license and attesting that the person is
legally living in the United States; is at least twenty-one

years of age; is not a fugitive from justice; is not under 2486
indictment for or otherwise charged with an offense identified 2487
in division (D) (1) (d) of section 2923.125 of the Revised Code; 2488
has not been convicted of or pleaded guilty to an offense, and 2489
has not been adjudicated a delinquent child for committing an 2490
act, identified in division (D) (1) (e) of that section and to 2491
which division (B) (3) of this section does not apply; within 2492
three years of the date of the submission, has not been 2493
convicted of or pleaded guilty to an offense, and has not been 2494
adjudicated a delinquent child for committing an act, identified 2495
in division (D) (1) (f) of that section and to which division (B) 2496
(3) of this section does not apply; within five years of the 2497
date of the submission, has not been convicted of, pleaded 2498
guilty, or adjudicated a delinquent child for committing two or 2499
more violations identified in division (D) (1) (g) of that 2500
section; within ten years of the date of the submission, has not 2501
been convicted of, pleaded guilty, or adjudicated a delinquent 2502
child for committing a violation identified in division (D) (1) 2503
(h) of that section and to which division (B) (3) of this section 2504
does not apply; has not been adjudicated as a mental defective, 2505
has not been committed to any mental institution, is not under 2506
adjudication of mental incompetence, has not been found by a 2507
court to be a mentally ill person subject to court order, and is 2508
not an involuntary patient other than one who is a patient only 2509
for purposes of observation, as described in division (D) (1) (i) 2510
of that section; is not currently subject to a civil protection 2511
order, a temporary protection order, or a protection order 2512
issued by a court of another state, as described in division (D) 2513
(1) (j) of that section; is not currently subject to a suspension 2514
imposed under division (A) (2) of section 2923.128 of the Revised 2515
Code of a concealed handgun license that previously was issued 2516
to the person or a similar suspension imposed by another state 2517

regarding a concealed handgun license issued by that state; is 2518
not an unlawful user of or addicted to any controlled substance 2519
as defined in 21 U.S.C. 802; if applicable, is an alien and has 2520
not been admitted to the United States under a nonimmigrant 2521
visa, as defined in the "Immigration and Nationality Act," 8 2522
U.S.C. 1101(a) (26); has not been discharged from the armed 2523
forces of the United States under dishonorable conditions; if 2524
applicable, has not renounced the applicant's United States 2525
citizenship; and has not been convicted of, pleaded guilty to, 2526
or been adjudicated a delinquent child for committing a 2527
violation identified in division (D) (1) (s) of section 2923.125 2528
of the Revised Code; 2529

(c) A nonrefundable temporary emergency license fee as 2530
described in either of the following: 2531

(i) For an applicant who has been a resident of this state 2532
for five or more years, a fee of fifteen dollars plus the actual 2533
cost of having a background check performed by the bureau of 2534
criminal identification and investigation pursuant to section 2535
311.41 of the Revised Code; 2536

(ii) For an applicant who has been a resident of this 2537
state for less than five years or who is not a resident of this 2538
state, but is temporarily staying in this state, a fee of 2539
fifteen dollars plus the actual cost of having background checks 2540
performed by the federal bureau of investigation and the bureau 2541
of criminal identification and investigation pursuant to section 2542
311.41 of the Revised Code. 2543

(d) A set of fingerprints of the applicant provided as 2544
described in section 311.41 of the Revised Code through use of 2545
an electronic fingerprint reading device or, if the sheriff to 2546
whom the application is submitted does not possess and does not 2547

have ready access to the use of an electronic fingerprint 2548
reading device, on a standard impression sheet prescribed 2549
pursuant to division (C) (2) of section 109.572 of the Revised 2550
Code. If the fingerprints are provided on a standard impression 2551
sheet, the person also shall provide the person's social 2552
security number to the sheriff. 2553

(2) A sheriff shall accept the evidence of imminent 2554
danger, the sworn affidavit, the fee, and the set of 2555
fingerprints required under division (B) (1) of this section at 2556
the times and in the manners described in division (I) of this 2557
section. Upon receipt of the evidence of imminent danger, the 2558
sworn affidavit, the fee, and the set of fingerprints required 2559
under division (B) (1) of this section, the sheriff, in the 2560
manner specified in section 311.41 of the Revised Code, 2561
immediately shall conduct or cause to be conducted the criminal 2562
records check and the incompetency records check described in 2563
section 311.41 of the Revised Code. Immediately upon receipt of 2564
the results of the records checks, the sheriff shall review the 2565
information and shall determine whether the criteria set forth 2566
in divisions (D) (1) (a) to (j) and (m) to (s) of section 2923.125 2567
of the Revised Code apply regarding the person. If the sheriff 2568
determines that all of the criteria set forth in divisions (D) 2569
(1) (a) to (j) and (m) to (s) of section 2923.125 of the Revised 2570
Code apply regarding the person, the sheriff shall immediately 2571
make available through the law enforcement automated data system 2572
all information that will be contained on the temporary 2573
emergency license for the person if one is issued, and the 2574
superintendent of the state highway patrol shall ensure that the 2575
system is so configured as to permit the transmission through 2576
the system of that information. Upon making that information 2577
available through the law enforcement automated data system, the 2578

sheriff shall immediately issue to the person a concealed 2579
handgun license on a temporary emergency basis. 2580

If the sheriff denies the issuance of a license on a 2581
temporary emergency basis to the person, the sheriff shall 2582
specify the grounds for the denial in a written notice to the 2583
person. The person may appeal the denial, or challenge criminal 2584
records check results that were the basis of the denial if 2585
applicable, in the same manners specified in division (D) (2) of 2586
section 2923.125 and in section 2923.127 of the Revised Code, 2587
regarding the denial of an application for a concealed handgun 2588
license under that section. 2589

The license on a temporary emergency basis issued under 2590
this division shall be in the form, and shall include all of the 2591
information, described in divisions (A) (2) (a) and (d) of section 2592
109.731 of the Revised Code, and also shall include a unique 2593
combination of identifying letters and numbers in accordance 2594
with division (A) (2) (c) of that section. 2595

The license on a temporary emergency basis issued under 2596
this division is valid for ninety days and may not be renewed. A 2597
person who has been issued a license on a temporary emergency 2598
basis under this division shall not be issued another license on 2599
a temporary emergency basis unless at least four years has 2600
expired since the issuance of the prior license on a temporary 2601
emergency basis. 2602

(3) If a person seeking a concealed handgun license on a 2603
temporary emergency basis has been convicted of or pleaded 2604
guilty to an offense identified in division (D) (1) (e), (f), or 2605
(h) of section 2923.125 of the Revised Code or has been 2606
adjudicated a delinquent child for committing an act or 2607
violation identified in any of those divisions, and if a court 2608

has ordered the sealing or expungement of the records of that 2609
conviction, guilty plea, or adjudication pursuant to sections 2610
2151.355 to 2151.358 or sections 2953.31 to 2953.36 of the 2611
Revised Code or the applicant has been relieved under operation 2612
of law or legal process from the disability imposed pursuant to 2613
section 2923.13 of the Revised Code relative to that conviction, 2614
guilty plea, or adjudication, the conviction, guilty plea, or 2615
adjudication shall not be relevant for purposes of the sworn 2616
affidavit described in division (B)(1)(b) of this section, and 2617
the person may complete, and swear to the truth of, the 2618
affidavit as if the conviction, guilty plea, or adjudication 2619
never had occurred. 2620

(4) The sheriff shall waive the payment pursuant to 2621
division (B)(1)(c) of this section of the license fee in 2622
connection with an application that is submitted by an applicant 2623
who is a retired peace officer, a retired person described in 2624
division (B)(1)(b) of section 109.77 of the Revised Code, or a 2625
retired federal law enforcement officer who, prior to 2626
retirement, was authorized under federal law to carry a firearm 2627
in the course of duty, unless the retired peace officer, person, 2628
or federal law enforcement officer retired as the result of a 2629
mental disability. 2630

The sheriff shall deposit all fees paid by an applicant 2631
under division (B)(1)(c) of this section into the sheriff's 2632
concealed handgun license issuance fund established pursuant to 2633
section 311.42 of the Revised Code. 2634

(C) A person who holds a concealed handgun license on a 2635
temporary emergency basis, regardless of whether the license was 2636
issued prior to, on, or after the effective date of this 2637
amendment, has the same right to carry a concealed ~~handgun~~ 2638

firearm that is not a restricted firearm as a person who was 2639
issued a concealed handgun license under section 2923.125 of the 2640
Revised Code, ~~and any exceptions to the prohibitions contained~~ 2641
~~in section 1547.69 and sections 2923.12 to 2923.16 of the~~ 2642
~~Revised Code for a licensee under section 2923.125 of the~~ 2643
~~Revised Code apply to a licensee under this section.~~ The person 2644
is subject to the same restrictions, and to all other 2645
procedures, duties, and sanctions, that apply to a person who 2646
carries a license issued under section 2923.125 of the Revised 2647
Code, other than the license renewal procedures set forth in 2648
that section. 2649

(D) A sheriff who issues a concealed handgun license on a 2650
temporary emergency basis under this section shall not require a 2651
person seeking to carry a concealed ~~handgun~~ firearm that is not 2652
a restricted firearm in accordance with this section to submit a 2653
competency certificate as a prerequisite for issuing the license 2654
and shall comply with division (H) of section 2923.125 of the 2655
Revised Code in regards to the license. The sheriff shall 2656
suspend or revoke the license in accordance with section 2657
2923.128 of the Revised Code. In addition to the suspension or 2658
revocation procedures set forth in section 2923.128 of the 2659
Revised Code, the sheriff may revoke the license upon receiving 2660
information, verifiable by public documents, that the person is 2661
not eligible to possess a firearm under either the laws of this 2662
state or of the United States or that the person committed 2663
perjury in obtaining the license; if the sheriff revokes a 2664
license under this additional authority, the sheriff shall 2665
notify the person, by certified mail, return receipt requested, 2666
at the person's last known residence address that the license 2667
has been revoked and that the person is required to surrender 2668
the license at the sheriff's office within ten days of the date 2669

on which the notice was mailed. Division (H) of section 2923.125 2670
of the Revised Code applies regarding any suspension or 2671
revocation of a concealed handgun license on a temporary 2672
emergency basis. 2673

(E) A sheriff who issues a concealed handgun license on a 2674
temporary emergency basis under this section shall retain, for 2675
the entire period during which the license is in effect, the 2676
evidence of imminent danger that the person submitted to the 2677
sheriff and that was the basis for the license, or a copy of 2678
that evidence, as appropriate. 2679

(F) If a concealed handgun license on a temporary 2680
emergency basis issued under this section is lost or is 2681
destroyed, the licensee may obtain from the sheriff who issued 2682
that license a duplicate license upon the payment of a fee of 2683
fifteen dollars and the submission of an affidavit attesting to 2684
the loss or destruction of the license. The sheriff, in 2685
accordance with the procedures prescribed in section 109.731 of 2686
the Revised Code, shall place on the replacement license a 2687
combination of identifying numbers different from the 2688
combination on the license that is being replaced. 2689

(G) The attorney general shall prescribe, and shall make 2690
available to sheriffs, a standard form to be used under division 2691
(B) of this section by a person who applies for a concealed 2692
handgun license on a temporary emergency basis on the basis of 2693
imminent danger of a type described in division (A) (1) (a) of 2694
this section. The attorney general shall design the form to 2695
enable applicants to provide the information that is required by 2696
law to be collected, and shall update the form as necessary. 2697
Burdens or restrictions to obtaining a concealed handgun license 2698
that are not expressly prescribed in law shall not be 2699

incorporated into the form. The attorney general shall post a 2700
printable version of the form on the web site of the attorney 2701
general and shall provide the address of the web site to any 2702
person who requests the form. 2703

(H) A sheriff who receives any fees paid by a person under 2704
this section shall deposit all fees so paid into the sheriff's 2705
concealed handgun license issuance expense fund established 2706
under section 311.42 of the Revised Code. 2707

(I) A sheriff shall accept evidence of imminent danger, a 2708
sworn affidavit, the fee, and the set of fingerprints specified 2709
in division (B)(1) of this section at any time during normal 2710
business hours. In no case shall a sheriff require an 2711
appointment, or designate a specific period of time, for the 2712
submission or acceptance of evidence of imminent danger, a sworn 2713
affidavit, the fee, and the set of fingerprints specified in 2714
division (B)(1) of this section, or for the provision to any 2715
person of a standard form to be used for a person to apply for a 2716
concealed handgun license on a temporary emergency basis. 2717

Sec. 2923.16. (A) No person shall knowingly discharge a 2718
firearm while in or on a motor vehicle. 2719

(B) No person shall knowingly transport or have a loaded 2720
firearm in a motor vehicle in such a manner that the firearm is 2721
accessible to the operator or any passenger without leaving the 2722
vehicle. 2723

(C) No person shall knowingly transport or have a firearm 2724
in a motor vehicle, unless the person may lawfully possess that 2725
firearm under applicable law of this state or the United States, 2726
the firearm is unloaded, and the firearm is carried in one of 2727
the following ways: 2728

(1) In a closed package, box, or case;	2729
(2) In a compartment that can be reached only by leaving the vehicle;	2730 2731
(3) In plain sight and secured in a rack or holder made for the purpose;	2732 2733
(4) If the firearm is at least twenty-four inches in overall length as measured from the muzzle to the part of the stock furthest from the muzzle and if the barrel is at least eighteen inches in length, either in plain sight with the action open or the weapon stripped, or, if the firearm is of a type on which the action will not stay open or which cannot easily be stripped, in plain sight.	2734 2735 2736 2737 2738 2739 2740
(D) No person shall knowingly transport or have a loaded handgun in a motor vehicle if, at the time of that transportation or possession, any of the following applies:	2741 2742 2743
(1) The person is under the influence of alcohol, a drug of abuse, or a combination of them.	2744 2745
(2) The person's whole blood, blood serum or plasma, breath, or urine contains a concentration of alcohol, a listed controlled substance, or a listed metabolite of a controlled substance prohibited for persons operating a vehicle, as specified in division (A) of section 4511.19 of the Revised Code, regardless of whether the person at the time of the transportation or possession as described in this division is the operator of or a passenger in the motor vehicle.	2746 2747 2748 2749 2750 2751 2752 2753
(E) No person who has been issued a concealed handgun <u>license or is deemed under division (C) of section 2923.111 of</u> <u>the Revised Code to have been issued a concealed handgun license</u> <u>under section 2923.125 of the Revised Code, who is the driver or</u>	2754 2755 2756 2757

an occupant of a motor vehicle that is stopped as a result of a 2758
traffic stop or a stop for another law enforcement purpose or is 2759
the driver or an occupant of a commercial motor vehicle that is 2760
stopped by an employee of the motor carrier enforcement unit for 2761
the purposes defined in section 5503.34 of the Revised Code, and 2762
who is transporting or has a loaded ~~handgun~~ firearm that is not 2763
a restricted firearm in the motor vehicle or commercial motor 2764
vehicle in any manner, shall do any of the following: 2765

(1) Fail to promptly inform any law enforcement officer 2766
who approaches the vehicle while stopped that the person ~~has~~ 2767
~~been issued a concealed handgun license and that the person then~~ 2768
possesses or has a loaded ~~handgun~~ firearm in the motor vehicle 2769
and, if the person has been issued a concealed handgun license, 2770
that the person has been issued the license; 2771

(2) Fail to promptly inform the employee of the unit who 2772
approaches the vehicle while stopped that the person ~~has been~~ 2773
~~issued a concealed handgun license and that the person then~~ 2774
possesses or has a loaded ~~handgun~~ firearm in the commercial 2775
motor vehicle and, if the person has been issued a concealed 2776
handgun license, that the person has been issued the license; 2777

(3) Knowingly fail to remain in the motor vehicle while 2778
stopped or knowingly fail to keep the person's hands in plain 2779
sight at any time after any law enforcement officer begins 2780
approaching the person while stopped and before the law 2781
enforcement officer leaves, unless the failure is pursuant to 2782
and in accordance with directions given by a law enforcement 2783
officer; 2784

(4) Knowingly have contact with the loaded ~~handgun~~ firearm 2785
by touching it with the person's hands or fingers in the motor 2786
vehicle at any time after the law enforcement officer begins 2787

approaching and before the law enforcement officer leaves, 2788
unless the person has contact with the loaded ~~handgun~~-firearm 2789
pursuant to and in accordance with directions given by the law 2790
enforcement officer; 2791

(5) Knowingly disregard or fail to comply with any lawful 2792
order of any law enforcement officer given while the motor 2793
vehicle is stopped, including, but not limited to, a specific 2794
order to the person to keep the person's hands in plain sight. 2795

(F) (1) Divisions (A), (B), (C), and (E) of this section do 2796
not apply to any of the following: 2797

(a) An officer, agent, or employee of this or any other 2798
state or the United States, or a law enforcement officer, when 2799
authorized to carry or have loaded or accessible firearms in 2800
motor vehicles and acting within the scope of the officer's, 2801
agent's, or employee's duties; 2802

(b) Any person who is employed in this state, who is 2803
authorized to carry or have loaded or accessible firearms in 2804
motor vehicles, and who is subject to and in compliance with the 2805
requirements of section 109.801 of the Revised Code, unless the 2806
appointing authority of the person has expressly specified that 2807
the exemption provided in division (F) (1) (b) of this section 2808
does not apply to the person. 2809

(2) Division (A) of this section does not apply to a 2810
person if all of the following circumstances apply: 2811

(a) The person discharges a firearm from a motor vehicle 2812
at a coyote or groundhog, the discharge is not during the deer 2813
gun hunting season as set by the chief of the division of 2814
wildlife of the department of natural resources, and the 2815
discharge at the coyote or groundhog, but for the operation of 2816

this section, is lawful. 2817

(b) The motor vehicle from which the person discharges the 2818
firearm is on real property that is located in an unincorporated 2819
area of a township and that either is zoned for agriculture or 2820
is used for agriculture. 2821

(c) The person owns the real property described in 2822
division (F) (2) (b) of this section, is the spouse or a child of 2823
another person who owns that real property, is a tenant of 2824
another person who owns that real property, or is the spouse or 2825
a child of a tenant of another person who owns that real 2826
property. 2827

(d) The person does not discharge the firearm in any of 2828
the following manners: 2829

(i) While under the influence of alcohol, a drug of abuse, 2830
or alcohol and a drug of abuse; 2831

(ii) In the direction of a street, highway, or other 2832
public or private property used by the public for vehicular 2833
traffic or parking; 2834

(iii) At or into an occupied structure that is a permanent 2835
or temporary habitation; 2836

(iv) In the commission of any violation of law, including, 2837
but not limited to, a felony that includes, as an essential 2838
element, purposely or knowingly causing or attempting to cause 2839
the death of or physical harm to another and that was committed 2840
by discharging a firearm from a motor vehicle. 2841

(3) Division (A) of this section does not apply to a 2842
person if all of the following apply: 2843

(a) The person possesses a valid electric-powered all- 2844

purpose vehicle permit issued under section 1533.103 of the Revised Code by the chief of the division of wildlife.

(b) The person discharges a firearm at a wild quadruped or game bird as defined in section 1531.01 of the Revised Code during the open hunting season for the applicable wild quadruped or game bird.

(c) The person discharges a firearm from a stationary electric-powered all-purpose vehicle as defined in section 1531.01 of the Revised Code or a motor vehicle that is parked on a road that is owned or administered by the division of wildlife, provided that the road is identified by an electric-powered all-purpose vehicle sign.

(d) The person does not discharge the firearm in any of the following manners:

(i) While under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse;

(ii) In the direction of a street, a highway, or other public or private property that is used by the public for vehicular traffic or parking;

(iii) At or into an occupied structure that is a permanent or temporary habitation;

(iv) In the commission of any violation of law, including, but not limited to, a felony that includes, as an essential element, purposely or knowingly causing or attempting to cause the death of or physical harm to another and that was committed by discharging a firearm from a motor vehicle.

(4) Divisions (B) and (C) of this section do not apply to a person if all of the following circumstances apply:

(a) At the time of the alleged violation of either of 2873
those divisions, the person is the operator of or a passenger in 2874
a motor vehicle. 2875

(b) The motor vehicle is on real property that is located 2876
in an unincorporated area of a township and that either is zoned 2877
for agriculture or is used for agriculture. 2878

(c) The person owns the real property described in 2879
division (D) (4) (b) of this section, is the spouse or a child of 2880
another person who owns that real property, is a tenant of 2881
another person who owns that real property, or is the spouse or 2882
a child of a tenant of another person who owns that real 2883
property. 2884

(d) The person, prior to arriving at the real property 2885
described in division (D) (4) (b) of this section, did not 2886
transport or possess a firearm in the motor vehicle in a manner 2887
prohibited by division (B) or (C) of this section while the 2888
motor vehicle was being operated on a street, highway, or other 2889
public or private property used by the public for vehicular 2890
traffic or parking. 2891

(5) Divisions (B) and (C) of this section do not apply to 2892
a person who transports or possesses a ~~handgun~~-firearm that is 2893
not a restricted firearm in a motor vehicle if, at the time of 2894
that transportation or possession, both of the following apply: 2895

(a) The person transporting or possessing the ~~handgun~~- 2896
firearm is carrying a valid concealed handgun license or is 2897
deemed under division (C) of section 2923.111 of the Revised 2898
Code to have been issued a concealed handgun license under 2899
section 2923.125 of the Revised Code. 2900

(b) The person transporting or possessing the ~~handgun~~- 2901

firearm is not knowingly in ~~a~~an unauthorized place described
specified in division (B) of section 2923.126 of the Revised
Code and is not knowingly transporting or possessing the firearm
in any prohibited manner listed in that division.

(6) Divisions (B) and (C) of this section do not apply to
a person if all of the following apply:

(a) The person possesses a valid electric-powered all-
purpose vehicle permit issued under section 1533.103 of the
Revised Code by the chief of the division of wildlife.

(b) The person is on or in an electric-powered all-purpose
vehicle as defined in section 1531.01 of the Revised Code or a
motor vehicle during the open hunting season for a wild
quadruped or game bird.

(c) The person is on or in an electric-powered all-purpose
vehicle as defined in section 1531.01 of the Revised Code or a
motor vehicle that is parked on a road that is owned or
administered by the division of wildlife, provided that the road
is identified by an electric-powered all-purpose vehicle sign.

(7) Nothing in this section prohibits or restricts a
person from possessing, storing, or leaving a firearm in a
locked motor vehicle that is parked in the state underground
parking garage at the state capitol building or in the parking
garage at the Riffe center for government and the arts in
Columbus, if the person's transportation and possession of the
firearm in the motor vehicle while traveling to the premises or
facility was not in violation of division (A), (B), (C), (D), or
(E) of this section or any other provision of the Revised Code.

(G) (1) The affirmative defenses authorized in divisions
(D) (1) and (2) of section 2923.12 of the Revised Code are

affirmative defenses to a charge under division (B) or (C) of 2931
this section that involves a firearm other than a handgun if 2932
division (E) (5) of this section does not apply to the person 2933
charged. 2934

(2) It is an affirmative defense to a charge under 2935
division (B) or (C) of this section of improperly handling 2936
firearms in a motor vehicle that the actor transported or had 2937
the firearm in the motor vehicle for any lawful purpose and 2938
while the motor vehicle was on the actor's own property, 2939
provided that this affirmative defense is not available unless 2940
the person, immediately prior to arriving at the actor's own 2941
property, did not transport or possess the firearm in a motor 2942
vehicle in a manner prohibited by division (B) or (C) of this 2943
section while the motor vehicle was being operated on a street, 2944
highway, or other public or private property used by the public 2945
for vehicular traffic. 2946

(H) (1) No person who is charged with a violation of 2947
division (B), (C), or (D) of this section shall be required to 2948
obtain a concealed handgun license as a condition for the 2949
dismissal of the charge. 2950

(2) (a) If a person is convicted of, was convicted of, 2951
pleads guilty to, or has pleaded guilty to a violation of 2952
division (E) of this section as it existed prior to September 2953
30, 2011, and if the conduct that was the basis of the violation 2954
no longer would be a violation of division (E) of this section 2955
on or after September 30, 2011, the person may file an 2956
application under section 2953.37 of the Revised Code requesting 2957
the expungement of the record of conviction. 2958

If a person is convicted of, was convicted of, pleads 2959
guilty to, or has pleaded guilty to a violation of division (B) 2960

or (C) of this section as the division existed prior to 2961
September 30, 2011, and if the conduct that was the basis of the 2962
violation no longer would be a violation of division (B) or (C) 2963
of this section on or after September 30, 2011, due to the 2964
application of division (F)(5) of this section as it exists on 2965
and after September 30, 2011, the person may file an application 2966
under section 2953.37 of the Revised Code requesting the 2967
expungement of the record of conviction. 2968

(b) The attorney general shall develop a public media 2969
advisory that summarizes the expungement procedure established 2970
under section 2953.37 of the Revised Code and the offenders 2971
identified in division (H)(2)(a) of this section who are 2972
authorized to apply for the expungement. Within thirty days 2973
after September 30, 2011, the attorney general shall provide a 2974
copy of the advisory to each daily newspaper published in this 2975
state and each television station that broadcasts in this state. 2976
The attorney general may provide the advisory in a tangible 2977
form, an electronic form, or in both tangible and electronic 2978
forms. 2979

(I) Whoever violates this section is guilty of improperly 2980
handling firearms in a motor vehicle. Violation of division (A) 2981
of this section is a felony of the fourth degree. Violation of 2982
division (C) of this section is a misdemeanor of the fourth 2983
degree. A violation of division (D) of this section is a felony 2984
of the fifth degree or, if the loaded handgun is concealed on 2985
the person's person, a felony of the fourth degree. Except as 2986
otherwise provided in this division, a violation of division (E) 2987
(1) or (2) of this section is a misdemeanor of the first degree, 2988
and, in addition to any other penalty or sanction imposed for 2989
the violation, if the offender has been issued a concealed 2990
handgun license, the offender's ~~concealed handgun~~ license shall 2991

be suspended pursuant to division (A) (2) of section 2923.128 of 2992
the Revised Code. If at the time of the stop of the offender for 2993
a traffic stop, for another law enforcement purpose, or for a 2994
purpose defined in section 5503.34 of the Revised Code that was 2995
the basis of the violation any law enforcement officer involved 2996
with the stop or the employee of the motor carrier enforcement 2997
unit who made the stop had actual knowledge ~~of that~~ the 2998
~~offender's status as a licensee~~ offender has been issued a 2999
concealed handgun license or that the offender is deemed under 3000
division (C) of section 2923.111 of the Revised Code to have 3001
been issued a concealed handgun license under section 2923.125 3002
of the Revised Code, a violation of division (E) (1) or (2) of 3003
this section is a minor misdemeanor, and if the offender has 3004
been issued a concealed handgun license, the offender's 3005
~~concealed handgun~~ license shall not be suspended pursuant to 3006
division (A) (2) of section 2923.128 of the Revised Code. A 3007
violation of division (E) (4) of this section is a felony of the 3008
fifth degree. A violation of division (E) (3) or (5) of this 3009
section is a misdemeanor of the first degree or, if the offender 3010
previously has been convicted of or pleaded guilty to a 3011
violation of division (E) (3) or (5) of this section, a felony of 3012
the fifth degree. In addition to any other penalty or sanction 3013
imposed for a misdemeanor violation of division (E) (3) or (5) of 3014
this section, if the offender has been issued a concealed 3015
handgun license, the offender's ~~concealed handgun~~ license shall 3016
be suspended pursuant to division (A) (2) of section 2923.128 of 3017
the Revised Code. A violation of division (B) of this section is 3018
a felony of the fourth degree. 3019

(J) If a law enforcement officer stops a motor vehicle for 3020
a traffic stop or any other purpose, if any person in the motor 3021
vehicle surrenders a firearm to the officer, either voluntarily 3022

or pursuant to a request or demand of the officer, and if the 3023
officer does not charge the person with a violation of this 3024
section or arrest the person for any offense, the person is not 3025
otherwise prohibited by law from possessing the firearm, and the 3026
firearm is not contraband, the officer shall return the firearm 3027
to the person at the termination of the stop. If a court orders 3028
a law enforcement officer to return a firearm to a person 3029
pursuant to the requirement set forth in this division, division 3030
(B) of section 2923.163 of the Revised Code applies. 3031

(K) As used in this section: 3032

(1) "Motor vehicle," "street," and "highway" have the same 3033
meanings as in section 4511.01 of the Revised Code. 3034

(2) "Occupied structure" has the same meaning as in 3035
section 2909.01 of the Revised Code. 3036

(3) "Agriculture" has the same meaning as in section 3037
519.01 of the Revised Code. 3038

(4) "Tenant" has the same meaning as in section 1531.01 of 3039
the Revised Code. 3040

(5) (a) "Unloaded" means, with respect to a firearm other 3041
than a firearm described in division (K) (6) of this section, 3042
that no ammunition is in the firearm in question, no magazine or 3043
speed loader containing ammunition is inserted into the firearm 3044
in question, and one of the following applies: 3045

(i) There is no ammunition in a magazine or speed loader 3046
that is in the vehicle in question and that may be used with the 3047
firearm in question. 3048

(ii) Any magazine or speed loader that contains ammunition 3049
and that may be used with the firearm in question is stored in a 3050

compartment within the vehicle in question that cannot be 3051
accessed without leaving the vehicle or is stored in a container 3052
that provides complete and separate enclosure. 3053

(b) For the purposes of division (K) (5) (a) (ii) of this 3054
section, a "container that provides complete and separate 3055
enclosure" includes, but is not limited to, any of the 3056
following: 3057

(i) A package, box, or case with multiple compartments, as 3058
long as the loaded magazine or speed loader and the firearm in 3059
question either are in separate compartments within the package, 3060
box, or case, or, if they are in the same compartment, the 3061
magazine or speed loader is contained within a separate 3062
enclosure in that compartment that does not contain the firearm 3063
and that closes using a snap, button, buckle, zipper, hook and 3064
loop closing mechanism, or other fastener that must be opened to 3065
access the contents or the firearm is contained within a 3066
separate enclosure of that nature in that compartment that does 3067
not contain the magazine or speed loader; 3068

(ii) A pocket or other enclosure on the person of the 3069
person in question that closes using a snap, button, buckle, 3070
zipper, hook and loop closing mechanism, or other fastener that 3071
must be opened to access the contents. 3072

(c) For the purposes of divisions (K) (5) (a) and (b) of 3073
this section, ammunition held in stripper-clips or in en-bloc 3074
clips is not considered ammunition that is loaded into a 3075
magazine or speed loader. 3076

(6) "Unloaded" means, with respect to a firearm employing 3077
a percussion cap, flintlock, or other obsolete ignition system, 3078
when the weapon is uncapped or when the priming charge is 3079

removed from the pan. 3080

(7) "Commercial motor vehicle" has the same meaning as in 3081
division (A) of section 4506.25 of the Revised Code. 3082

(8) "Motor carrier enforcement unit" means the motor 3083
carrier enforcement unit in the department of public safety, 3084
division of state highway patrol, that is created by section 3085
5503.34 of the Revised Code. 3086

(L) Divisions (K) (5) (a) and (b) of this section do not 3087
affect the authority of a person who is carrying a valid 3088
concealed handgun license or who is deemed under division (C) of 3089
section 2923.111 of the Revised Code to have been issued a 3090
concealed handgun license under section 2923.125 of the Revised 3091
Code to have one or more magazines or speed loaders containing 3092
ammunition anywhere in a vehicle, without being transported as 3093
described in those divisions, as long as no ammunition is in a 3094
firearm, other than a handgun, in the vehicle other than as 3095
permitted under any other provision of this chapter. A person 3096
who is carrying a valid concealed handgun license or who is 3097
deemed under division (C) of section 2923.111 of the Revised 3098
Code to have been issued a concealed handgun license under 3099
section 2923.125 of the Revised Code may have one or more 3100
magazines or speed loaders containing ammunition anywhere in a 3101
vehicle without further restriction, as long as no ammunition is 3102
in a firearm, other than a handgun, in the vehicle other than as 3103
permitted under any provision of this chapter. 3104

Sec. 4749.10. (A) No class A, B, or C licensee and no 3105
registered employee of a class A, B, or C licensee shall carry a 3106
firearm, as defined in section 2923.11 of the Revised Code, in 3107
the course of engaging in the business of private investigation, 3108
the business of security services, or both businesses, unless 3109

all of the following apply: 3110

(1) The licensee or employee either has successfully 3111
completed a basic firearm training program at a training school 3112
approved by the Ohio peace officer training commission, which 3113
program includes twenty hours of training in handgun use and, if 3114
any firearm other than a handgun is to be used, five hours of 3115
training in the use of other firearms, and has received a 3116
certificate of satisfactory completion of that program from the 3117
executive director of the commission; the licensee or employee 3118
has, within three years prior to November 27, 1985, 3119
satisfactorily completed firearms training that has been 3120
approved by the commission as being equivalent to such a program 3121
and has received written evidence of approval of that training 3122
from the executive director of the commission; or the licensee 3123
or employee is a former peace officer, as defined in section 3124
109.71 of the Revised Code, who previously had successfully 3125
completed a firearms training course at a training school 3126
approved by the Ohio peace officer training commission and has 3127
received a certificate or other evidence of satisfactory 3128
completion of that course from the executive director of the 3129
commission. 3130

(2) The licensee or employee submits an application to the 3131
director of public safety, on a form prescribed by the director, 3132
in which the licensee or employee requests registration as a 3133
class A, B, or C licensee or employee who may carry a firearm. 3134
The application shall be accompanied by a copy of the 3135
certificate or the written evidence or other evidence described 3136
in division (A)(1) of this section, the identification card 3137
issued pursuant to section 4749.03 or 4749.06 of the Revised 3138
Code if one has previously been issued, a statement of the 3139
duties that will be performed while the licensee or employee is 3140

armed, and a fee the director determines, not to exceed fifteen 3141
dollars. In the case of a registered employee, the statement 3142
shall be prepared by the employing class A, B, or C licensee. 3143

(3) The licensee or employee receives a notation on the 3144
licensee's or employee's identification card that the licensee 3145
or employee is a firearm-bearer and carries the identification 3146
card whenever the licensee or employee carries a firearm in the 3147
course of engaging in the business of private investigation, the 3148
business of security services, or both businesses. 3149

(4) At any time within the immediately preceding twelve- 3150
month period, the licensee or employee has requalified in 3151
firearms use on a firearms training range at a firearms 3152
requalification program certified by the Ohio peace officer 3153
training commission or on a firearms training range under the 3154
supervision of an instructor certified by the commission and has 3155
received a certificate of satisfactory requalification from the 3156
certified program or certified instructor, provided that this 3157
division does not apply to any licensee or employee prior to the 3158
expiration of eighteen months after the licensee's or employee's 3159
completion of the program described in division (A) (1) of this 3160
section. A certificate of satisfactory requalification is valid 3161
and remains in effect for twelve months from the date of the 3162
requalification. 3163

(5) If division (A) (4) of this section applies to the 3164
licensee or employee, the licensee or employee carries the 3165
certificate of satisfactory requalification that then is in 3166
effect or any other evidence of requalification issued or 3167
provided by the director. 3168

(B) (1) The director of public safety shall register an 3169
applicant under division (A) of this section who satisfies 3170

divisions (A) (1) and (2) of this section, and place a notation 3171
on the applicant's identification card indicating that the 3172
applicant is a firearm-bearer and the date on which the 3173
applicant completed the program described in division (A) (1) of 3174
this section. 3175

(2) A firearms requalification training program or 3176
instructor certified by the commission for the annual 3177
requalification of class A, B, or C licensees or employees who 3178
are authorized to carry a firearm under section 4749.10 of the 3179
Revised Code shall award a certificate of satisfactory 3180
requalification to each class A, B, or C licensee or registered 3181
employee of a class A, B, or C licensee who satisfactorily 3182
requalifies in firearms training. The certificate shall identify 3183
the licensee or employee and indicate the date of the 3184
requalification. A licensee or employee who receives such a 3185
certificate shall submit a copy of it to the director of public 3186
safety. A licensee shall submit the copy of the requalification 3187
certificate at the same time that the licensee makes application 3188
for renewal of the licensee's class A, B, or C license. The 3189
director shall keep a record of all copies of requalification 3190
certificates the director receives under this division and shall 3191
establish a procedure for the updating of identification cards 3192
to provide evidence of compliance with the annual 3193
requalification requirement. The procedure for the updating of 3194
identification cards may provide for the issuance of a new card 3195
containing the evidence, the entry of a new notation containing 3196
the evidence on the existing card, the issuance of a separate 3197
card or paper containing the evidence, or any other procedure 3198
determined by the director to be reasonable. Each person who is 3199
issued a requalification certificate under this division 3200
promptly shall pay to the Ohio peace officer training commission 3201

established by section 109.71 of the Revised Code a fee the 3202
director determines, not to exceed fifteen dollars, which fee 3203
shall be transmitted to the treasurer of state for deposit in 3204
the peace officer private security fund established by section 3205
109.78 of the Revised Code. 3206

(C) Nothing in this section prohibits a private 3207
investigator or a security guard provider from carrying a 3208
concealed ~~handgun~~ firearm that is not a restricted firearm if 3209
the private investigator or security guard provider complies 3210
with sections 2923.124 to 2923.1213 of the Revised Code. 3211

Section 2. That existing sections 109.69, 109.731, 3212
1547.69, 2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 3213
2923.124, 2923.125, 2923.126, 2923.128, 2923.129, 2923.1213, 3214
2923.16, and 4749.10 of the Revised Code are hereby repealed. 3215

Section 3. The amendments to sections 109.69, 109.731, 3216
1547.69, 2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 3217
2923.124, 2923.125, 2923.126, 2923.128, 2923.129, 2923.1213, 3218
2923.16, and 4749.10 of the Revised Code apply with respect to 3219
any concealed handgun license, as defined in section 2923.11 of 3220
the Revised Code, regardless of whether the license was issued 3221
prior to, on, or after the effective date of this act. 3222

Section 4. Section 2923.122 of the Revised Code is 3223
presented in this act as a composite of the section as amended 3224
by both Am. Sub. H.B. 495 and Am. Sub. S.B. 337 of the 129th 3225
General Assembly. Section 2923.125 of the Revised Code is 3226
presented in this act as a composite of the section as amended 3227
by both Am. Sub. H.B. 234 and Am. Sub. S.B. 43 of the 130th 3228
General Assembly. Section 2923.1213 of the Revised Code is 3229
presented in this act as a composite of the section as amended 3230
by both Am. Sub. H.B. 234 and Am. Sub. S.B. 43 of the 130th 3231

General Assembly. The General Assembly, applying the principle 3232
stated in division (B) of section 1.52 of the Revised Code that 3233
amendments are to be harmonized if reasonably capable of 3234
simultaneous operation, finds that the composites are the 3235
resulting versions of the sections in effect prior to the 3236
effective date of the sections as presented in this act. 3237