

As Introduced

133rd General Assembly

Regular Session

2019-2020

H. B. No. 174

Representatives Hood, Brinkman

**Cosponsors: Representatives Vitale, Antani, Keller, Lang, Becker, Merrin, Koehler,
Butler, Blessing, Jordan, Riedel, Schaffer, Dean, Manchester, Manning, D.,
Carruthers, Smith, T., Cross, Zeltwanger, Baldrige, Lipps, Smith, R., Wiggam,
Powell, Wilkin, McClain, Romanchuk**

A BILL

To amend sections 109.69, 109.731, 311.41, 311.42, 1
311.43, 1547.69, 2921.13, 2923.11, 2923.12, 2
2923.121, 2923.122, 2923.123, 2923.124, 3
2923.125, 2923.126, 2923.127, 2923.128, 4
2923.129, 2923.1210, 2923.1211, 2923.1212, 5
2923.1213, 2923.16, 2953.37, and 4749.10 and to 6
enact section 2923.111 of the Revised Code to 7
modify the Weapons Law by renaming a concealed 8
handgun license as a concealed weapons license, 9
allowing a concealed weapons licensee to carry 10
concealed all deadly weapons not otherwise 11
prohibited by law, repealing a notice 12
requirement applicable to licensees stopped for 13
a law enforcement purpose, authorizing 14
expungement of convictions of a violation of 15
that requirement, allowing a person age 21 or 16
older and not prohibited by federal law from 17
firearm possession to carry a concealed deadly 18
weapon without needing a license subject to the 19
same carrying laws as a licensee, and correcting 20
the definition of dangerous ordnance mistakenly 21

resulting from Am. Sub. H.B. 228 of the 132nd 22
General Assembly. 23

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

Section 1. That sections 109.69, 109.731, 311.41, 311.42, 24
311.43, 1547.69, 2921.13, 2923.11, 2923.12, 2923.121, 2923.122, 25
2923.123, 2923.124, 2923.125, 2923.126, 2923.127, 2923.128, 26
2923.129, 2923.1210, 2923.1211, 2923.1212, 2923.1213, 2923.16, 27
2953.37, and 4749.10 be amended and section 2923.111 of the 28
Revised Code be enacted to read as follows: 29

Sec. 109.69. (A) (1) The attorney general shall negotiate 30
and enter into a reciprocity agreement with any other license- 31
issuing state under which a ~~concealed handgun~~ license that is 32
issued by the other state and that authorizes the carrying of 33
concealed handguns, firearms, or deadly weapons is recognized in 34
this state, except as provided in division (B) of this section, 35
if the attorney general determines that both of the following 36
apply: 37

(a) The eligibility requirements imposed by that license- 38
issuing state for that license are substantially comparable to 39
the eligibility requirements for a ~~concealed handgun weapons~~ 40
license issued under section 2923.125 of the Revised Code. 41

(b) That license-issuing state recognizes a concealed 42
~~handgun weapons~~ license issued under section 2923.125 of the 43
Revised Code. 44

(2) A reciprocity agreement entered into under division 45
(A) (1) of this section also may provide for the recognition in 46

this state of a ~~concealed handgun~~ license issued on a temporary 47
or emergency basis by the other license-issuing state that 48
authorizes the carrying of concealed handguns, firearms, or 49
deadly weapons, if the eligibility requirements imposed by that 50
license-issuing state for the temporary or emergency license are 51
substantially comparable to the eligibility requirements for a 52
concealed ~~handgun-weapons~~ license issued under section 2923.125 53
or 2923.1213 of the Revised Code and if that license-issuing 54
state recognizes a concealed ~~handgun-weapons~~ license issued 55
under section 2923.1213 of the Revised Code. 56

(3) The attorney general shall not negotiate any agreement 57
with any other license-issuing state under which a ~~concealed-~~ 58
~~handgun~~ license that is issued by the other state and that 59
authorizes the carrying of concealed handguns, firearms, or 60
deadly weapons is recognized in this state other than as 61
provided in divisions (A) (1) and (2) of this section. 62

(B) (1) If, on or after ~~the effective date of this~~ 63
~~amendment~~ March 23, 2015, a person who is a resident of this 64
state has a valid ~~concealed handgun~~ license that was issued by 65
another license-issuing state and that authorizes the carrying 66
of concealed handguns, firearms, or deadly weapons and the other 67
state has entered into a reciprocity agreement with the attorney 68
general under division (A) (1) of this section or the attorney 69
general determines that the eligibility requirements imposed by 70
that license-issuing state for that license are substantially 71
comparable to the eligibility requirements for a concealed 72
~~handgun-weapons~~ license issued under section 2923.125 of the 73
Revised Code, the license issued by the other license-issuing 74
state shall be recognized in this state, shall be accepted and 75
valid in this state, and grants the person the same right to 76
carry a concealed ~~handgun~~ deadly weapon in this state as a 77

person who was issued a concealed ~~handgun-weapons~~ license under 78
section 2923.125 of the Revised Code prior to, on, or after the 79
effective date of this amendment. 80

(2) If, on or after ~~the effective date of this amendment~~ 81
March 23, 2015, a person who is a resident of this state has a 82
valid ~~concealed handgun~~ license that was issued by another 83
license-issuing state and that authorizes the carrying of 84
concealed handguns, firearms, or deadly weapons and the other 85
state has not entered into a reciprocity agreement with the 86
attorney general under division (A) (1) of this section, the 87
license issued by the other license-issuing state shall be 88
recognized in this state, shall be accepted and valid in this 89
state, and grants the person the same right to carry a concealed 90
~~handgun-deadly weapon~~ in this state as a person who was issued a 91
concealed ~~handgun-weapons~~ license under section 2923.125 of the 92
Revised Code prior to, on, or after the effective date of this 93
amendment, for a period of six months after the person became a 94
resident of this state. After that six-month period, if the 95
person wishes to obtain a concealed ~~handgun-weapons~~ license, the 96
person shall apply for a concealed ~~handgun-weapons~~ license 97
pursuant to section 2923.125 of the Revised Code. 98

(3) If, on or after ~~the effective date of this amendment~~ 99
March 23, 2015, a person who is not a resident of this state has 100
a valid ~~concealed handgun~~ license that was issued by another 101
license-issuing state and that authorizes the carrying of 102
concealed handguns, firearms, or deadly weapons, regardless of 103
whether the other license-issuing state has entered into a 104
reciprocity agreement with the attorney general under division 105
(A) (1) of this section, and if the person is temporarily in this 106
state, during the time that the person is temporarily in this 107
state the license issued by the other license-issuing state 108

shall be recognized in this state, shall be accepted and valid 109
in this state, and grants the person the same right to carry a 110
concealed ~~handgun~~ deadly weapon in this state as a person who 111
was issued a concealed ~~handgun~~ weapons license under section 112
2923.125 of the Revised Code prior to, on, or after the 113
effective date of this amendment. 114

(C) The attorney general shall publish each determination 115
described in division (B) (1) of this section that the attorney 116
general makes in the same manner that written agreements entered 117
into under division (A) (1) or (2) of this section are published. 118

(D) As used in this section: 119

(1) "Handgun," "firearm," "concealed ~~handgun~~ weapons 120
license," "deadly weapon," and "valid concealed ~~handgun~~ weapons 121
license" have the same meanings as in section 2923.11 of the 122
Revised Code. 123

(2) "License-issuing state" means a state other than this 124
state that, pursuant to law, provides for the issuance of a 125
license to carry a concealed handgun, to carry a concealed 126
firearm, or to carry a concealed deadly weapon. 127

Sec. 109.731. (A) (1) The attorney general shall prescribe, 128
and shall make available to sheriffs an application form that is 129
to be used under section 2923.125 of the Revised Code by a 130
person who applies for a concealed ~~handgun~~ weapons license and 131
an application form that is to be used under section 2923.125 of 132
the Revised Code by a person who applies for the renewal of a 133
license of that nature. The attorney general shall design the 134
form to enable applicants to provide the information that is 135
required by law to be collected, and shall update the form as 136
necessary. Burdens or restrictions to obtaining a concealed 137

~~handgun-weapons~~ license that are not expressly prescribed in law 138
shall not be incorporated into the form. The attorney general 139
shall post a printable version of the form on the web site of 140
the attorney general and shall provide the address of the web 141
site to any person who requests the form. 142

(2) The Ohio peace officer training commission shall 143
prescribe, and shall make available to sheriffs, all of the 144
following: 145

(a) A form for the concealed ~~handgun-weapons~~ license that 146
is to be issued by sheriffs to persons who qualify for a 147
concealed ~~handgun-weapons~~ license under section 2923.125 of the 148
Revised Code and that conforms to the following requirements: 149

(i) It has space for the licensee's full name, residence 150
address, and date of birth and for a color photograph of the 151
licensee. 152

(ii) It has space for the date of issuance of the license, 153
its expiration date, its county of issuance, the name of the 154
sheriff who issues the license, and the unique combination of 155
letters and numbers that identify the county of issuance and the 156
license given to the licensee by the sheriff in accordance with 157
division (A) (2) (c) of this section. 158

(iii) It has space for the signature of the licensee and 159
the signature or a facsimile signature of the sheriff who issues 160
the license. 161

(iv) It does not require the licensee to include serial 162
numbers of ~~handguns~~ firearms or other deadly weapons, other 163
identification related to ~~handguns~~ firearms or other deadly 164
weapons, or similar data that is not pertinent or relevant to 165
obtaining the license and that could be used as a de facto means 166

of registration of ~~handguns~~ firearms or other deadly weapons 167
owned by the licensee. 168

(b) A series of three-letter county codes that identify 169
each county in this state; 170

(c) A procedure by which a sheriff shall give each 171
concealed ~~handgun-weapons~~ license, replacement concealed ~~handgun-~~ 172
~~weapons~~ license, or renewal concealed ~~handgun-weapons~~ license 173
and each concealed ~~handgun-weapons~~ license on a temporary 174
emergency basis or replacement concealed weapons license on a 175
temporary emergency basis the sheriff issues under section 176
2923.125 or 2923.1213 of the Revised Code a unique combination 177
of letters and numbers that identifies the county in which the 178
license was issued and that uses the county code and a unique 179
number for each license the sheriff of that county issues; 180

(d) A form for a concealed ~~handgun-weapons~~ license on a 181
temporary emergency basis that is to be issued by sheriffs to 182
persons who qualify for such a license under section 2923.1213 183
of the Revised Code, which form shall conform to all the 184
requirements set forth in divisions (A)(2)(a)(i) to (iv) of this 185
section and shall additionally conspicuously specify that the 186
license is issued on a temporary emergency basis and the date of 187
its issuance. 188

(B)(1) The Ohio peace officer training commission, in 189
consultation with the attorney general, shall prepare a pamphlet 190
that does all of the following, in everyday language: 191

(a) Explains the ~~firearms~~ deadly weapons laws of this 192
state, including the aspects of those laws with respect to 193
firearms; 194

(b) Instructs the reader in dispute resolution and 195

explains the laws of this state related to that matter; 196

(c) Provides information to the reader regarding all 197
aspects of the use of deadly force with a ~~firearm~~ deadly weapon, 198
including, but not limited to, the steps that should be taken 199
before contemplating the use of, or using, deadly force with a 200
~~firearm~~ deadly weapon, possible alternatives to using deadly 201
force with a ~~firearm~~ deadly weapon, and the law governing the use 202
of deadly force with a ~~firearm~~ deadly weapon. The information 203
provided as described in this division shall cover all deadly 204
weapons, including firearms. 205

(2) The attorney general shall consult with and assist the 206
commission in the preparation of the pamphlet described in 207
division (B)(1) of this section and, as necessary, shall 208
recommend to the commission changes in the pamphlet to reflect 209
changes in the law that are relevant to it. The attorney general 210
shall publish the pamphlet on the web site of the attorney 211
general and shall provide the address of the web site to any 212
person who requests the pamphlet. 213

(3) The attorney general shall create and maintain a 214
section on the attorney general's web site that provides 215
information on ~~firearms~~ deadly weapons laws of this state, 216
including the aspects of those laws with respect to firearms, 217
that are specifically applicable to members of the armed forces 218
of the United States and a link to the pamphlet described in 219
division (B)(1) of this section. 220

(C) The Ohio peace officer training commission shall 221
maintain statistics with respect to the issuance, renewal, 222
suspension, revocation, and denial of concealed ~~handgun~~ weapons 223
licenses under section 2923.125 of the Revised Code and the 224
suspension of processing of applications for those licenses, and 225

with respect to the issuance, suspension, revocation, and denial 226
of concealed ~~handgun-weapons~~ licenses on a temporary emergency 227
basis under section 2923.1213 of the Revised Code, as reported 228
by the sheriffs pursuant to division (C) of section 2923.129 of 229
the Revised Code. Not later than the first day of March in each 230
year, the commission shall submit a statistical report to the 231
governor, the president of the senate, and the speaker of the 232
house of representatives indicating the number of concealed 233
~~handgun-weapons~~ licenses that were issued, renewed, suspended, 234
revoked, and denied under section 2923.125 of the Revised Code 235
in the previous calendar year, the number of applications for 236
those licenses for which processing was suspended in accordance 237
with division (D) (3) of that section in the previous calendar 238
year, and the number of concealed ~~handgun-weapons~~ licenses on a 239
temporary emergency basis that were issued, suspended, revoked, 240
or denied under section 2923.1213 of the Revised Code in the 241
previous calendar year. Nothing in the statistics or the 242
statistical report shall identify, or enable the identification 243
of, any individual who was issued or denied a license, for whom 244
a license was renewed, whose license was suspended or revoked, 245
or for whom application processing was suspended. The statistics 246
and the statistical report are public records for the purpose of 247
section 149.43 of the Revised Code. The requirements of this 248
division apply regarding all concealed weapons licenses, 249
regardless of whether the issuance, renewal, suspension, 250
revocation, or denial in question occurred prior to, on, or 251
after the effective date of this amendment. 252

(D) As used in this section, "concealed ~~handgun-weapons~~ 253
license," "deadly weapon," and "handgun" have the same meanings 254
as in section 2923.11 of the Revised Code. 255

Sec. 311.41. (A) (1) Upon receipt of an application for a 256

concealed ~~handgun-weapons~~ license under division (C) of section 257
2923.125 of the Revised Code, an application to renew a 258
concealed ~~handgun-weapons~~ license under division (F) of that 259
section, or an application for a concealed ~~handgun-weapons~~ 260
license on a temporary emergency basis under section 2923.1213 261
of the Revised Code, the sheriff shall conduct a criminal 262
records check and an incompetency check of the applicant to 263
determine whether the applicant fails to meet the criteria 264
described in division (D) (1) of section 2923.125 of the Revised 265
Code. As part of any such criminal records check, the sheriff 266
shall contact the national instant criminal background check 267
system to verify that the applicant is eligible lawfully to 268
receive or possess a firearm in the United States. The sheriff 269
shall conduct the criminal records check and the incompetency 270
records check required by this division through use of an 271
electronic fingerprint reading device or, if the sheriff does 272
not possess and does not have ready access to the use of an 273
electronic fingerprint reading device, by requesting the bureau 274
of criminal identification and investigation to conduct the 275
checks as described in this division. 276

In order to conduct the criminal records check and the 277
incompetency records check, the sheriff shall obtain the 278
fingerprints of at least four fingers of the applicant by using 279
an electronic fingerprint reading device for the purpose of 280
conducting the criminal records check and the incompetency 281
records check or, if the sheriff does not possess and does not 282
have ready access to the use of an electronic fingerprint 283
reading device, shall obtain from the applicant a completed 284
standard fingerprint impression sheet prescribed pursuant to 285
division (C) (2) of section 109.572 of the Revised Code. The 286
fingerprints so obtained, along with the applicant's social 287

security number, shall be used to conduct the criminal records 288
check and the incompetency records check. If the sheriff does 289
not use an electronic fingerprint reading device to obtain the 290
fingerprints and conduct the records checks, the sheriff shall 291
submit the completed standard fingerprint impression sheet of 292
the applicant, along with the applicant's social security 293
number, to the superintendent of the bureau of criminal 294
identification and investigation and shall request the bureau to 295
conduct the criminal records check and the incompetency records 296
check of the applicant and, if necessary, shall request the 297
superintendent of the bureau to obtain information from the 298
federal bureau of investigation as part of the criminal records 299
check for the applicant. If it is not possible to use an 300
electronic fingerprint reading device to conduct an incompetency 301
records check, the sheriff shall submit the completed standard 302
fingerprint impression sheet of the applicant, along with the 303
applicant's social security number, to the superintendent of the 304
bureau of criminal identification and investigation and shall 305
request the bureau to conduct the incompetency records check. 306
The sheriff shall not retain the applicant's fingerprints as 307
part of the application. 308

(2) Except as otherwise provided in this division, if at 309
any time the applicant decides not to continue with the 310
application process, the sheriff immediately shall cease any 311
investigation that is being conducted under division (A)(1) of 312
this section. The sheriff shall not cease that investigation if, 313
at the time of the applicant's decision not to continue with the 314
application process, the sheriff had determined from any of the 315
sheriff's investigations that the applicant then was engaged in 316
activity of a criminal nature. 317

(B) If a criminal records check and an incompetency 318

records check conducted under division (A) of this section do 319
not indicate that the applicant fails to meet the criteria 320
described in division (D) (1) of section 2923.125 of the Revised 321
Code, except as otherwise provided in this division, the sheriff 322
shall destroy or cause a designated employee to destroy all 323
records other than the application for a concealed ~~handgun-~~ 324
weapons license, the application to renew a concealed ~~handgun-~~ 325
weapons license, or the affidavit submitted regarding an 326
application for a concealed ~~handgun-~~weapons license on a 327
temporary emergency basis that were made in connection with the 328
criminal records check and incompetency records check within 329
twenty days after conducting the criminal records check and 330
incompetency records check. If an applicant appeals a denial of 331
an application as described in division (D) (2) of section 332
2923.125 of the Revised Code or challenges the results of a 333
criminal records check pursuant to section 2923.127 of the 334
Revised Code, records of fingerprints of the applicant shall not 335
be destroyed during the pendency of the appeal or the challenge 336
and review. When an applicant appeals a denial as described in 337
that division, the twenty-day period described in this division 338
commences regarding the fingerprints upon the determination of 339
the appeal. When required as a result of a challenge and review 340
performed pursuant to section 2923.127 of the Revised Code, the 341
source the sheriff used in conducting the criminal records check 342
shall destroy or the chief operating officer of the source shall 343
cause an employee of the source designated by the chief to 344
destroy all records other than the application for a concealed 345
~~handgun-~~weapons license, the application to renew a concealed 346
~~handgun-~~weapons license, or the affidavit submitted regarding an 347
application for a concealed ~~handgun-~~weapons license on a 348
temporary emergency basis that were made in connection with the 349
criminal records check within twenty days after completion of 350

that challenge and review. 351

(C) If division (B) of this section applies to a 352
particular criminal records check or incompetency records check, 353
no sheriff, employee of a sheriff designated by the sheriff to 354
destroy records under that division, source the sheriff used in 355
conducting the criminal records check or incompetency records 356
check, or employee of the source designated by the chief 357
operating officer of the source to destroy records under that 358
division shall fail to destroy or cause to be destroyed within 359
the applicable twenty-day period specified in that division all 360
records other than the application for a concealed ~~handgun-~~ 361
weapons license, the application to renew a concealed ~~handgun-~~ 362
weapons license, or the affidavit submitted regarding an 363
application for a concealed ~~handgun-~~weapons license on a 364
temporary emergency basis made in connection with the particular 365
criminal records check or incompetency records check. 366

(D) Divisions (B) and (C) of this section apply with 367
respect to all applications for a concealed weapons license, 368
regardless of whether the application was made prior to, on, or 369
after the effective date of this amendment. 370

(E) Whoever violates division (C) of this section is 371
guilty of failure to destroy records, a misdemeanor of the 372
second degree. 373

~~(E)~~ (F) As used in this section: 374

(1) "Concealed ~~handgun-~~weapons license," "deadly weapon," 375
and "handgun" have the same meanings as in section 2923.11 of 376
the Revised Code. 377

(2) "National instant criminal background check system" 378
means the system established by the United States attorney 379

general pursuant to section 103 of the "Brady Handgun Violence
Prevention Act," Pub. L. No. 103-159. 380
381

Sec. 311.42. (A) Each county shall establish in the county 382
treasury a sheriff's concealed ~~handgun-weapons~~ license issuance 383
expense fund. The sheriff of that county shall deposit into that 384
fund all fees paid by applicants for the issuance or renewal of 385
a concealed ~~handgun-weapons~~ license or duplicate concealed 386
~~handgun-weapons~~ license under section 2923.125 of the Revised 387
Code ~~and all fees paid or by the a~~ person seeking a concealed 388
~~handgun-weapons~~ license on a temporary emergency basis under 389
section 2923.1213 of the Revised Code. The county shall 390
distribute all fees deposited into the fund except forty dollars 391
of each fee paid by an applicant under division (B) of section 392
2923.125 of the Revised Code, fifteen dollars of each fee paid 393
under section 2923.1213 of the Revised Code, and thirty-five 394
dollars of each fee paid under division (F) of section 2923.125 395
of the Revised Code to the attorney general to be used to pay 396
the cost of background checks performed by the bureau of 397
criminal identification and investigation and the federal bureau 398
of investigation and to cover administrative costs associated 399
with issuing the license. This division applies with respect to 400
all applications for issuance or renewal of a concealed weapons 401
license, regardless of whether the application occurred prior 402
to, on, or after the effective date of this amendment. 403

(B) The sheriff, with the approval of the board of county 404
commissioners, may expend any county portion of the fees 405
deposited into the sheriff's concealed ~~handgun-weapons~~ license 406
issuance expense fund for any of the following: 407

(1) Any costs incurred by the sheriff in connection with 408
performing any administrative functions related to the issuance 409

of concealed ~~handgun-weapons~~ licenses under section 2923.125 or 410
2923.1213 of the Revised Code, including, but not limited to, 411
personnel expenses and any costs associated with a firearm 412
safety education program, or a firearm training or qualification 413
program that the sheriff chooses to fund; 414

(2) Ammunition and firearms to be used by the sheriff and 415
the sheriff's employees. 416

(C) As used in this section, "concealed weapons license," 417
"deadly weapon," and "handgun" have the same meanings as in 418
section 2923.11 of the Revised Code. 419

Sec. 311.43. (A) As used in this section: 420

(1) "Certification" means the participation and assent of 421
the chief law enforcement officer necessary under federal law 422
for the approval of an application to make or transfer a 423
firearm. 424

(2) "Chief law enforcement officer" means any official the 425
bureau of alcohol, tobacco, firearms, and explosives, or any 426
successor agency, identifies by regulation or otherwise as 427
eligible to provide any required certification for the making or 428
transfer of a firearm. 429

(3) "Concealed ~~handgun-weapons~~ license" has the same 430
meaning as in section 2923.11 of the Revised Code. 431

(B) A resident of this state may submit to the sheriff of 432
the county in which the resident resides or to the sheriff of 433
any county adjacent to the county in which the resident resides 434
any federal form that requires a law enforcement certification 435
by a chief law enforcement officer. 436

(C) The sheriff shall accept and process the certification 437

in the same manner as an application for a concealed ~~handgun-~~ 438
weapons license is processed under section 2923.125 of the 439
Revised Code, including the requirement for a background check, 440
except as follows: 441

(1) If a resident of this state submits one or more 442
federal forms, the sheriff shall charge the resident no more 443
than the applicable fee described in division (B)(1)(a) of 444
section 2923.125 of the Revised Code, without regard to how many 445
federal forms are submitted at the same time. 446

(2) If a resident of this state submits one or more 447
federal forms and currently has a concealed ~~handgun-~~ weapons 448
license or the sheriff has previously approved a federal form 449
for that resident, the sheriff shall charge the resident no more 450
than the applicable fee described in division (F)(4) of section 451
2923.125 of the Revised Code, without regard to how many federal 452
forms are submitted at the same time. 453

Sec. 1547.69. (A) As used in this section: 454

(1) "Firearm," "deadly weapon," "concealed ~~handgun-~~ weapons 455
license," "handgun," "restricted deadly weapon," "valid 456
concealed ~~handgun-~~ weapons license," and "active duty" have the 457
same meanings as in section 2923.11 of the Revised Code. 458

(2) "Unloaded" has the same meanings as in divisions (K) 459
(5) and (6) of section 2923.16 of the Revised Code, except that 460
all references in the definition in division (K)(5) of that 461
section to "vehicle" shall be construed for purposes of this 462
section to be references to "vessel." 463

(B) No person shall knowingly discharge a firearm while in 464
or on a vessel. 465

(C) No person shall knowingly transport or have a loaded 466

firearm in a vessel in a manner that the firearm is accessible 467
to the operator or any passenger. 468

(D) No person shall knowingly transport or have a firearm 469
in a vessel unless it is unloaded and is carried in one of the 470
following ways: 471

(1) In a closed package, box, or case; 472

(2) In plain sight with the action opened or the weapon 473
stripped, or, if the firearm is of a type on which the action 474
will not stay open or that cannot easily be stripped, in plain 475
sight. 476

(E) (1) The affirmative defenses authorized in divisions 477
(D) (1) and (2) of section 2923.12 of the Revised Code are 478
affirmative defenses to a charge under division (C) or (D) of 479
this section that involves a firearm other than a handgun if 480
division (H) (2) of this section does not apply to the person 481
charged. It is an affirmative defense to a charge under division 482
(C) or (D) of this section of transporting or having a firearm 483
of any type, including a handgun, in a vessel that the actor 484
transported or had the firearm in the vessel for any lawful 485
purpose and while the vessel was on the actor's own property, 486
provided that this affirmative defense is not available unless 487
the actor, prior to arriving at the vessel on the actor's own 488
property, did not transport or possess the firearm in the vessel 489
or in a motor vehicle in a manner prohibited by this section or 490
division (B) or (C) of section 2923.16 of the Revised Code while 491
the vessel was being operated on a waterway that was not on the 492
actor's own property or while the motor vehicle was being 493
operated on a street, highway, or other public or private 494
property used by the public for vehicular traffic. 495

(2) No person who is charged with a violation of division 496
(C) or (D) of this section shall be required to obtain a license 497
or temporary emergency license to carry a concealed ~~handgun~~ 498
weapon under section 2923.125 or 2923.1213 of the Revised Code 499
as a condition for the dismissal of the charge. 500

(F) Divisions (B), (C), and (D) of this section do not 501
apply to the possession or discharge of a United States coast 502
guard approved signaling device required to be carried aboard a 503
vessel under section 1547.251 of the Revised Code when the 504
signaling device is possessed or used for the purpose of giving 505
a visual distress signal. No person shall knowingly transport or 506
possess any signaling device of that nature in or on a vessel in 507
a loaded condition at any time other than immediately prior to 508
the discharge of the signaling device for the purpose of giving 509
a visual distress signal. 510

(G) No person shall operate or permit to be operated any 511
vessel on the waters in this state in violation of this section. 512

(H) (1) This section does not apply to any of the 513
following: 514

(a) An officer, agent, or employee of this or any other 515
state or of the United States, or to a law enforcement officer, 516
when authorized to carry or have loaded or accessible firearms 517
in a vessel and acting within the scope of the officer's, 518
agent's, or employee's duties; 519

(b) Any person who is employed in this state, who is 520
authorized to carry or have loaded or accessible firearms in a 521
vessel, and who is subject to and in compliance with the 522
requirements of section 109.801 of the Revised Code, unless the 523
appointing authority of the person has expressly specified that 524

the exemption provided in division (H) (1) (b) of this section 525
does not apply to the person; 526

(c) Any person legally engaged in hunting. 527

(2) ~~Divisions~~ (a) Subject to division (H) (2) (b) of this 528
section, divisions (C) and (D) of this section do not apply to a 529
person who transports or possesses ~~a handgun~~ in a vessel a 530
firearm that is not a restricted deadly weapon and who, at the 531
time of that transportation or possession, ~~either~~ is carrying a 532
valid concealed ~~handgun~~ weapons license, is deemed under 533
division (C) of section 2923.111 of the Revised Code to have 534
been issued a concealed weapons license under section 2923.125 535
of the Revised Code, or is an active duty member of the armed 536
forces of the United States and is carrying a valid military 537
identification card and documentation of successful completion 538
of firearms training that meets or exceeds the training 539
requirements described in division (G) (1) of section 2923.125 of 540
the Revised Code, ~~unless~~. 541

(b) The exemptions specified in division (H) (2) (a) of this 542
section do not apply to a person if the person, at the time of 543
the transport or possession in question, knowingly is in ~~a~~ an 544
unauthorized place ~~on the vessel described~~ specified in division 545
(B) of section 2923.126 of the Revised Code or knowingly is 546
transporting or possessing the deadly weapon in any prohibited 547
manner listed in that division. 548

(I) If a law enforcement officer stops a vessel for a 549
violation of this section or any other law enforcement purpose, 550
if any person on the vessel surrenders a ~~firearm~~ deadly weapon 551
to the officer, either voluntarily or pursuant to a request or 552
demand of the officer, and if the officer does not charge the 553
person with a violation of this section or arrest the person for 554

any offense, the person is not otherwise prohibited by law from 555
possessing the ~~firearm~~deadly weapon, and the ~~firearm~~deadly 556
weapon is not contraband, the officer shall return the ~~firearm~~ 557
deadly weapon to the person at the termination of the stop. 558

(J) Division (L) of section 2923.16 of the Revised Code 559
applies with respect to division (A) (2) of this section, except 560
that all references in division (L) of section 2923.16 of the 561
Revised Code to "vehicle," to "this chapter," or to "division 562
(K) (5) (a) or (b) of this section" shall be construed for 563
purposes of this section to be, respectively, references to 564
"vessel," to "section 1547.69 of the Revised Code," and to 565
"divisions (K) (5) (a) and (b) of section 2923.16 of the Revised 566
Code as incorporated under the definition of firearm adopted 567
under division (A) (2) of this section." 568

Sec. 2921.13. (A) No person shall knowingly make a false 569
statement, or knowingly swear or affirm the truth of a false 570
statement previously made, when any of the following applies: 571

(1) The statement is made in any official proceeding. 572

(2) The statement is made with purpose to incriminate 573
another. 574

(3) The statement is made with purpose to mislead a public 575
official in performing the public official's official function. 576

(4) The statement is made with purpose to secure the 577
payment of unemployment compensation; Ohio works first; 578
prevention, retention, and contingency benefits and services; 579
disability financial assistance; retirement benefits or health 580
care coverage from a state retirement system; economic 581
development assistance, as defined in section 9.66 of the 582
Revised Code; or other benefits administered by a governmental 583

agency or paid out of a public treasury. 584

(5) The statement is made with purpose to secure the 585
issuance by a governmental agency of a license, permit, 586
authorization, certificate, registration, release, or provider 587
agreement. 588

(6) The statement is sworn or affirmed before a notary 589
public or another person empowered to administer oaths. 590

(7) The statement is in writing on or in connection with a 591
report or return that is required or authorized by law. 592

(8) The statement is in writing and is made with purpose 593
to induce another to extend credit to or employ the offender, to 594
confer any degree, diploma, certificate of attainment, award of 595
excellence, or honor on the offender, or to extend to or bestow 596
upon the offender any other valuable benefit or distinction, 597
when the person to whom the statement is directed relies upon it 598
to that person's detriment. 599

(9) The statement is made with purpose to commit or 600
facilitate the commission of a theft offense. 601

(10) The statement is knowingly made to a probate court in 602
connection with any action, proceeding, or other matter within 603
its jurisdiction, either orally or in a written document, 604
including, but not limited to, an application, petition, 605
complaint, or other pleading, or an inventory, account, or 606
report. 607

(11) The statement is made on an account, form, record, 608
stamp, label, or other writing that is required by law. 609

(12) The statement is made in connection with the purchase 610
of a firearm, as defined in section 2923.11 of the Revised Code, 611

and in conjunction with the furnishing to the seller of the 612
firearm of a fictitious or altered driver's or commercial 613
driver's license or permit, a fictitious or altered 614
identification card, or any other document that contains false 615
information about the purchaser's identity. 616

(13) The statement is made in a document or instrument of 617
writing that purports to be a judgment, lien, or claim of 618
indebtedness and is filed or recorded with the secretary of 619
state, a county recorder, or the clerk of a court of record. 620

(14) The statement is made in an application filed with a 621
county sheriff pursuant to section 2923.125 of the Revised Code 622
in order to obtain or renew a concealed ~~handgun-weapons~~ license 623
or ~~is made~~ in an affidavit submitted to a county sheriff to 624
obtain a concealed ~~handgun-weapons~~ license on a temporary 625
emergency basis under section 2923.1213 of the Revised Code, 626
regardless of whether the application was made or affidavit was 627
submitted prior to, on, or after the effective date of this 628
amendment. 629

(15) The statement is required under section 5743.71 of 630
the Revised Code in connection with the person's purchase of 631
cigarettes or tobacco products in a delivery sale. 632

(B) No person, in connection with the purchase of a 633
firearm, as defined in section 2923.11 of the Revised Code, 634
shall knowingly furnish to the seller of the firearm a 635
fictitious or altered driver's or commercial driver's license or 636
permit, a fictitious or altered identification card, or any 637
other document that contains false information about the 638
purchaser's identity. 639

(C) No person, in an attempt to obtain a concealed ~~handgun-~~ 640

weapons license under section 2923.125 of the Revised Code, 641
shall knowingly present to a sheriff a fictitious or altered 642
document that purports to be certification of the person's 643
competence in handling a ~~handgun~~ firearm as described in 644
division (B) (3) of that section. 645

(D) It is no defense to a charge under division (A) (6) of 646
this section that the oath or affirmation was administered or 647
taken in an irregular manner. 648

(E) If contradictory statements relating to the same fact 649
are made by the offender within the period of the statute of 650
limitations for falsification, it is not necessary for the 651
prosecution to prove which statement was false but only that one 652
or the other was false. 653

(F) (1) Whoever violates division (A) (1), (2), (3), (4), 654
(5), (6), (7), (8), (10), (11), (13), or (15) of this section is 655
guilty of falsification. Except as otherwise provided in this 656
division, falsification is a misdemeanor of the first degree. 657

(2) Whoever violates division (A) (9) of this section is 658
guilty of falsification in a theft offense. Except as otherwise 659
provided in this division, falsification in a theft offense is a 660
misdemeanor of the first degree. If the value of the property or 661
services stolen is one thousand dollars or more and is less than 662
seven thousand five hundred dollars, falsification in a theft 663
offense is a felony of the fifth degree. If the value of the 664
property or services stolen is seven thousand five hundred 665
dollars or more and is less than one hundred fifty thousand 666
dollars, falsification in a theft offense is a felony of the 667
fourth degree. If the value of the property or services stolen 668
is one hundred fifty thousand dollars or more, falsification in 669
a theft offense is a felony of the third degree. 670

(3) Whoever violates division (A) (12) or (B) of this section is guilty of falsification to purchase a firearm, a felony of the fifth degree.

(4) Whoever violates division (A) (14) or (C) of this section is guilty of falsification to obtain a concealed ~~handgun~~ weapons license, a felony of the fourth degree.

(5) Whoever violates division (A) of this section in removal proceedings under section 319.26, 321.37, 507.13, or 733.78 of the Revised Code is guilty of falsification regarding a removal proceeding, a felony of the third degree.

(G) A person who violates this section is liable in a civil action to any person harmed by the violation for injury, death, or loss to person or property incurred as a result of the commission of the offense and for reasonable attorney's fees, court costs, and other expenses incurred as a result of prosecuting the civil action commenced under this division. A civil action under this division is not the exclusive remedy of a person who incurs injury, death, or loss to person or property as a result of a violation of this section.

(H) As used in this section, "concealed weapons license" has the same meaning as in section 2923.11 of the Revised Code.

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

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

(B) (1) "Firearm" means any deadly weapon capable of expelling or propelling one or more projectiles by the action of an explosive or combustible propellant. "Firearm" includes an

unloaded firearm, and any firearm that is inoperable but that
can readily be rendered operable.

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

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

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

(2) Any combination of parts from which a firearm of a
type described in division (C) (1) of this section can be
assembled.

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

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

(F) "Sawed-off firearm" means a shotgun with a barrel less
than eighteen inches long, or a rifle with a barrel less than
sixteen inches long, or a shotgun or rifle less than twenty-six
inches long overall. "Sawed-off firearm" does not include any
firearm with an overall length of at least twenty-six inches
that is approved for sale by the federal bureau of alcohol,
tobacco, firearms, and explosives under the "Gun Control Act of
1968," 82 Stat. 1213, 18 U.S.C. 921(a) (3), but that is found by

the bureau not to be regulated under the "National Firearms Act," 68A Stat. 725 (1934), 26 U.S.C. 5845(a). 729
730

(G) "Zip-gun" means any of the following: 731

(1) Any firearm of crude and extemporized manufacture; 732

(2) Any device, including without limitation a starter's pistol, that is not designed as a firearm, but that is specially adapted for use as a firearm; 733
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(3) Any industrial tool, ~~signalling~~ signaling device, or safety device, that is not designed as a firearm, but that as designed is capable of use as such, when possessed, carried, or used as a firearm. 736
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(H) "Explosive device" means any device designed or specially adapted to cause physical harm to persons or property by means of an explosion, and consisting of an explosive substance or agency and a means to detonate it. "Explosive device" includes without limitation any bomb, any explosive demolition device, any blasting cap or detonator containing an explosive charge, and any pressure vessel that has been knowingly tampered with or arranged so as to explode. 740
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(I) "Incendiary device" means any firebomb, and any device designed or specially adapted to cause physical harm to persons or property by means of fire, and consisting of an incendiary substance or agency and a means to ignite it. 748
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(J) "Ballistic knife" means a knife with a detachable blade that is propelled by a spring-operated mechanism. 752
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(K) "Dangerous ordnance" means any of the following, except as provided in division (L) of this section: 754
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(1) Any automatic or sawed-off firearm, zip-gun, or 756

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|---|-----|
| ballistic knife; | 757 |
| (2) Any explosive device or incendiary device; | 758 |
| (3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, | 759 |
| cyclonite, TNT, picric acid, and other high explosives; amatol, | 760 |
| tritonite, tetrytol, pentolite, pecretol, cyclotol, and other | 761 |
| high explosive compositions; plastic explosives; dynamite, | 762 |
| blasting gelatin, gelatin dynamite, sensitized ammonium nitrate, | 763 |
| liquid-oxygen blasting explosives, blasting powder, and other | 764 |
| blasting agents; and any other explosive substance having | 765 |
| sufficient brisance or power to be particularly suitable for use | 766 |
| as a military explosive, or for use in mining, quarrying, | 767 |
| excavating, or demolitions; | 768 |
| (4) Any firearm, rocket launcher, mortar, artillery piece, | 769 |
| grenade, mine, bomb, torpedo, or similar weapon, designed and | 770 |
| manufactured for military purposes, and the ammunition for that | 771 |
| weapon; | 772 |
| (5) Any firearm muffler or suppressor; | 773 |
| (6) Any combination of parts that is intended by the owner | 774 |
| for use in converting any firearm or other device into a | 775 |
| dangerous ordnance; | 776 |
| (7) Any firearm with an overall length of at least twenty- | 777 |
| six inches that is approved for sale by the federal bureau of- | 778 |
| alcohol, tobacco, firearms, and explosives under the "Gun- | 779 |
| Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a)(3), but- | 780 |
| that is found by the bureau not to be regulated under the- | 781 |
| "National Firearms Act," 68A Stat. 725 (1934), 26 U.S.C.- | 782 |
| 5845(a). | 783 |
| (L) "Dangerous ordnance" does not include any of the | 784 |
| following: | 785 |

- (1) Any firearm, including a military weapon and the ammunition for that weapon, and regardless of its actual age, that employs a percussion cap or other obsolete ignition system, or that is designed and safe for use only with black powder;
- (2) Any pistol, rifle, or shotgun, designed or suitable for sporting purposes, including a military weapon as issued or as modified, and the ammunition for that weapon, unless the firearm is an automatic or sawed-off firearm;
- (3) Any cannon or other artillery piece that, regardless of its actual age, is of a type in accepted use prior to 1887, has no mechanical, hydraulic, pneumatic, or other system for absorbing recoil and returning the tube into battery without displacing the carriage, and is designed and safe for use only with black powder;
- (4) Black powder, priming quills, and percussion caps possessed and lawfully used to fire a cannon of a type defined in division (L)(3) of this section during displays, celebrations, organized matches or shoots, and target practice, and smokeless and black powder, primers, and percussion caps possessed and lawfully used as a propellant or ignition device in small-arms or small-arms ammunition;
- (5) Dangerous ordnance that is inoperable or inert and cannot readily be rendered operable or activated, and that is kept as a trophy, souvenir, curio, or museum piece;
- (6) Any device that is expressly excepted from the definition of a destructive device pursuant to the "Gun Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a)(4), as amended, and regulations issued under that act;
- (7) Any firearm with an overall length of at least twenty-

six inches that is approved for sale by the federal bureau of 815
alcohol, tobacco, firearms, and explosives under the "Gun 816
Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a)(3), but 817
that is found by the bureau not to be regulated under the 818
"National Firearms Act," 68A Stat. 725 (1934), 26 U.S.C. 819
5845(a). 820

(M) "Explosive" means any chemical compound, mixture, or 821
device, the primary or common purpose of which is to function by 822
explosion. "Explosive" includes all materials that have been 823
classified as division 1.1, division 1.2, division 1.3, or 824
division 1.4 explosives by the United States department of 825
transportation in its regulations and includes, but is not 826
limited to, dynamite, black powder, pellet powders, initiating 827
explosives, blasting caps, electric blasting caps, safety fuses, 828
fuse igniters, squibs, cordeau detonant fuses, instantaneous 829
fuses, and igniter cords and igniters. "Explosive" does not 830
include "fireworks," as defined in section 3743.01 of the 831
Revised Code, or any substance or material otherwise meeting the 832
definition of explosive set forth in this section that is 833
manufactured, sold, possessed, transported, stored, or used in 834
any activity described in section 3743.80 of the Revised Code, 835
provided the activity is conducted in accordance with all 836
applicable laws, rules, and regulations, including, but not 837
limited to, the provisions of section 3743.80 of the Revised 838
Code and the rules of the fire marshal adopted pursuant to 839
section 3737.82 of the Revised Code. 840

(N) (1) "Concealed ~~handgun~~weapons license" or "license to 841
carry a concealed ~~handgun~~weapon" means, subject to division (N) 842
(2) of this section, ~~a~~any of the following: 843

(a) A license or temporary emergency license to carry a 844

concealed handgun issued on or after the effective date of this 845
amendment under section 2923.125 or 2923.1213 of the Revised 846
Code or a that authorizes the person to whom it is issued to 847
carry a concealed deadly weapon other than a restricted deadly 848
weapon; 849

(b) A license or temporary emergency license to carry a 850
concealed handgun issued prior to the effective date of this 851
amendment under section 2923.125 or 2923.1213 of the Revised 852
Code as those sections existed prior to that date that, when 853
issued, authorized the person to whom it was issued to carry a 854
concealed handgun and that, on and after the effective date of 855
this amendment, authorizes the person to whom it was issued to 856
carry a concealed deadly weapon other than a restricted deadly 857
weapon; 858

(c) A license to carry a concealed handgun issued by 859
another state with which the attorney general has entered into a 860
reciprocity agreement under section 109.69 of the Revised Code 861
that authorizes the person to whom it is issued to carry a 862
concealed handgun, concealed firearm, or concealed deadly 863
weapon. 864

(2) A reference in any provision of the Revised Code to a 865
concealed ~~handgun~~ weapons license issued under section 2923.125 866
of the Revised Code or a license to carry a concealed ~~handgun~~ 867
weapon issued under section 2923.125 of the Revised Code means 868
only a license of the type that is specified in that section or 869
a license of the type described in division (N) (1) (b) of this 870
section issued under section 2923.125 of the Revised Code as it 871
existed prior to the effective date of this amendment. ~~A~~ 872

A reference in any provision of the Revised Code to a 873
concealed ~~handgun~~ weapons license issued under section 2923.1213 874

of the Revised Code, a license to carry a concealed ~~handgun-~~ 875
weapon issued under section 2923.1213 of the Revised Code, or a 876
license to carry a concealed ~~handgun-weapon~~ on a temporary 877
emergency basis means only a license of the type that is 878
specified in that section 2923.1213 of the Revised Code or a 879
license of the type described in division (N)(1)(b) of this 880
section issued under section 2923.1213 of the Revised Code as it 881
existed prior to the effective date of this amendment.-A 882

A reference in any provision of the Revised Code to a 883
concealed handgun license issued by another state or a license 884
to carry a concealed handgun issued by another state that 885
authorizes the carrying of concealed handguns, firearms, or 886
deadly weapons means only a license issued by another state with 887
which the attorney general has entered into a reciprocity 888
agreement under section 109.69 of the Revised Code. 889

A reference in any provision of the Revised Code to a 890
person who is deemed under division (C) of section 2923.111 of 891
the Revised Code to have been issued a concealed weapons license 892
under section 2923.125 of the Revised Code means only a person 893
who is so deemed and does not include a person who has been 894
issued a license of a type described in division (N)(1) of this 895
section. 896

(O) "Valid concealed ~~handgun-weapons~~ license" or "valid 897
license to carry a concealed ~~handgun~~weapon" means ~~a~~ any of the 898
following: 899

(1) A concealed handgun-weapons license of the type 900
described in division (N)(1)(a) or (c) of this section that is 901
currently valid, that is not under a suspension under division 902
(A)(1) of section 2923.128 of the Revised Code, under section 903
2923.1213 of the Revised Code, or under a suspension provision 904

of the state other than this state in which the license was 905
issued, and that has not been revoked under division (B) (1) of 906
section 2923.128 of the Revised Code, under section 2923.1213 of 907
the Revised Code, or under a revocation provision of the state 908
other than this state in which the license was issued; 909

(2) A concealed weapons license of the type described in 910
division (N) (1) (b) of this section that is currently valid, that 911
is not under a suspension of any type described in division (O) 912
(1) of this section, and that has not been revoked in any manner 913
described in division (O) (1) of this section. 914

(P) "Misdemeanor punishable by imprisonment for a term 915
exceeding one year" does not include any of the following: 916

(1) Any federal or state offense pertaining to antitrust 917
violations, unfair trade practices, restraints of trade, or 918
other similar offenses relating to the regulation of business 919
practices; 920

(2) Any misdemeanor offense punishable by a term of 921
imprisonment of two years or less. 922

(Q) "Alien registration number" means the number issued by 923
the United States citizenship and immigration services agency 924
that is located on the alien's permanent resident card and may 925
also be commonly referred to as the "USCIS number" or the "alien 926
number." 927

(R) "Active duty" has the same meaning as defined in 10 928
U.S.C. 101. 929

(S) "Restricted firearm" means a firearm that is a 930
dangerous ordnance or that is a firearm that any law of this 931
state or the United States prohibits the subject person from 932
possessing, having, or carrying. 933

(T) "Restricted deadly weapon" means a deadly weapon that 934
is a restricted firearm or that is a deadly weapon that any law 935
of this state or the United States prohibits the subject person 936
from possessing, having, or carrying. 937

Sec. 2923.111. (A) Notwithstanding any other Revised Code 938
section to the contrary, subject to the limitations specified in 939
this division and to division (C) (2) of this section, a person 940
who is twenty-one years of age or older and is not legally 941
prohibited from possessing or receiving a firearm under 18 942
U.S.C. 922(g) (1) to (9) shall not be required to obtain a 943
concealed weapons license under section 2923.125 or 2923.1213 of 944
the Revised Code in order to carry in this state a concealed 945
deadly weapon that is not a restricted deadly weapon. 946

Except as provided in divisions (B) and (C) of section 947
2923.126 of the Revised Code and regardless of whether the 948
person has been issued a concealed weapons license under section 949
2923.125 or 2923.1213 of the Revised Code or by another state, a 950
person who is twenty-one years of age or older and is not 951
legally prohibited from possessing or receiving a firearm under 952
18 U.S.C. 922(g) (1) to (9) may carry a concealed deadly weapon 953
that is not a restricted deadly weapon anywhere in this state. 954
The person's right to carry a concealed deadly weapon that is 955
not a restricted deadly weapon that is granted under this 956
division is the same right as is granted to a person who has 957
been issued a concealed weapons license under section 2923.125 958
of the Revised Code, and the person described in this division 959
is subject to the same restrictions as apply to a person who has 960
been issued a concealed weapons license under section 2923.125 961
of the Revised Code. 962

(B) The mere carrying or possession of a deadly weapon 963

that is not a restricted deadly weapon pursuant to the right 964
described in division (A) of this section, with or without a 965
concealed weapons license issued under section 2923.125 or 966
2923.1213 of the Revised Code or a concealed weapons license 967
issued by another state, does not constitute grounds for any law 968
enforcement officer or any agent of the state, a county, a 969
municipal corporation, or a township to conduct any search, 970
seizure, or detention, no matter how temporary in duration, of 971
an otherwise law-abiding person. 972

(C) (1) For purposes of sections 1547.69 and 2923.12 to 973
2923.1213 of the Revised Code and any other provision of law 974
that refers to a concealed weapons license or a concealed 975
weapons licensee, except when the context clearly indicates 976
otherwise, a person who is described in division (A) of this 977
section and is carrying or has, concealed on the person's person 978
or ready at hand, a deadly weapon that is not a restricted 979
deadly weapon shall be deemed to have been issued a concealed 980
weapons license under section 2923.125 of the Revised Code. 981

(2) The concealed weapons license expiration provisions of 982
section 2923.125 of the Revised Code and the concealed weapons 983
license suspension and revocation provisions of section 2923.128 984
of the Revised Code do not apply with respect to a person who is 985
described in division (A) of this section unless the person has 986
been issued a concealed weapons license. If a person is 987
described in division (A) of this section and the person 988
thereafter comes within any category of persons specified in 18 989
U.S.C. 922(g) (1) to (9) so that the person as a result is 990
legally prohibited under the applicable provision from 991
possessing or receiving a firearm, both of the following apply 992
automatically and immediately upon the person coming within that 993
category: 994

(a) Division (A) of this section and the authority and right to carry a concealed deadly weapon that are described in that division do not apply to the person. 995
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(b) Division (C)(1) of this section does not apply to the person, and the person no longer is deemed to have been issued a concealed weapons license under section 2923.125 of the Revised Code as described in that division. 998
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Sec. 2923.12. (A) No person shall knowingly carry or have, concealed on the person's person or concealed ready at hand, any of the following: 1002
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(1) A deadly weapon other than a handgun; 1005

(2) A handgun other than a dangerous ordnance; 1006

(3) A dangerous ordnance. 1007

(B) No person who has been issued a concealed ~~handgun~~ weapons license and is carrying a concealed deadly weapon that is not a restricted deadly weapon or who is deemed under division (C) of section 2923.111 of the Revised Code to have been issued a concealed weapons license under section 2923.125 of the Revised Code and is carrying a concealed deadly weapon that is not a restricted deadly weapon shall do any of the following: 1008
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~~(1) If the person is stopped for a law enforcement purpose and is carrying a concealed handgun, fail to promptly inform any law enforcement officer who approaches the person after the person has been stopped that the person has been issued a concealed handgun license and that the person then is carrying a concealed handgun;~~ 1016
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~~(2) If the person is stopped for a law enforcement purpose~~ 1022

~~and is carrying a concealed handgun~~, knowingly fail to keep the 1023
person's hands in plain sight at any time after any law 1024
enforcement officer begins approaching the person while stopped 1025
and before the law enforcement officer leaves, unless the 1026
failure is pursuant to and in accordance with directions given 1027
by a law enforcement officer; 1028

~~(3)~~(2) If the person is stopped for a law enforcement 1029
purpose, if the ~~person is carrying a concealed handgun~~ deadly 1030
weapon is a loaded firearm, and if the person is approached by 1031
any law enforcement officer while stopped, knowingly remove or 1032
attempt to remove the loaded ~~handgun~~ firearm from the holster, 1033
pocket, or other place in which the person is carrying it, 1034
knowingly grasp or hold the loaded ~~handgun~~ firearm, or knowingly 1035
have contact with the loaded ~~handgun~~ firearm by touching it with 1036
the person's hands or fingers at any time after the law 1037
enforcement officer begins approaching and before the law 1038
enforcement officer leaves, unless the person removes, attempts 1039
to remove, grasps, holds, or has contact with the loaded ~~handgun~~ 1040
firearm pursuant to and in accordance with directions given by 1041
the law enforcement officer; 1042

~~(4)~~(3) If the person is stopped for a law enforcement 1043
purpose ~~and is carrying a concealed handgun~~, knowingly disregard 1044
or fail to comply with any lawful order of any law enforcement 1045
officer given while the person is stopped, including, but not 1046
limited to, a specific order to the person to keep the person's 1047
hands in plain sight. 1048

(C) (1) This section does not apply to any of the 1049
following: 1050

(a) An officer, agent, or employee of this or any other 1051
state or the United States, or to a law enforcement officer, who 1052

is authorized to carry concealed weapons or dangerous ordnance 1053
or is authorized to carry ~~handguns~~ firearms or other deadly 1054
weapons and is acting within the scope of the officer's, 1055
agent's, or employee's duties; 1056

(b) Any person who is employed in this state, who is 1057
authorized to carry concealed weapons or dangerous ordnance or 1058
is authorized to carry ~~handguns~~ firearms or other deadly weapons, 1059
and who is subject to and in compliance with the requirements of 1060
section 109.801 of the Revised Code, unless the appointing 1061
authority of the person has expressly specified that the 1062
exemption provided in division (C) (1) (b) of this section does 1063
not apply to the person; 1064

(c) A person's transportation or storage of a 1065
~~firearm~~ deadly weapon, other than a firearm described in 1066
divisions (G) to (M) of section 2923.11 of the Revised Code, in 1067
a motor vehicle for any lawful purpose if the ~~firearm~~ deadly 1068
weapon is not on the actor's person; 1069

(d) A person's storage or possession of a ~~firearm~~ deadly 1070
weapon, other than a firearm described in divisions (G) to (M) 1071
of section 2923.11 of the Revised Code, in the actor's own home 1072
for any lawful purpose. 1073

~~(2) Division (a) Subject to division (C) (2) (b) of this~~ 1074
~~section, divisions (A) (1) and (2) of this section does do not~~ 1075
~~apply to any person who with respect to the carrying or~~ 1076
~~possession of any deadly weapon that is not a restricted deadly~~ 1077
~~weapon if, at the time of the alleged carrying or possession of~~ 1078
~~a handgun the deadly weapon, either the person is carrying a~~ 1079
valid concealed ~~handgun~~ weapons license, is deemed under 1080
division (C) of section 2923.111 of the Revised Code to have 1081
been issued a concealed weapons license under section 2923.125 1082

of the Revised Code, or is an active duty member of the armed 1083
forces of the United States and is carrying a valid military 1084
identification card and documentation of successful completion 1085
of firearms training that meets or exceeds the training 1086
requirements described in division (G) (1) of section 2923.125 of 1087
the Revised Code, ~~unless.~~ 1088

(b) The exemptions specified in division (C) (2) (a) of this 1089
section do not apply to a person if the person, at the time of 1090
the carrying or possession in question, knowingly is in ~~a~~an 1091
unauthorized place ~~described~~ specified in division (B) of 1092
section 2923.126 of the Revised Code or knowingly is 1093
transporting or possessing the deadly weapon in any prohibited 1094
manner listed in that division. 1095

(D) It is an affirmative defense to a charge under 1096
division (A) (1) of this section of carrying or having control of 1097
a deadly weapon other than a handgun and other than a dangerous 1098
ordnance that neither division (C) (1) nor (2) of this section 1099
applies, that the actor was not otherwise prohibited by law from 1100
having the weapon, and that any of the following applies: 1101

(1) The weapon was carried or kept ready at hand by the 1102
actor for defensive purposes while the actor was engaged in or 1103
was going to or from the actor's lawful business or occupation, 1104
which business or occupation was of a character or was 1105
necessarily carried on in a manner or at a time or place as to 1106
render the actor particularly susceptible to criminal attack, 1107
such as would justify a prudent person in going armed. 1108

(2) The weapon was carried or kept ready at hand by the 1109
actor for defensive purposes while the actor was engaged in a 1110
lawful activity and had reasonable cause to fear a criminal 1111
attack upon the actor, a member of the actor's family, or the 1112

actor's home, such as would justify a prudent person in going 1113
armed. 1114

(3) The weapon was carried or kept ready at hand by the 1115
actor for any lawful purpose and while in the actor's own home. 1116

(E) (1) No person who is charged with a violation of this 1117
section shall be required to obtain a concealed ~~handgun~~-~~weapons~~ 1118
license as a condition for the dismissal of the charge. 1119

(2) If a person is convicted of, was convicted of, pleads 1120
guilty to, or has pleaded guilty to a violation of division (B) 1121
(1) of this section as it existed prior to the effective date of 1122
this amendment, the person may file an application under section 1123
2953.37 of the Revised Code requesting the expungement of the 1124
record of conviction. 1125

(F) (1) Whoever violates this section is guilty of carrying 1126
concealed weapons. Except as otherwise provided in this division 1127
or divisions (F) ~~(2), (6), (4)~~ and ~~(7)-(5)~~ of this section, 1128
carrying concealed weapons in violation of division (A) of this 1129
section is a misdemeanor of the first degree. Except as 1130
otherwise provided in this division or divisions (F) ~~(2), (6),~~ 1131
(4) and ~~(7)-(5)~~ of this section, if the offender previously has 1132
been convicted of a violation of this section or of any offense 1133
of violence, if the weapon involved is a firearm that is either 1134
loaded or for which the offender has ammunition ready at hand, 1135
or if the weapon involved is dangerous ordnance, carrying 1136
concealed weapons in violation of division (A) of this section 1137
is a felony of the fourth degree. Except as otherwise provided 1138
in ~~divisions~~ division (F) ~~(2) and (6)-(4)~~ of this section, if the 1139
offense is committed aboard an aircraft, or with purpose to 1140
carry a concealed weapon aboard an aircraft, regardless of the 1141
weapon involved, carrying concealed weapons in violation of 1142

division (A) of this section is a felony of the third degree. 1143

~~(2) Except as provided in division (F) (6) of this section, 1144
if a person being arrested for a violation of division (A) (2) of 1145
this section promptly produces a valid concealed handgun 1146
license, and if at the time of the violation the person was not 1147
knowingly in a place described in division (B) of section 1148
2923.126 of the Revised Code, the officer shall not arrest the 1149
person for a violation of that division. If the person is not 1150
able to promptly produce any concealed handgun license and if 1151
the person is not in a place described in that section, the 1152
officer may arrest the person for a violation of that division, 1153
and the offender shall be punished as follows: 1154~~

~~(a) The offender shall be guilty of a minor misdemeanor if 1155
both of the following apply: 1156~~

~~(i) Within ten days after the arrest, the offender 1157
presents a concealed handgun license, which license was valid at 1158
the time of the arrest to the law enforcement agency that 1159
employs the arresting officer. 1160~~

~~(ii) At the time of the arrest, the offender was not 1161
knowingly in a place described in division (B) of section 1162
2923.126 of the Revised Code. 1163~~

~~(b) The offender shall be guilty of a misdemeanor and 1164
shall be fined five hundred dollars if all of the following 1165
apply: 1166~~

~~(i) The offender previously had been issued a concealed 1167
handgun license, and that license expired within the two years 1168
immediately preceding the arrest. 1169~~

~~(ii) Within forty five days after the arrest, the offender 1170
presents a concealed handgun license to the law enforcement 1171~~

~~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.~~ 1172
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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.~~ 1176
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~~(c) If divisions (F) (2) (a) and (b) and (F) (6) of this
section do not apply, the offender shall be punished under
division (F) (1) or (7) of this section.~~ 1179
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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, 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, carrying
concealed weapons in violation of division (B) (1) of this
section is a minor misdemeanor, and the offender's concealed
handgun license shall not be suspended pursuant to division (A)
(2) of section 2923.128 of the Revised Code.~~ 1182
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~~(4) Carrying concealed weapons in violation of division
(B) (2)(1) or (4)(3) of this section is a misdemeanor of the
first degree or, if the offender previously has been convicted
of or pleaded guilty to a violation of division (B) (2)(1) or (4)
(3) of this section, a felony of the fifth degree. In addition~~ 1197
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to any other penalty or sanction imposed for a misdemeanor 1202
violation of division (B) ~~(2)~~ (1) or ~~(4)~~ (3) of this section, if 1203
the offender has been issued a concealed weapons license, the 1204
offender's ~~concealed handgun~~ license shall be suspended pursuant 1205
to division (A) (2) of section 2923.128 of the Revised Code. 1206

~~(5)~~ (3) Carrying concealed weapons in violation of 1207
division (B) ~~(3)~~ (2) of this section is a felony of the fifth 1208
degree. 1209

~~(6)~~ (4) If a person being arrested for a violation of 1210
division (A) (1) or (2) of this section based on carrying a 1211
concealed deadly weapon that is not a restricted deadly weapon 1212
is an active duty member of the armed forces of the United 1213
States and is carrying a valid military identification card and 1214
documentation of successful completion of firearms training that 1215
meets or exceeds the training requirements described in division 1216
(G) (1) of section 2923.125 of the Revised Code, and if at the 1217
time of the violation the person was not knowingly in ~~a~~ an 1218
unauthorized place described specified in division (B) of 1219
section 2923.126 of the Revised Code or knowingly carrying or 1220
having the deadly weapon in any prohibited manner listed in that 1221
division, the officer shall not arrest the person for a 1222
violation of ~~that~~ division (A) (1) or (2) of this section. If the 1223
person is not able to promptly produce a valid military 1224
identification card and documentation of successful completion 1225
of firearms training that meets or exceeds the training 1226
requirements described in division (G) (1) of section 2923.125 of 1227
the Revised Code and if the person at the time of the violation 1228
is not knowingly in a an unauthorized place described specified 1229
in division (B) of section 2923.126 of the Revised Code or 1230
knowingly carrying or having the deadly weapon in any prohibited 1231
manner listed in that division, the officer shall issue a 1232

citation and the offender shall be assessed a civil penalty of 1233
not more than five hundred dollars. The citation shall be 1234
automatically dismissed and the civil penalty shall not be 1235
assessed if both of the following apply: 1236

(a) Within ten days after the issuance of the citation, 1237
the offender presents a valid military identification card and 1238
documentation of successful completion of firearms training that 1239
meets or exceeds the training requirements described in division 1240
(G) (1) of section 2923.125 of the Revised Code, which were both 1241
valid at the time of the issuance of the citation to the law 1242
enforcement agency that employs the citing officer. 1243

(b) At the time of the citation, the offender was not 1244
knowingly in ~~a any unauthorized place described specified in~~ 1245
division (B) of section 2923.126 of the Revised Code or 1246
knowingly carrying or having the deadly weapon in any prohibited 1247
manner listed in that division. 1248

~~(7)-(5)~~ If a person being arrested for a violation of 1249
division (A) (1) or (2) of this section based on carrying a 1250
concealed deadly weapon that is not a restricted deadly weapon 1251
is knowingly in ~~a any unauthorized place~~ described in division 1252
(B) (5) of section 2923.126 of the Revised Code and is not 1253
authorized to carry a ~~handgun~~ deadly weapon or have a ~~handgun~~ 1254
deadly weapon concealed on the person's person or concealed 1255
ready at hand under that division, the penalty shall be as 1256
follows: 1257

(a) Except as otherwise provided in ~~this division, if the~~ 1258
~~person produces a valid concealed handgun license within ten~~ 1259
~~days after the arrest and has not previously been convicted or~~ 1260
~~pleaded guilty to a violation of division (A) (2) of this section~~ 1261
(F) (5) (b), (c), or (d) of this section, the person is guilty of 1262

a minor misdemeanor; 1263

(b) Except as otherwise provided in ~~this division~~ (F) (5) 1264
(c) or (d) of this section, if the person has previously been 1265
convicted of or pleaded guilty to a violation of division (A) (1) 1266
or (2) of this section, the person is guilty of a misdemeanor of 1267
the fourth degree; 1268

(c) Except as otherwise provided in ~~this division~~ (F) (5) 1269
(d) of this section, if the person has previously been convicted 1270
of or pleaded guilty to two violations of division (A) (1) or (2) 1271
of this section, the person is guilty of a misdemeanor of the 1272
third degree; 1273

(d) ~~Except as otherwise provided in this division, if~~ If 1274
the person has previously been convicted of or pleaded guilty to 1275
three or more violations of division (A) (1) or (2) of this 1276
section, or convicted of or pleaded guilty to any offense of 1277
violence, if the deadly weapon involved is a firearm that is 1278
either loaded or for which the offender has ammunition ready at 1279
hand, or if the deadly weapon involved is a dangerous ordnance, 1280
the person is guilty of a misdemeanor of the second degree. 1281

(G) If a law enforcement officer stops a person to 1282
question the person regarding a possible violation of this 1283
section, for a traffic stop, or for any other law enforcement 1284
purpose, if the person surrenders a ~~firearm~~ deadly weapon to the 1285
officer, either voluntarily or pursuant to a request or demand 1286
of the officer, and if the officer does not charge the person 1287
with a violation of this section or arrest the person for any 1288
offense, the person is not otherwise prohibited by law from 1289
possessing the ~~firearm~~ deadly weapon, and the ~~firearm~~ deadly 1290
weapon is not contraband, the officer shall return the ~~firearm~~ 1291
deadly weapon to the person at the termination of the stop. If a 1292

court orders a law enforcement officer to return a ~~firearm~~ 1293
deadly weapon to a person pursuant to the requirement set forth 1294
in this division, division (B) of section 2923.163 of the 1295
Revised Code applies. 1296

Sec. 2923.121. (A) No person shall possess a firearm in 1297
any room in which any person is consuming beer or intoxicating 1298
liquor in a premises for which a D permit has been issued under 1299
Chapter 4303. of the Revised Code or in an open air arena for 1300
which a permit of that nature has been issued. 1301

(B)(1) This section does not apply to any of the 1302
following: 1303

(a) An officer, agent, or employee of this or any other 1304
state or the United States, or a law enforcement officer, who is 1305
authorized to carry firearms and is acting within the scope of 1306
the officer's, agent's, or employee's duties; 1307

(b) A law enforcement officer or investigator who is 1308
authorized to carry firearms but is not acting within the scope 1309
of the officer's or investigator's duties, as long as all of the 1310
following apply: 1311

(i) The officer or investigator is carrying validating 1312
identification. 1313

(ii) If the firearm the officer or investigator possesses 1314
is a firearm issued or approved by the law enforcement agency 1315
served by the officer or by the bureau of criminal 1316
identification and investigation with respect to an 1317
investigator, the agency or bureau does not have a restrictive 1318
firearms carrying policy. 1319

(iii) The officer or investigator is not consuming beer or 1320
intoxicating liquor and is not under the influence of alcohol or 1321

a drug of abuse. 1322

(c) Any room used for the accommodation of guests of a 1323
hotel, as defined in section 4301.01 of the Revised Code; 1324

(d) The principal holder of a D permit issued for a 1325
premises or an open air arena under Chapter 4303. of the Revised 1326
Code while in the premises or open air arena for which the 1327
permit was issued if the principal holder of the D permit also 1328
possesses a valid concealed ~~handgun~~ weapons license or is deemed 1329
under division (C) of section 2923.111 of the Revised Code to 1330
have been issued a concealed weapons license under section 1331
2923.125 of the Revised Code and as long as the firearm is not a 1332
restricted firearm and the principal holder is not consuming 1333
beer or intoxicating liquor or under the influence of alcohol or 1334
a drug of abuse, or any agent or employee of that holder who 1335
also is a peace officer, as defined in section 2151.3515 of the 1336
Revised Code, who is off duty, and who otherwise is authorized 1337
to carry firearms while in the course of the officer's official 1338
duties and while in the premises or open air arena for which the 1339
permit was issued and as long as the firearm is not a restricted 1340
firearm and the agent or employee of that holder is not 1341
consuming beer or intoxicating liquor or under the influence of 1342
alcohol or a drug of abuse. 1343

(e) Any person who is carrying a valid concealed ~~handgun~~ 1344
weapons license, any person who is deemed under division (C) of 1345
section 2923.111 of the Revised Code to have been issued a 1346
concealed weapons license under section 2923.125 of the Revised 1347
Code, or any person who is an active duty member of the armed 1348
forces of the United States and is carrying a valid military 1349
identification card and documentation of successful completion 1350
of firearms training that meets or exceeds the training 1351

requirements described in division (G) (1) of section 2923.125 of 1352
the Revised Code, as long as the firearm is not a restricted 1353
firearm and the person is not consuming beer or intoxicating 1354
liquor or under the influence of alcohol or a drug of abuse. 1355

(2) This section does not prohibit any person who is a 1356
member of a veteran's organization, as defined in section 1357
2915.01 of the Revised Code, from possessing a rifle in any room 1358
in any premises owned, leased, or otherwise under the control of 1359
the veteran's organization, if the rifle is not loaded with live 1360
ammunition and if the person otherwise is not prohibited by law 1361
from having the rifle. 1362

(3) This section does not apply to any person possessing 1363
or displaying firearms in any room used to exhibit unloaded 1364
firearms for sale or trade in a soldiers' memorial established 1365
pursuant to Chapter 345. of the Revised Code, in a convention 1366
center, or in any other public meeting place, if the person is 1367
an exhibitor, trader, purchaser, or seller of firearms and is 1368
not otherwise prohibited by law from possessing, trading, 1369
purchasing, or selling the firearms. 1370

(C) It is an affirmative defense to a charge under this 1371
section of illegal possession of a firearm in a liquor permit 1372
premises ~~that involves~~ involving the possession of a firearm 1373
other than a handgun, that neither division (B) (1) (d) nor (e) of 1374
this section applies, that the actor was not otherwise 1375
prohibited by law from having the firearm, and that any of the 1376
following apply: 1377

(1) The firearm was carried or kept ready at hand by the 1378
actor for defensive purposes, while the actor was engaged in or 1379
was going to or from the actor's lawful business or occupation, 1380
which business or occupation was of such character or was 1381

necessarily carried on in such manner or at such a time or place 1382
as to render the actor particularly susceptible to criminal 1383
attack, such as would justify a prudent person in going armed. 1384

(2) The firearm was carried or kept ready at hand by the 1385
actor for defensive purposes, while the actor was engaged in a 1386
lawful activity, and had reasonable cause to fear a criminal 1387
attack upon the actor or a member of the actor's family, or upon 1388
the actor's home, such as would justify a prudent person in 1389
going armed. 1390

(D) No person who is charged with a violation of this 1391
section shall be required to obtain a concealed ~~handgun~~-weapons 1392
license as a condition for the dismissal of the charge. 1393

(E) Whoever violates this section is guilty of illegal 1394
possession of a firearm in a liquor permit premises. Except as 1395
otherwise provided in this division, illegal possession of a 1396
firearm in a liquor permit premises is a felony of the fifth 1397
degree. If the offender commits the violation of this section by 1398
knowingly carrying or having the firearm concealed on the 1399
offender's person or concealed ready at hand, illegal possession 1400
of a firearm in a liquor permit premises is a felony of the 1401
third degree. 1402

(F) As used in this section: 1403

(1) "Beer" and "intoxicating liquor" have the same 1404
meanings as in section 4301.01 of the Revised Code. 1405

(2) "Investigator" has the same meaning as in section 1406
109.541 of the Revised Code. 1407

(3) "Restrictive firearms carrying policy" means a 1408
specific policy of a law enforcement agency or the bureau of 1409
criminal identification and investigation that prohibits all 1410

officers of the agency or all investigators of the bureau, while 1411
not acting within the scope of the officer's or investigator's 1412
duties, from doing either of the following: 1413

(a) Carrying a firearm issued or approved by the agency or 1414
bureau in any room, premises, or arena described in division (A) 1415
of this section; 1416

(b) Carrying a firearm issued or approved by the agency or 1417
bureau in premises described in division (A) of section 1418
2923.1214 of the Revised Code. 1419

(4) "Law enforcement officer" has the same meaning as in 1420
section 9.69 of the Revised Code. 1421

(5) "Validating identification" means one of the 1422
following: 1423

(a) Photographic identification issued by the law 1424
enforcement agency for which an individual serves as a law 1425
enforcement officer that identifies the individual as a law 1426
enforcement officer of the agency; 1427

(b) Photographic identification issued by the bureau of 1428
criminal identification and investigation that identifies an 1429
individual as an investigator of the bureau. 1430

Sec. 2923.122. (A) No person shall knowingly convey, or 1431
attempt to convey, a deadly weapon or dangerous ordnance into a 1432
school safety zone. 1433

(B) No person shall knowingly possess a deadly weapon or 1434
dangerous ordnance in a school safety zone. 1435

(C) No person shall knowingly possess an object in a 1436
school safety zone if both of the following apply: 1437

(1) The object is indistinguishable from a firearm, 1438
whether or not the object is capable of being fired. 1439

(2) The person indicates that the person possesses the 1440
object and that it is a firearm, or the person knowingly 1441
displays or brandishes the object and indicates that it is a 1442
firearm. 1443

(D) (1) This section does not apply to any of the 1444
following: 1445

(a) An officer, agent, or employee of this or any other 1446
state or the United States who is authorized to carry deadly 1447
weapons or dangerous ordnance and is acting within the scope of 1448
the officer's, agent's, or employee's duties, a law enforcement 1449
officer who is authorized to carry deadly weapons or dangerous 1450
ordnance, a security officer employed by a board of education or 1451
governing body of a school during the time that the security 1452
officer is on duty pursuant to that contract of employment, or 1453
any other person who has written authorization from the board of 1454
education or governing body of a school to convey deadly weapons 1455
or dangerous ordnance into a school safety zone or to possess a 1456
deadly weapon or dangerous ordnance in a school safety zone and 1457
who conveys or possesses the deadly weapon or dangerous ordnance 1458
in accordance with that authorization; 1459

(b) Any person who is employed in this state, who is 1460
authorized to carry deadly weapons or dangerous ordnance, and 1461
who is subject to and in compliance with the requirements of 1462
section 109.801 of the Revised Code, unless the appointing 1463
authority of the person has expressly specified that the 1464
exemption provided in division (D) (1) (b) of this section does 1465
not apply to the person. 1466

(2) Division (C) of this section does not apply to 1467
premises upon which home schooling is conducted. Division (C) of 1468
this section also does not apply to a school administrator, 1469
teacher, or employee who possesses an object that is 1470
indistinguishable from a firearm for legitimate school purposes 1471
during the course of employment, a student who uses an object 1472
that is indistinguishable from a firearm under the direction of 1473
a school administrator, teacher, or employee, or any other 1474
person who with the express prior approval of a school 1475
administrator possesses an object that is indistinguishable from 1476
a firearm for a legitimate purpose, including the use of the 1477
object in a ceremonial activity, a play, reenactment, or other 1478
dramatic presentation, school safety training, or a ROTC 1479
activity or another similar use of the object. 1480

(3) This section does not apply to a person who conveys or 1481
attempts to convey a ~~handgun~~ deadly weapon that is not a 1482
restricted deadly weapon into, or possesses a ~~handgun~~ deadly 1483
weapon that is not a restricted deadly weapon in, a school 1484
safety zone if, ~~at~~ both of the following apply: 1485

(a) At the time of that conveyance, attempted conveyance, 1486
or possession of the ~~handgun~~ deadly weapon that is not a 1487
restricted deadly weapon, all the person is carrying a valid 1488
concealed weapons license, the person is deemed under division 1489
(C) of section 2923.111 of the Revised Code to have been issued 1490
a concealed weapons license under section 2923.125 of the 1491
Revised Code, or the person is an active duty member of the 1492
armed forces of the United States and is carrying a valid 1493
military identification card and documentation of successful 1494
completion of firearms training that meets or exceeds the 1495
training requirements described in division (G)(1) of section 1496
2923.125 of the Revised Code. 1497

~~(b) Either of the following apply applies:~~ 1498

~~(a) (i) The person does not enter into a school building or onto school premises and is not at a school activity.~~ 1499
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~~(b) The person is carrying a valid concealed handgun license or the person is an active duty member of the armed forces of the United States and is carrying a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G) (1) of section 2923.125 of the Revised Code.~~ 1501
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~~(c) The , the person is in the school safety zone in accordance with 18 U.S.C. 922(q) (2) (B).~~ 1508
1509

~~(d) The , and the person is not knowingly in a-an unauthorized place described-specified in division (B) (1) or (B) (3) to (8) of section 2923.126 of the Revised Code and is not knowingly conveying, attempting to convey, or possessing the deadly weapon in any prohibited manner specified in any of those divisions.~~ 1510
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~~(4) This section does not apply to a person who conveys or attempts to convey a handgun into, or possesses a handgun in, a school safety zone if at the time of that conveyance, attempted conveyance, or possession of the handgun all of the following apply:~~ 1516
1517
1518
1519
1520

~~(a) The person is carrying a valid concealed handgun license or the person is an active duty member of the armed forces of the United States and is carrying a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G) (1) of section 2923.125 of~~ 1521
1522
1523
1524
1525
1526

~~the Revised Code.~~ 1527

~~(b)(ii) The person leaves the handgun deadly weapon in a~~ 1528
~~motor vehicle.~~ 1529

~~(c) The handgun, the deadly weapon does not leave the~~ 1530
~~motor vehicle.~~ 1531

~~(d) If, and, if the person exits the motor vehicle, the~~ 1532
~~person locks the motor vehicle.~~ 1533

(E) (1) Whoever violates division (A) or (B) of this 1534
section is guilty of illegal conveyance or possession of a 1535
deadly weapon or dangerous ordnance in a school safety zone. 1536
Except as otherwise provided in this division, illegal 1537
conveyance or possession of a deadly weapon or dangerous 1538
ordnance in a school safety zone is a felony of the fifth 1539
degree. If the offender previously has been convicted of a 1540
violation of this section, illegal conveyance or possession of a 1541
deadly weapon or dangerous ordnance in a school safety zone is a 1542
felony of the fourth degree. 1543

(2) Whoever violates division (C) of this section is 1544
guilty of illegal possession of an object indistinguishable from 1545
a firearm in a school safety zone. Except as otherwise provided 1546
in this division, illegal possession of an object 1547
indistinguishable from a firearm in a school safety zone is a 1548
misdemeanor of the first degree. If the offender previously has 1549
been convicted of a violation of this section, illegal 1550
possession of an object indistinguishable from a firearm in a 1551
school safety zone is a felony of the fifth degree. 1552

(F) (1) In addition to any other penalty imposed upon a 1553
person who is convicted of or pleads guilty to a violation of 1554
this section and subject to division (F) (2) of this section, if 1555

the offender has not attained nineteen years of age, regardless 1556
of whether the offender is attending or is enrolled in a school 1557
operated by a board of education or for which the state board of 1558
education prescribes minimum standards under section 3301.07 of 1559
the Revised Code, the court shall impose upon the offender a 1560
class four suspension of the offender's probationary driver's 1561
license, restricted license, driver's license, commercial 1562
driver's license, temporary instruction permit, or probationary 1563
commercial driver's license that then is in effect from the 1564
range specified in division (A) (4) of section 4510.02 of the 1565
Revised Code and shall deny the offender the issuance of any 1566
permit or license of that type during the period of the 1567
suspension. 1568

If the offender is not a resident of this state, the court 1569
shall impose a class four suspension of the nonresident 1570
operating privilege of the offender from the range specified in 1571
division (A) (4) of section 4510.02 of the Revised Code. 1572

(2) If the offender shows good cause why the court should 1573
not suspend one of the types of licenses, permits, or privileges 1574
specified in division (F) (1) of this section or deny the 1575
issuance of one of the temporary instruction permits specified 1576
in that division, the court in its discretion may choose not to 1577
impose the suspension, revocation, or denial required in that 1578
division, but the court, in its discretion, instead may require 1579
the offender to perform community service for a number of hours 1580
determined by the court. 1581

(G) As used in this section, "object that is 1582
indistinguishable from a firearm" means an object made, 1583
constructed, or altered so that, to a reasonable person without 1584
specialized training in firearms, the object appears to be a 1585

firearm. 1586

Sec. 2923.123. (A) No person shall knowingly convey or 1587
attempt to convey a deadly weapon or dangerous ordnance into a 1588
courthouse or into another building or structure in which a 1589
courtroom is located. 1590

(B) No person shall knowingly possess or have under the 1591
person's control a deadly weapon or dangerous ordnance in a 1592
courthouse or in another building or structure in which a 1593
courtroom is located. 1594

(C) This section does not apply to any of the following: 1595

(1) Except as provided in division (E) of this section, a 1596
judge of a court of record of this state or a magistrate; 1597

(2) A peace officer, officer of a law enforcement agency, 1598
or person who is in either of the following categories: 1599

(a) Except as provided in division (E) of this section, a 1600
peace officer, or an officer of a law enforcement agency of 1601
another state, a political subdivision of another state, or the 1602
United States, who is authorized to carry a deadly weapon or 1603
dangerous ordnance, who possesses or has under that individual's 1604
control a deadly weapon or dangerous ordnance as a requirement 1605
of that individual's duties, and who is acting within the scope 1606
of that individual's duties at the time of that possession or 1607
control; 1608

(b) Except as provided in division (E) of this section, a 1609
person who is employed in this state, who is authorized to carry 1610
a deadly weapon or dangerous ordnance, who possesses or has 1611
under that individual's control a deadly weapon or dangerous 1612
ordnance as a requirement of that person's duties, and who is 1613
subject to and in compliance with the requirements of section 1614

109.801 of the Revised Code, unless the appointing authority of 1615
the person has expressly specified that the exemption provided 1616
in division (C) (2) (b) of this section does not apply to the 1617
person. 1618

(3) A person who conveys, attempts to convey, possesses, 1619
or has under the person's control a deadly weapon or dangerous 1620
ordnance that is to be used as evidence in a pending criminal or 1621
civil action or proceeding; 1622

(4) Except as provided in division (E) of this section, a 1623
bailiff or deputy bailiff of a court of record of this state who 1624
is authorized to carry a firearm pursuant to section 109.77 of 1625
the Revised Code, who possesses or has under that individual's 1626
control a firearm as a requirement of that individual's duties, 1627
and who is acting within the scope of that individual's duties 1628
at the time of that possession or control; 1629

(5) Except as provided in division (E) of this section, a 1630
prosecutor, or a secret service officer appointed by a county 1631
prosecuting attorney, who is authorized to carry a deadly weapon 1632
or dangerous ordnance in the performance of the individual's 1633
duties, who possesses or has under that individual's control a 1634
deadly weapon or dangerous ordnance as a requirement of that 1635
individual's duties, and who is acting within the scope of that 1636
individual's duties at the time of that possession or control; 1637

(6) (a) Except as provided in division (E) of this section, 1638
a person who conveys or attempts to convey a ~~handgun~~ deadly 1639
weapon that is not a restricted deadly weapon into a courthouse 1640
or into another building or structure in which a courtroom is 1641
located, or who ~~possesses or has under the person's control a~~ 1642
deadly weapon that is not a restricted deadly weapon in a 1643
courthouse or such a building or structure, if both of the 1644

following apply with respect to the person: 1645

(i) The person, at the time of the conveyance ~~or~~, attempt, 1646
either possession, or control, is carrying a valid concealed 1647
handgun weapons license, is deemed under division (C) of section 1648
2923.111 of the Revised Code to have been issued a concealed 1649
weapons license under section 2923.125 of the Revised Code, or 1650
is an active duty member of the armed forces of the United 1651
States and is carrying a valid military identification card and 1652
documentation of successful completion of firearms training that 1653
meets or exceeds the training requirements described in division 1654
(G) (1) of section 2923.125 of the Revised Code, ~~and who~~. 1655

(ii) The person transfers possession of the handgun ~~deadly~~ 1656
weapon that is not a restricted deadly weapon to the officer or 1657
officer's designee who has charge of the courthouse or building. 1658

(b) The officer described in division (C) (6) (a) (ii) of 1659
this section shall secure the handgun ~~deadly~~ weapon that is not 1660
a restricted deadly weapon until the licensee ~~person~~ in question 1661
is prepared to leave the premises. The exemption described in 1662
~~this~~ division (C) (6) (a) of this section applies only if the 1663
officer who has charge of the courthouse or building provides 1664
services of the nature described in ~~this~~ division (C) (6) (a) (ii) 1665
of this section. An officer who has charge of the courthouse or 1666
building is not required to offer services of the nature 1667
described in ~~this~~ division (C) (6) (a) (ii) of this section. 1668

(D) (1) Whoever violates division (A) of this section is 1669
guilty of illegal conveyance of a deadly weapon or dangerous 1670
ordnance into a courthouse. Except as otherwise provided in this 1671
division, illegal conveyance of a deadly weapon or dangerous 1672
ordnance into a courthouse is a felony of the fifth degree. If 1673
the offender previously has been convicted of a violation of 1674

division (A) or (B) of this section, illegal conveyance of a 1675
deadly weapon or dangerous ordnance into a courthouse is a 1676
felony of the fourth degree. 1677

(2) Whoever violates division (B) of this section is 1678
guilty of illegal possession or control of a deadly weapon or 1679
dangerous ordnance in a courthouse. Except as otherwise provided 1680
in this division, illegal possession or control of a deadly 1681
weapon or dangerous ordnance in a courthouse is a felony of the 1682
fifth degree. If the offender previously has been convicted of a 1683
violation of division (A) or (B) of this section, illegal 1684
possession or control of a deadly weapon or dangerous ordnance 1685
in a courthouse is a felony of the fourth degree. 1686

(E) The exemptions described in divisions (C) (1), (2) (a), 1687
(2) (b), (4), (5), and (6) of this section do not apply to any 1688
judge, magistrate, peace officer, officer of a law enforcement 1689
agency, bailiff, deputy bailiff, prosecutor, secret service 1690
officer, or other person described in any of those divisions if 1691
a rule of superintendence or another type of rule adopted by the 1692
supreme court pursuant to Article IV, Ohio Constitution, or an 1693
applicable local rule of court prohibits all persons from 1694
conveying or attempting to convey a deadly weapon or dangerous 1695
ordnance into a courthouse or into another building or structure 1696
in which a courtroom is located or from possessing or having 1697
under one's control a deadly weapon or dangerous ordnance in a 1698
courthouse or in another building or structure in which a 1699
courtroom is located. 1700

(F) As used in this section: 1701

(1) "Magistrate" means an individual who is appointed by a 1702
court of record of this state and who has the powers and may 1703
perform the functions specified in Civil Rule 53, Criminal Rule 1704

19, or Juvenile Rule 40. 1705

(2) "Peace officer" and "prosecutor" have the same 1706
meanings as in section 2935.01 of the Revised Code. 1707

Sec. 2923.124. As used in sections 2923.124 to 2923.1213 1708
of the Revised Code: 1709

(A) "Application form" means the application form 1710
prescribed pursuant to division (A)(1) of section 109.731 of the 1711
Revised Code and includes a copy of that form. 1712

(B) "Competency certification" and "competency 1713
certificate" mean a document of the type described in division 1714
(B)(3) of section 2923.125 of the Revised Code. 1715

(C) "Detention facility" has the same meaning as in 1716
section 2921.01 of the Revised Code. 1717

(D) "Licensee" means a person to whom a concealed ~~handgun-~~ 1718
weapons license has been issued under section 2923.125 of the 1719
Revised Code prior to, on, or after the effective date of this 1720
amendment and, except when the context clearly indicates 1721
otherwise, includes a person to whom a concealed ~~handgun-~~ 1722
weapons license on a temporary emergency basis has been issued under 1723
section 2923.1213 of the Revised Code ~~and prior to, on, or after~~ 1724
the effective date of this amendment, a person to whom a 1725
concealed ~~handgun-~~ 1726
weapons license has been issued by another 1727
state, and a person who is deemed under division (C) of section 1728
2923.111 of the Revised Code to have been issued a concealed 1729
weapons license under section 2923.125 of the Revised Code.

(E) "License fee" or "license renewal fee" means the fee 1730
for a concealed ~~handgun-~~ 1731
weapons license or the fee to renew that 1732
license that is to be paid by an applicant for a license of that 1733
type.

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|--|--|
| (F) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code. | 1734 1735 |
| (G) "State correctional institution" has the same meaning as in section 2967.01 of the Revised Code. | 1736 1737 |
| (H) "Civil protection order" means a protection order issued, or consent agreement approved, under section 2903.214 or 3113.31 of the Revised Code. | 1738 1739 1740 |
| (I) "Temporary protection order" means a protection order issued under section 2903.213 or 2919.26 of the Revised Code. | 1741 1742 |
| (J) "Protection order issued by a court of another state" has the same meaning as in section 2919.27 of the Revised Code. | 1743 1744 |
| (K) "Child day-care center," "type A family day-care home" and "type B family day-care home" have the same meanings as in section 5104.01 of the Revised Code. | 1745 1746 1747 |
| (L) "Foreign air transportation," "interstate air transportation," and "intrastate air transportation" have the same meanings as in 49 U.S.C. 40102, as now or hereafter amended. | 1748 1749 1750 1751 |
| (M) "Commercial motor vehicle" has the same meaning as in division (A) of section 4506.25 of the Revised Code. | 1752 1753 |
| (N) "Motor carrier enforcement unit" has the same meaning as in section 2923.16 of the Revised Code. | 1754 1755 |
| Sec. 2923.125. It is the intent of the general assembly that Ohio concealed handgun - <u>weapons</u> license law be compliant with the national instant criminal background check system, that the bureau of alcohol, tobacco, firearms, and explosives is able to determine that Ohio law is compliant with the national instant criminal background check system, and that no person | 1756 1757 1758 1759 1760 1761 |

shall be eligible to receive a concealed ~~handgun-weapons~~ license 1762
~~permit~~ under section 2923.125 or 2923.1213 of the Revised Code 1763
unless the person is eligible lawfully to receive or possess a 1764
firearm in the United States. 1765

(A) This section applies with respect to the application 1766
for and issuance by this state of concealed ~~handgun-weapons~~ 1767
licenses other than concealed ~~handgun-weapons~~ licenses on a 1768
temporary emergency basis that are issued under section 1769
2923.1213 of the Revised Code. Upon the request of a person who 1770
wishes to obtain a concealed ~~handgun-weapons~~ license with 1771
respect to which this section applies or to renew a concealed 1772
~~handgun-weapons~~ license with respect to which this section 1773
applies, a sheriff, as provided in division (I) of this section, 1774
shall provide to the person free of charge an application form 1775
and the web site address at which a printable version of the 1776
application form that can be downloaded and the pamphlet 1777
described in division (B) of section 109.731 of the Revised Code 1778
may be found. A sheriff shall accept a completed application 1779
form and the fee, items, materials, and information specified in 1780
divisions (B) (1) to (5) of this section at the times and in the 1781
manners described in division (I) of this section. 1782

(B) An applicant for a concealed ~~handgun-weapons~~ license 1783
who is a resident of this state shall submit a completed 1784
application form and all of the material and information 1785
described in divisions (B) (1) to (6) of this section to the 1786
sheriff of the county in which the applicant resides or to the 1787
sheriff of any county adjacent to the county in which the 1788
applicant resides. An applicant for a license who resides in 1789
another state shall submit a completed application form and all 1790
of the material and information described in divisions (B) (1) to 1791
(7) of this section to the sheriff of the county in which the 1792

applicant is employed or to the sheriff of any county adjacent 1793
to the county in which the applicant is employed: 1794

(1) (a) A nonrefundable license fee as described in either 1795
of the following: 1796

(i) For an applicant who has been a resident of this state 1797
for five or more years, a fee of sixty-seven dollars; 1798

(ii) For an applicant who has been a resident of this 1799
state for less than five years or who is not a resident of this 1800
state, but who is employed in this state, a fee of sixty-seven 1801
dollars plus the actual cost of having a background check 1802
performed by the federal bureau of investigation. 1803

(b) No sheriff shall require an applicant to pay for the 1804
cost of a background check performed by the bureau of criminal 1805
identification and investigation. 1806

(c) A sheriff shall waive the payment of the license fee 1807
described in division (B) (1) (a) of this section in connection 1808
with an initial or renewal application for a license that is 1809
submitted by an applicant who is an active or reserve member of 1810
the armed forces of the United States or has retired from or was 1811
honorably discharged from military service in the active or 1812
reserve armed forces of the United States, a retired peace 1813
officer, a retired person described in division (B) (1) (b) of 1814
section 109.77 of the Revised Code, or a retired federal law 1815
enforcement officer who, prior to retirement, was authorized 1816
under federal law to carry a firearm in the course of duty, 1817
unless the retired peace officer, person, or federal law 1818
enforcement officer retired as the result of a mental 1819
disability. 1820

(d) The sheriff shall deposit all fees paid by an 1821

applicant under division (B) (1) (a) of this section into the 1822
sheriff's concealed ~~handgun~~weapons license issuance fund 1823
established pursuant to section 311.42 of the Revised Code. The 1824
county shall distribute the fees in accordance with section 1825
311.42 of the Revised Code. 1826

(2) A color photograph of the applicant that was taken 1827
within thirty days prior to the date of the application; 1828

(3) One or more of the following competency 1829
certifications, each of which shall reflect that, regarding a 1830
certification described in division (B) (3) (a), (b), (c), (e), or 1831
(f) of this section, within the three years immediately 1832
preceding the application the applicant has performed that to 1833
which the competency certification relates and that, regarding a 1834
certification described in division (B) (3) (d) of this section, 1835
the applicant currently is an active or reserve member of the 1836
armed forces of the United States, the applicant has retired 1837
from or was honorably discharged from military service in the 1838
active or reserve armed forces of the United States, or within 1839
the ten years immediately preceding the application the 1840
retirement of the peace officer, person described in division 1841
(B) (1) (b) of section 109.77 of the Revised Code, or federal law 1842
enforcement officer to which the competency certification 1843
relates occurred: 1844

(a) An original or photocopy of a certificate of 1845
completion of a firearms safety, training, or requalification or 1846
firearms safety instructor course, class, or program that was 1847
offered by or under the auspices of a national gun advocacy 1848
organization and that complies with the requirements set forth 1849
in division (G) of this section; 1850

(b) An original or photocopy of a certificate of 1851

completion of a firearms safety, training, or requalification or 1852
firearms safety instructor course, class, or program that 1853
satisfies all of the following criteria: 1854

(i) It was open to members of the general public. 1855

(ii) It utilized qualified instructors who were certified 1856
by a national gun advocacy organization, the executive director 1857
of the Ohio peace officer training commission pursuant to 1858
section 109.75 or 109.78 of the Revised Code, or a governmental 1859
official or entity of another state. 1860

(iii) It was offered by or under the auspices of a law 1861
enforcement agency of this or another state or the United 1862
States, a public or private college, university, or other 1863
similar postsecondary educational institution located in this or 1864
another state, a firearms training school located in this or 1865
another state, or another type of public or private entity or 1866
organization located in this or another state. 1867

(iv) It complies with the requirements set forth in 1868
division (G) of this section. 1869

(c) An original or photocopy of a certificate of 1870
completion of a state, county, municipal, or department of 1871
natural resources peace officer training school that is approved 1872
by the executive director of the Ohio peace officer training 1873
commission pursuant to section 109.75 of the Revised Code and 1874
that complies with the requirements set forth in division (G) of 1875
this section, or the applicant has satisfactorily completed and 1876
been issued a certificate of completion of a basic firearms 1877
training program, a firearms requalification training program, 1878
or another basic training program described in section 109.78 or 1879
109.801 of the Revised Code that complies with the requirements 1880

set forth in division (G) of this section; 1881

(d) A document that evidences both of the following: 1882

(i) That the applicant is an active or reserve member of 1883
the armed forces of the United States, has retired from or was 1884
honorably discharged from military service in the active or 1885
reserve armed forces of the United States, is a retired trooper 1886
of the state highway patrol, or is a retired peace officer or 1887
federal law enforcement officer described in division (B) (1) of 1888
this section or a retired person described in division (B) (1) (b) 1889
of section 109.77 of the Revised Code and division (B) (1) of 1890
this section; 1891

(ii) That, through participation in the military service 1892
or through the former employment described in division (B) (3) (d) 1893
(i) of this section, the applicant acquired experience with 1894
handling ~~handguns or other~~ firearms, and the experience so 1895
acquired was equivalent to training that the applicant could 1896
have acquired in a course, class, or program described in 1897
division (B) (3) (a), (b), or (c) of this section. 1898

(e) A certificate or another similar document that 1899
evidences satisfactory completion of a firearms training, 1900
safety, or requalification or firearms safety instructor course, 1901
class, or program that is not otherwise described in division 1902
(B) (3) (a), (b), (c), or (d) of this section, that was conducted 1903
by an instructor who was certified by an official or entity of 1904
the government of this or another state or the United States or 1905
by a national gun advocacy organization, and that complies with 1906
the requirements set forth in division (G) of this section; 1907

(f) An affidavit that attests to the applicant's 1908
satisfactory completion of a course, class, or program described 1909

in division (B) (3) (a), (b), (c), or (e) of this section and that 1910
is subscribed by the applicant's instructor or an authorized 1911
representative of the entity that offered the course, class, or 1912
program or under whose auspices the course, class, or program 1913
was offered; 1914

(g) A document that evidences that the applicant has 1915
successfully completed the Ohio peace officer training program 1916
described in section 109.79 of the Revised Code. 1917

(4) A certification by the applicant that the applicant 1918
has read the pamphlet prepared by the Ohio peace officer 1919
training commission pursuant to section 109.731 of the Revised 1920
Code that reviews deadly weapons (including firearms), dispute 1921
resolution, and use of deadly force matters. 1922

(5) A set of fingerprints of the applicant provided as 1923
described in section 311.41 of the Revised Code through use of 1924
an electronic fingerprint reading device or, if the sheriff to 1925
whom the application is submitted does not possess and does not 1926
have ready access to the use of such a reading device, on a 1927
standard impression sheet prescribed pursuant to division (C) (2) 1928
of section 109.572 of the Revised Code. 1929

(6) If the applicant is not a citizen or national of the 1930
United States, the name of the applicant's country of 1931
citizenship and the applicant's alien registration number issued 1932
by the United States citizenship and immigration services 1933
agency. 1934

(7) If the applicant resides in another state, adequate 1935
proof of employment in Ohio. 1936

(C) Upon receipt of the completed application form, 1937
supporting documentation, and, if not waived, license fee of an 1938

applicant under this section, a sheriff, in the manner specified 1939
in section 311.41 of the Revised Code, shall conduct or cause to 1940
be conducted the criminal records check and the incompetency 1941
records check described in section 311.41 of the Revised Code. 1942

(D) (1) Except as provided in division (D) (3) of this 1943
section, within forty-five days after a sheriff's receipt of an 1944
applicant's completed application form for a concealed ~~handgun-~~ 1945
weapons license under this section, the supporting 1946
documentation, and, if not waived, the license fee, the sheriff 1947
shall make available through the law enforcement automated data 1948
system in accordance with division (H) of this section the 1949
information described in that division and, upon making the 1950
information available through the system, shall issue to the 1951
applicant a concealed ~~handgun-~~weapons license that shall expire 1952
as described in division (D) (2) (a) of this section if all of the 1953
following apply: 1954

(a) The applicant is legally living in the United States. 1955
For purposes of division (D) (1) (a) of this section, if a person 1956
is absent from the United States in compliance with military or 1957
naval orders as an active or reserve member of the armed forces 1958
of the United States and if prior to leaving the United States 1959
the person was legally living in the United States, the person, 1960
solely by reason of that absence, shall not be considered to 1961
have lost the person's status as living in the United States. 1962

(b) The applicant is at least twenty-one years of age. 1963

(c) The applicant is not a fugitive from justice. 1964

(d) The applicant is not under indictment for or otherwise 1965
charged with a felony; an offense under Chapter 2925., 3719., or 1966
4729. of the Revised Code that involves the illegal possession, 1967

use, sale, administration, or distribution of or trafficking in 1968
a drug of abuse; a misdemeanor offense of violence; or a 1969
violation of section 2903.14 or 2923.1211 of the Revised Code. 1970

(e) Except as otherwise provided in division (D) (4) or (5) 1971
of this section, the applicant has not been convicted of or 1972
pleaded guilty to a felony or an offense under Chapter 2925., 1973
3719., or 4729. of the Revised Code that involves the illegal 1974
possession, use, sale, administration, or distribution of or 1975
trafficking in a drug of abuse; has not been adjudicated a 1976
delinquent child for committing an act that if committed by an 1977
adult would be a felony or would be an offense under Chapter 1978
2925., 3719., or 4729. of the Revised Code that involves the 1979
illegal possession, use, sale, administration, or distribution 1980
of or trafficking in a drug of abuse; has not been convicted of, 1981
pleaded guilty to, or adjudicated a delinquent child for 1982
committing a violation of section 2903.13 of the Revised Code 1983
when the victim of the violation is a peace officer, regardless 1984
of whether the applicant was sentenced under division (C) (4) of 1985
that section; and has not been convicted of, pleaded guilty to, 1986
or adjudicated a delinquent child for committing any other 1987
offense that is not previously described in this division that 1988
is a misdemeanor punishable by imprisonment for a term exceeding 1989
one year. 1990

(f) Except as otherwise provided in division (D) (4) or (5) 1991
of this section, the applicant, within three years of the date 1992
of the application, has not been convicted of or pleaded guilty 1993
to a misdemeanor offense of violence other than a misdemeanor 1994
violation of section 2921.33 of the Revised Code or a violation 1995
of section 2903.13 of the Revised Code when the victim of the 1996
violation is a peace officer, or a misdemeanor violation of 1997
section 2923.1211 of the Revised Code; and has not been 1998

adjudicated a delinquent child for committing an act that if 1999
committed by an adult would be a misdemeanor offense of violence 2000
other than a misdemeanor violation of section 2921.33 of the 2001
Revised Code or a violation of section 2903.13 of the Revised 2002
Code when the victim of the violation is a peace officer or for 2003
committing an act that if committed by an adult would be a 2004
misdemeanor violation of section 2923.1211 of the Revised Code. 2005

(g) Except as otherwise provided in division (D) (1) (e) of 2006
this section, the applicant, within five years of the date of 2007
the application, has not been convicted of, pleaded guilty to, 2008
or been adjudicated a delinquent child for committing two or 2009
more violations of section 2903.13 or 2903.14 of the Revised 2010
Code. 2011

(h) Except as otherwise provided in division (D) (4) or (5) 2012
of this section, the applicant, within ten years of the date of 2013
the application, has not been convicted of, pleaded guilty to, 2014
or been adjudicated a delinquent child for committing a 2015
violation of section 2921.33 of the Revised Code. 2016

(i) The applicant has not been adjudicated as a mental 2017
defective, has not been committed to any mental institution, is 2018
not under adjudication of mental incompetence, has not been 2019
found by a court to be a mentally ill person subject to court 2020
order, and is not an involuntary patient other than one who is a 2021
patient only for purposes of observation. As used in this 2022
division, "mentally ill person subject to court order" and 2023
"patient" have the same meanings as in section 5122.01 of the 2024
Revised Code. 2025

(j) The applicant is not currently subject to a civil 2026
protection order, a temporary protection order, or a protection 2027
order issued by a court of another state. 2028

(k) The applicant certifies that the applicant desires a legal means to carry a concealed ~~handgun~~ firearm or other deadly weapon 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~~ weapons 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~~ weapons 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 2058
applicable. 2059

(s) The applicant has not been convicted of, pleaded 2060
guilty to, or been adjudicated a delinquent child for committing 2061
a violation of section 2919.25 of the Revised Code or a similar 2062
violation in another state. 2063

(2) (a) A concealed ~~handgun~~ weapons license that a sheriff 2064
issues under division (D) (1) of this section prior to, on, or 2065
after the effective date of this amendment shall expire five 2066
years after the date of issuance. A concealed weapons license 2067
that a sheriff issued as a concealed handgun license under that 2068
division prior to the effective date of this amendment and that 2069
has not expired prior to the effective date of this amendment 2070
has the same validity as a concealed weapons license issued on 2071
or after that date and shall be treated for purposes of this 2072
section and other Revised Code provisions as if it were a 2073
license issued on or after that date. 2074

If a sheriff issues a license under this section, the 2075
sheriff shall place on the license a unique combination of 2076
letters and numbers identifying the license in accordance with 2077
the procedure prescribed by the Ohio peace officer training 2078
commission pursuant to section 109.731 of the Revised Code. 2079

(b) If a sheriff denies an application under this section 2080
because the applicant does not satisfy the criteria described in 2081
division (D) (1) of this section, the sheriff shall specify the 2082
grounds for the denial in a written notice to the applicant. The 2083
applicant may appeal the denial pursuant to section 119.12 of 2084
the Revised Code in the county served by the sheriff who denied 2085
the application. If the denial was as a result of the criminal 2086
records check conducted pursuant to section 311.41 of the 2087

Revised Code and if, pursuant to section 2923.127 of the Revised Code, the applicant challenges the criminal records check results using the appropriate challenge and review procedure specified in that section, the time for filing the appeal pursuant to section 119.12 of the Revised Code and this division is tolled during the pendency of the request or the challenge and review.

(c) If the court in an appeal under section 119.12 of the Revised Code and division (D) (2) (b) of this section enters a judgment sustaining the sheriff's refusal to grant to the applicant a concealed ~~handgun~~ weapons license, the applicant may file a new application beginning one year after the judgment is entered. If the court enters a judgment in favor of the applicant, that judgment shall not restrict the authority of a sheriff to suspend or revoke the license pursuant to section 2923.128 or 2923.1213 of the Revised Code or to refuse to renew the license for any proper cause that may occur after the date the judgment is entered. In the appeal, the court shall have full power to dispose of all costs.

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

(4) If an applicant has been convicted of or pleaded guilty to an offense identified in division (D) (1) (e), (f), or (h) of this section or has been adjudicated a delinquent child for committing an act or violation identified in any of those

divisions, and if a court has ordered the sealing or expungement 2118
of the records of that conviction, guilty plea, or adjudication 2119
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 2120
2953.36, or section 2953.37 of the Revised Code or the applicant 2121
has been relieved under operation of law or legal process from 2122
the disability imposed pursuant to section 2923.13 of the 2123
Revised Code relative to that conviction, guilty plea, or 2124
adjudication, the sheriff with whom the application was 2125
submitted shall not consider the conviction, guilty plea, or 2126
adjudication in making a determination under division (D)(1) or 2127
(F) of this section or, in relation to an application for a 2128
concealed ~~handgun-weapons~~ license on a temporary emergency basis 2129
submitted under section 2923.1213 of the Revised Code, in making 2130
a determination under division (B)(2) of that section. 2131

(5) If an applicant has been convicted of or pleaded 2132
guilty to a minor misdemeanor offense or has been adjudicated a 2133
delinquent child for committing an act or violation that is a 2134
minor misdemeanor offense, the sheriff with whom the application 2135
was submitted shall not consider the conviction, guilty plea, or 2136
adjudication in making a determination under division (D)(1) or 2137
(F) of this section or, in relation to an application for a 2138
concealed ~~handgun-weapons~~ license on a temporary basis submitted 2139
under section 2923.1213 of the Revised Code, in making a 2140
determination under division (B)(2) of that section. 2141

(E) If a concealed ~~handgun-weapons~~ license issued under 2142
this section is lost or is destroyed, the licensee may obtain 2143
from the sheriff who issued that license a duplicate license 2144
upon the payment of a fee of fifteen dollars and the submission 2145
of an affidavit attesting to the loss or destruction of the 2146
license. The sheriff, in accordance with the procedures 2147
prescribed in section 109.731 of the Revised Code, shall place 2148

on the replacement license a combination of identifying numbers 2149
different from the combination on the license that is being 2150
replaced. 2151

(F) (1) (a) Except as provided in division (F) (1) (b) of this 2152
section, a licensee who wishes to renew a concealed ~~handgun-~~ 2153
weapons license issued under this section prior to, on, or after 2154
the effective date of this amendment may do so at any time 2155
before the expiration date of the license or at any time after 2156
the expiration date of the license by filing with the sheriff of 2157
the county in which the applicant resides or with the sheriff of 2158
an adjacent county, or in the case of an applicant who resides 2159
in another state with the sheriff of the county that issued the 2160
applicant's previous concealed ~~handgun-~~weapons license an 2161
application for renewal of the license obtained pursuant to 2162
division (D) of this section, a certification by the applicant 2163
that, subsequent to the issuance of the license, the applicant 2164
has reread the pamphlet prepared by the Ohio peace officer 2165
training commission pursuant to section 109.731 of the Revised 2166
Code that reviews deadly weapons (including firearms), dispute 2167
resolution, and use of deadly force matters, and a nonrefundable 2168
license renewal fee in an amount determined pursuant to division 2169
(F) (4) of this section unless the fee is waived. 2170

(b) A person on active duty in the armed forces of the 2171
United States or in service with the peace corps, volunteers in 2172
service to America, or the foreign service of the United States 2173
is exempt from the license requirements of this section for the 2174
period of the person's active duty or service and for six months 2175
thereafter, provided the person was a licensee under this 2176
section at the time the person commenced the person's active 2177
duty or service or had obtained a license while on active duty 2178
or service. The spouse or a dependent of any such person on 2179

active duty or in service also is exempt from the license 2180
requirements of this section for the period of the person's 2181
active duty or service and for six months thereafter, provided 2182
the spouse or dependent was a licensee under this section at the 2183
time the person commenced the active duty or service or had 2184
obtained a license while the person was on active duty or 2185
service, and provided further that the person's active duty or 2186
service resulted in the spouse or dependent relocating outside 2187
of this state during the period of the active duty or service. 2188
This division does not prevent such a person or the person's 2189
spouse or dependent from making an application for the renewal 2190
of a concealed ~~handgun~~ weapons license during the period of the 2191
person's active duty or service. 2192

(2) A sheriff shall accept a completed renewal 2193
application, the license renewal fee, and the information 2194
specified in division (F)(1) of this section at the times and in 2195
the manners described in division (I) of this section. Upon 2196
receipt of a completed renewal application, of certification 2197
that the applicant has reread the specified pamphlet prepared by 2198
the Ohio peace officer training commission, and of a license 2199
renewal fee unless the fee is waived, a sheriff, in the manner 2200
specified in section 311.41 of the Revised Code shall conduct or 2201
cause to be conducted the criminal records check and the 2202
incompetency records check described in section 311.41 of the 2203
Revised Code. The sheriff shall renew the license if the sheriff 2204
determines that the applicant continues to satisfy the 2205
requirements described in division (D)(1) of this section, 2206
except that the applicant is not required to meet the 2207
requirements of division (D)(1)(1) of this section. A renewed 2208
license shall expire five years after the date of issuance, 2209
regardless of whether the renewal occurred prior to, on, or 2210

after the effective date of this amendment. A renewed license is 2211
subject to division (E) of this section and sections 2923.126 2212
and 2923.128 of the Revised Code. A sheriff shall comply with 2213
divisions (D) (2) and (3) of this section when the circumstances 2214
described in those divisions apply to a requested license 2215
renewal. If a sheriff denies the renewal of a concealed ~~handgun-~~ 2216
weapons license, the applicant may appeal the denial, or 2217
challenge the criminal record check results that were the basis 2218
of the denial if applicable, in the same manner as specified in 2219
division (D) (2) (b) of this section and in section 2923.127 of 2220
the Revised Code, regarding the denial of a license under this 2221
section. 2222

(3) A renewal application submitted pursuant to division 2223
(F) of this section shall only require the licensee to list on 2224
the application form information and matters occurring since the 2225
date of the licensee's last application for a license pursuant 2226
to division (B) or (F) of this section. A sheriff conducting the 2227
criminal records check and the incompetency records check 2228
described in section 311.41 of the Revised Code shall conduct 2229
the check only from the date of the licensee's last application 2230
for a license pursuant to division (B) or (F) of this section 2231
through the date of the renewal application submitted pursuant 2232
to division (F) of this section. 2233

(4) An applicant for a renewal concealed ~~handgun-~~ 2234
weapons license under this section shall submit to the sheriff of the 2235
county in which the applicant resides or to the sheriff of any 2236
county adjacent to the county in which the applicant resides, or 2237
in the case of an applicant who resides in another state to the 2238
sheriff of the county that issued the applicant's previous 2239
concealed ~~handgun-~~ 2240
weapons license, a nonrefundable license fee 2241
as described in either of the following:

(a) For an applicant who has been a resident of this state 2242
for five or more years, a fee of fifty dollars; 2243

(b) For an applicant who has been a resident of this state 2244
for less than five years or who is not a resident of this state 2245
but who is employed in this state, a fee of fifty dollars plus 2246
the actual cost of having a background check performed by the 2247
federal bureau of investigation. 2248

(5) The concealed ~~handgun~~-weapons license of a licensee 2249
who is no longer a resident of this state or no longer employed 2250
in this state, as applicable, is valid until the date of 2251
expiration on the license, regardless of whether the license was 2252
issued prior to, on, or after the effective date of this 2253
amendment, and the licensee is prohibited from renewing the 2254
concealed ~~handgun~~-weapons license. 2255

(G) (1) Each course, class, or program described in 2256
division (B) (3) (a), (b), (c), or (e) of this section shall 2257
provide to each person who takes the course, class, or program 2258
the web site address at which the pamphlet prepared by the Ohio 2259
peace officer training commission pursuant to section 109.731 of 2260
the Revised Code that reviews deadly weapons (including 2261
firearms), dispute resolution, and use of deadly force matters 2262
may be found. Each such course, class, or program described in 2263
one of those divisions shall include at least eight hours of 2264
training in the safe handling and use of a firearm that shall 2265
include training, provided as described in division (G) (3) of 2266
this section, on all of the following: 2267

(a) The ability to name, explain, and demonstrate the 2268
rules for safe handling of a ~~handgun~~-firearm and proper storage 2269
practices for ~~handguns~~-firearms and ammunition; 2270

(b) The ability to demonstrate and explain how to handle 2271
ammunition in a safe manner; 2272

(c) The ability to demonstrate the knowledge, skills, and 2273
attitude necessary to shoot a ~~handgun~~-firearm in a safe manner; 2274

(d) Gun handling training; 2275

(e) A minimum of two hours of in-person training that 2276
consists of range time and live-fire training. 2277

(2) To satisfactorily complete the course, class, or 2278
program described in division (B) (3) (a), (b), (c), or (e) of 2279
this section, the applicant shall pass a competency examination 2280
that shall include both of the following: 2281

(a) A written section, provided as described in division 2282
(G) (3) of this section, on the ability to name and explain the 2283
rules for the safe handling of a ~~handgun~~-firearm and proper 2284
storage practices for ~~handguns~~-firearms and ammunition; 2285

(b) An in-person physical demonstration of competence in 2286
the use of a ~~handgun~~-firearm and in the rules for safe handling 2287
and storage of a ~~handgun~~-firearm and a physical demonstration of 2288
the attitude necessary to shoot a ~~handgun~~-firearm in a safe 2289
manner. 2290

(3) (a) Except as otherwise provided in this division, the 2291
training specified in division (G) (1) (a) of this section shall 2292
be provided to the person receiving the training in person by an 2293
instructor. If the training specified in division (G) (1) (a) of 2294
this section is provided by a course, class, or program 2295
described in division (B) (3) (a) of this section, or it is 2296
provided by a course, class, or program described in division 2297
(B) (3) (b), (c), or (e) of this section and the instructor is a 2298
qualified instructor certified by a national gun advocacy 2299

organization, the training so specified, other than the training 2300
that requires the person receiving the training to demonstrate 2301
handling abilities, may be provided online or as a combination 2302
of in-person and online training, as long as the online training 2303
includes an interactive component that regularly engages the 2304
person. 2305

(b) Except as otherwise provided in this division, the 2306
written section of the competency examination specified in 2307
division (G) (2) (a) of this section shall be administered to the 2308
person taking the competency examination in person by an 2309
instructor. If the training specified in division (G) (1) (a) of 2310
this section is provided to the person receiving the training by 2311
a course, class, or program described in division (B) (3) (a) of 2312
this section, or it is provided by a course, class, or program 2313
described in division (B) (3) (b), (c), or (e) of this section and 2314
the instructor is a qualified instructor certified by a national 2315
gun advocacy organization, the written section of the competency 2316
examination specified in division (G) (2) (a) of this section may 2317
be administered online, as long as the online training includes 2318
an interactive component that regularly engages the person. 2319

(4) The competency certification described in division (B) 2320
(3) (a), (b), (c), or (e) of this section shall be dated and 2321
shall attest that the course, class, or program the applicant 2322
successfully completed met the requirements described in 2323
division (G) (1) of this section and that the applicant passed 2324
the competency examination described in division (G) (2) of this 2325
section. 2326

(H) Upon deciding to issue a concealed ~~handgun~~-weapons 2327
license, deciding to issue a replacement concealed ~~handgun~~- 2328
weapons license, or deciding to renew a concealed ~~handgun~~- 2329

weapons license pursuant to this section, and before actually 2330
issuing or renewing the license, the sheriff shall make 2331
available through the law enforcement automated data system all 2332
information contained on the license. If the license 2333
subsequently is suspended under division (A) (1) or (2) of 2334
section 2923.128 of the Revised Code, revoked pursuant to 2335
division (B) (1) of section 2923.128 of the Revised Code, or lost 2336
or destroyed, the sheriff also shall make available through the 2337
law enforcement automated data system a notation of that fact. 2338
The superintendent of the state highway patrol shall ensure that 2339
the law enforcement automated data system is so configured as to 2340
permit the transmission through the system of the information 2341
specified in this division. 2342

(I) (1) A sheriff shall accept a completed application form 2343
or renewal application, and the fee, items, materials, and 2344
information specified in divisions (B) (1) to (5) or division (F) 2345
of this section, whichever is applicable, and shall provide an 2346
application form or renewal application to any person during at 2347
least fifteen hours a week and shall provide the web site 2348
address at which a printable version of the application form 2349
that can be downloaded and the pamphlet described in division 2350
(B) of section 109.731 of the Revised Code may be found at any 2351
time, upon request. The sheriff shall post notice of the hours 2352
during which the sheriff is available to accept or provide the 2353
information described in this division. 2354

(2) A sheriff shall transmit a notice to the attorney 2355
general, in a manner determined by the attorney general, every 2356
time a license is issued that waived payment under division (B) 2357
(1) (c) of this section for an applicant who is an active or 2358
reserve member of the armed forces of the United States or has 2359
retired from or was honorably discharged from military service 2360

in the active or reserve armed forces of the United States. The 2361
attorney general shall monitor and inform sheriffs issuing 2362
licenses under this section when the amount of license fee 2363
payments waived and transmitted to the attorney general reach 2364
one million five hundred thousand dollars each year. Once a 2365
sheriff is informed that the payments waived reached one million 2366
five hundred thousand dollars in any year, a sheriff shall no 2367
longer waive payment of a license fee for an applicant who is an 2368
active or reserve member of the armed forces of the United 2369
States or has retired from or was honorably discharged from 2370
military service in the active or reserve armed forces of the 2371
United States for the remainder of that year. 2372

Sec. 2923.126. (A) A concealed ~~handgun-weapons~~ license 2373
~~that is~~ issued under section 2923.125 of the Revised Code prior 2374
to, on, or after the effective date of this amendment shall 2375
expire five years after the date of issuance. A licensee who has 2376
been issued a license under that section shall be granted a 2377
grace period of thirty days after the licensee's license expires 2378
during which the licensee's license remains valid. Except as 2379
provided in divisions (B) and (C) of this section, a licensee 2380
who has been issued a concealed ~~handgun-weapons~~ license under 2381
section 2923.125 or 2923.1213 of the Revised Code prior to, on, 2382
or after the effective date of this amendment may carry a 2383
concealed ~~handgun-deadly weapon that is not a restricted deadly~~ 2384
weapon anywhere in this state if the licensee also carries a 2385
valid concealed weapons license when the licensee is in actual 2386
possession of ~~a the concealed handgun deadly weapon. The A~~ 2387
licensee who has been issued a concealed weapons license under 2388
section 2923.125 or 2923.1213 of the Revised Code shall give 2389
notice of any change in the licensee's residence address to the 2390
sheriff who issued the license within forty-five days after that 2391

change. A concealed weapons license that a sheriff issued as a 2392
concealed handgun license prior to the effective date of this 2393
amendment and that has not expired prior to the effective date 2394
of this amendment has the same validity as a concealed weapons 2395
license issued on or after that date and shall be treated for 2396
purposes of this section, sections 2923.127 to 2923.1212 of the 2397
Revised Code, and other Revised Code provisions as if it were a 2398
license issued on or after that date. 2399

If a licensee is the driver or an occupant of a motor 2400
vehicle that is stopped as the result of a traffic stop or a 2401
stop for another law enforcement purpose and if the licensee is 2402
transporting or has ~~a loaded handgun~~ in the motor vehicle at 2403
that time a deadly weapon that is a loaded firearm and that is 2404
not a restricted firearm, the licensee shall promptly inform any 2405
law enforcement officer who approaches the vehicle while stopped 2406
that the licensee has been issued a concealed handgun license 2407
and that the licensee currently possesses or has a loaded 2408
handgun; the licensee shall not knowingly disregard or fail to 2409
comply with lawful orders of a law enforcement officer given 2410
while the motor vehicle is stopped, knowingly fail to remain in 2411
the motor vehicle while stopped, or knowingly fail to keep the 2412
licensee's hands in plain sight after any law enforcement 2413
officer begins approaching the licensee while stopped and before 2414
the officer leaves, unless directed otherwise by a law 2415
enforcement officer; and the licensee shall not knowingly have 2416
contact with the loaded ~~handgun~~ firearm by touching it with the 2417
licensee's hands or fingers, in any manner in violation of 2418
division (E) of section 2923.16 of the Revised Code, after any 2419
law enforcement officer begins approaching the licensee while 2420
stopped and before the officer leaves. ~~Additionally, if a~~ 2421
~~licensee is the driver or an occupant of a commercial motor~~ 2422

~~vehicle that is stopped by an employee of the motor carrier-~~ 2423
~~enforcement unit for the purposes defined in section 5503.34 of-~~ 2424
~~the Revised Code and the licensee is transporting or has a-~~ 2425
~~loaded handgun in the commercial motor vehicle at that time, the-~~ 2426
~~licensee shall promptly inform the employee of the unit who-~~ 2427
~~approaches the vehicle while stopped that the licensee has been-~~ 2428
~~issued a concealed handgun license and that the licensee-~~ 2429
~~currently possesses or has a loaded handgun.~~ 2430

If a licensee is stopped for a law enforcement purpose and 2431
if the licensee is carrying a concealed ~~handgun~~ deadly weapon 2432
that is not a restricted deadly weapon at the time the officer 2433
approaches, ~~the licensee shall promptly inform any law-~~ 2434
~~enforcement officer who approaches the licensee while stopped-~~ 2435
~~that the licensee has been issued a concealed handgun license-~~ 2436
~~and that the licensee currently is carrying a concealed handgun;~~ 2437
the licensee shall not knowingly disregard or fail to comply 2438
with lawful orders of a law enforcement officer given while the 2439
licensee is stopped, or knowingly fail to keep the licensee's 2440
hands in plain sight after any law enforcement officer begins 2441
approaching the licensee while stopped and before the officer 2442
leaves, unless directed otherwise by a law enforcement officer; 2443
and, if the deadly weapon is a loaded firearm, the licensee 2444
shall not knowingly remove, attempt to remove, grasp, or hold 2445
the loaded ~~handgun~~ firearm or knowingly have contact with the 2446
loaded ~~handgun~~ firearm by touching it with the licensee's hands 2447
or fingers, in any manner in violation of division (B) of 2448
section 2923.12 of the Revised Code, after any law enforcement 2449
officer begins approaching the licensee while stopped and before 2450
the officer leaves. 2451

(B) ~~A valid~~ The right to carry a concealed deadly weapon 2452
that is granted under division (A) of this section to a licensee 2453

who has been issued a concealed handgun-weapons license, or that 2454
is granted under division (A) of section 2923.111 of the Revised 2455
Code to a licensee who is deemed under division (C) of that 2456
section to have been issued a concealed weapons license under 2457
section 2923.125 of the Revised Code, does not authorize the 2458
licensee to carry any restricted deadly weapon, does not 2459
authorize the licensee to carry a deadly weapon or a concealed 2460
handgun-deadly weapon in any manner prohibited under division 2461
(B) of section 2923.12 of the Revised Code or in any manner 2462
prohibited under section 1547.69, 2921.36, 2923.12, 2923.121, 2463
2923.122, 2923.123, 2923.13, 2923.131, 2923.15, or 2923.16 of 2464
the Revised Code. A valid license, and does not authorize the 2465
licensee to carry a concealed handgun-deadly weapon into any of 2466
the following places: 2467

(1) A police station, sheriff's office, or state highway 2468
patrol station, premises controlled by the bureau of criminal 2469
identification and investigation; a state correctional 2470
institution, jail, workhouse, or other detention facility; any 2471
area of an airport passenger terminal that is beyond a passenger 2472
or property screening checkpoint or to which access is 2473
restricted through security measures by the airport authority or 2474
a public agency; or an institution that is maintained, operated, 2475
managed, and governed pursuant to division (A) of section 2476
5119.14 of the Revised Code or division (A) (1) of section 2477
5123.03 of the Revised Code; 2478

(2) A school safety zone if the licensee's carrying the 2479
concealed handgun-deadly weapon is in violation of section 2480
2923.122 of the Revised Code; 2481

(3) A courthouse or another building or structure in which 2482
a courtroom is located if the licensee's carrying the concealed 2483

~~handgun-deadly weapon~~ is in violation of section 2923.123 of the Revised Code; 2484
2485

(4) Any premises or open air arena for which a D permit has been issued under Chapter 4303. of the Revised Code if the licensee's carrying the concealed ~~handgun-deadly weapon~~ is in violation of section 2923.121 of the Revised Code; 2486
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(5) Any premises owned or leased by any public or private college, university, or other institution of higher education, unless the ~~handgun-deadly weapon~~ is in a locked motor vehicle ~~or~~, the licensee is in the immediate process of placing the ~~handgun-deadly weapon~~ in a locked motor vehicle, ~~or unless~~ the licensee is carrying the concealed ~~handgun-deadly weapon~~ pursuant to a written policy, rule, or other authorization that is adopted by the institution's board of trustees or other governing body and that authorizes specific individuals or classes of individuals to carry a concealed ~~handgun-deadly weapon~~ on the premises; 2490
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(6) Any church, synagogue, mosque, or other place of worship, unless the church, synagogue, mosque, or other place of worship posts or permits otherwise; 2501
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(7) Any building that is a government facility of this state or a political subdivision of this state and that is not a building that is used primarily as a shelter, restroom, parking facility for motor vehicles, or rest facility and is not a courthouse or other building or structure in which a courtroom is located that is subject to division (B)(3) of this section, unless the governing body with authority over the building has enacted a statute, ordinance, or policy that permits a licensee to carry a concealed ~~handgun-deadly weapon~~ into the building; 2504
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(8) A place in which federal law prohibits the carrying of 2513
~~handguns~~deadly weapons. 2514

(C) (1) Nothing in this section or section 2923.111 of the 2515
Revised Code shall negate or restrict a rule, policy, or 2516
practice of a private employer that is not a private college, 2517
university, or other institution of higher education concerning 2518
or prohibiting the presence of ~~firearms~~deadly weapons on the 2519
private employer's premises or property, including motor 2520
vehicles owned by the private employer. Nothing in this section 2521
or section 2923.111 of the Revised Code shall require a private 2522
employer of that nature to adopt a rule, policy, or practice 2523
concerning or prohibiting the presence of ~~firearms~~deadly 2524
weapons on the private employer's premises or property, 2525
including motor vehicles owned by the private employer. 2526

(2) (a) A private employer shall be immune from liability 2527
in a civil action for any injury, death, or loss to person or 2528
property that allegedly was caused by or related to a licensee 2529
bringing a ~~handgun~~deadly weapon onto the premises or property 2530
of the private employer, including motor vehicles owned by the 2531
private employer, unless the private employer acted with 2532
malicious purpose. A private employer is immune from liability 2533
in a civil action for any injury, death, or loss to person or 2534
property that allegedly was caused by or related to the private 2535
employer's decision to permit a licensee to bring, or prohibit a 2536
licensee from bringing, a ~~handgun~~deadly weapon onto the 2537
premises or property of the private employer. 2538

(b) A political subdivision shall be immune from liability 2539
in a civil action, to the extent and in the manner provided in 2540
Chapter 2744. of the Revised Code, for any injury, death, or 2541
loss to person or property that allegedly was caused by or 2542

related to a licensee bringing a ~~handgun~~deadly weapon onto any 2543
premises or property owned, leased, or otherwise under the 2544
control of the political subdivision. As used in this division, 2545
"political subdivision" has the same meaning as in section 2546
2744.01 of the Revised Code. 2547

(c) An institution of higher education shall be immune 2548
from liability in a civil action for any injury, death, or loss 2549
to person or property that allegedly was caused by or related to 2550
a licensee bringing a ~~handgun~~deadly weapon onto the premises of 2551
the institution, including motor vehicles owned by the 2552
institution, unless the institution acted with malicious 2553
purpose. An institution of higher education is immune from 2554
liability in a civil action for any injury, death, or loss to 2555
person or property that allegedly was caused by or related to 2556
the institution's decision to permit a licensee or class of 2557
licensees to bring a ~~handgun~~deadly weapon onto the premises of 2558
the institution. 2559

(3) (a) Except as provided in division (C) (3) (b) of this 2560
section and section 2923.1214 of the Revised Code, the owner or 2561
person in control of private land or premises, and a private 2562
person or entity leasing land or premises owned by the state, 2563
the United States, or a political subdivision of the state or 2564
the United States, may post a sign in a conspicuous location on 2565
that land or on those premises prohibiting persons from carrying 2566
~~firearms~~deadly weapons or concealed ~~firearms~~deadly weapons on 2567
or onto that land or those premises. Except as otherwise 2568
provided in this division, a person who knowingly violates a 2569
posted prohibition of that nature is guilty of criminal trespass 2570
in violation of division (A) (4) of section 2911.21 of the 2571
Revised Code and is guilty of a misdemeanor of the fourth 2572
degree. If a person knowingly violates a posted prohibition of 2573

that nature and the posted land or premises primarily was a 2574
parking lot or other parking facility, the person is not guilty 2575
of criminal trespass under section 2911.21 of the Revised Code 2576
or under any other criminal law of this state or criminal law, 2577
ordinance, or resolution of a political subdivision of this 2578
state, and instead is subject only to a civil cause of action 2579
for trespass based on the violation. 2580

If a person knowingly violates a posted prohibition of the 2581
nature described in this division and the posted land or 2582
premises is a child day-care center, type A family day-care 2583
home, or type B family day-care home, unless the person is a 2584
licensee who resides in a type A family day-care home or type B 2585
family day-care home, the person is guilty of aggravated 2586
trespass in violation of section 2911.211 of the Revised Code. 2587
Except as otherwise provided in this division, the offender is 2588
guilty of a misdemeanor of the first degree. If the ~~person~~ 2589
offender previously has been convicted of a violation of this 2590
division or of any offense of violence, if the deadly weapon 2591
involved is a firearm that is either loaded or for which the 2592
offender has ammunition ready at hand, or if the deadly weapon 2593
involved is dangerous ordnance, the offender is guilty of a 2594
felony of the fourth degree. 2595

(b) A landlord may not prohibit or restrict a tenant who 2596
is a licensee and who on or after September 9, 2008, enters into 2597
a rental agreement with the landlord for the use of residential 2598
premises, and the tenant's guest while the tenant is present, 2599
from lawfully carrying or possessing a handgun on those 2600
residential premises. A landlord may not prohibit or restrict a 2601
tenant who is a licensee and who on or after the effective date 2602
of this amendment enters into a rental agreement with the 2603
landlord for the use of residential premises and the tenant's 2604

guest while the tenant is present from lawfully carrying or 2605
possessing a deadly weapon that is not a restricted deadly 2606
weapon on those premises. 2607

(c) As used in division (C) (3) of this section: 2608

(i) "Residential premises" has the same meaning as in 2609
section 5321.01 of the Revised Code, except "residential 2610
premises" does not include a dwelling unit that is owned or 2611
operated by a college or university. 2612

(ii) "Landlord," "tenant," and "rental agreement" have the 2613
same meanings as in section 5321.01 of the Revised Code. 2614

(D) A person who holds a valid concealed ~~handgun~~-weapons 2615
license issued by another state that is recognized by the 2616
attorney general pursuant to a reciprocity agreement entered 2617
into pursuant to section 109.69 of the Revised Code ~~or~~, a person 2618
who holds a valid concealed ~~handgun~~-weapons license under the 2619
circumstances described in division (B) of section 109.69 of the 2620
Revised Code, or a person who is deemed under division (C) of 2621
section 2923.111 of the Revised Code to have been issued a 2622
concealed weapons license under section 2923.125 of the Revised 2623
Code has the same right to carry a concealed ~~handgun~~-deadly 2624
weapon that is not a restricted deadly weapon in this state as a 2625
person who was issued a concealed ~~handgun~~-weapons license under 2626
section 2923.125 of the Revised Code and is subject to the same 2627
restrictions that apply to a person who carries a license issued 2628
under that section. 2629

(E) (1) A peace officer has the same right to carry a 2630
concealed ~~handgun~~-deadly weapon that is not a restricted deadly 2631
weapon in this state as a person who was issued a concealed 2632
~~handgun~~-weapons license under section 2923.125 of the Revised 2633

Code, provided that the officer when carrying a concealed 2634
~~handgun~~ deadly weapon under authority of this division is 2635
carrying validating identification. For purposes of reciprocity 2636
with other states, a peace officer shall be considered to be a 2637
licensee in this state who has been issued such a license under 2638
that section. 2639

(2) An active duty member of the armed forces of the 2640
United States who is carrying a valid military identification 2641
card and documentation of successful completion of firearms 2642
training that meets or exceeds the training requirements 2643
described in division (G) (1) of section 2923.125 of the Revised 2644
Code has the same right to carry a concealed ~~handgun~~ deadly 2645
weapon that is not a restricted deadly weapon in this state as a 2646
person who was issued a concealed ~~handgun~~ weapons license under 2647
section 2923.125 of the Revised Code and is subject to the same 2648
restrictions as specified in this section. 2649

(3) A tactical medical professional who is qualified to 2650
carry firearms while on duty under section 109.771 of the 2651
Revised Code has the same right to carry a concealed ~~handgun~~ 2652
deadly weapon that is not a restricted deadly weapon in this 2653
state as a person who was issued a concealed ~~handgun~~ weapons 2654
license under section 2923.125 of the Revised Code. 2655

(F) (1) A qualified retired peace officer who possesses a 2656
retired peace officer identification card issued pursuant to 2657
division (F) (2) of this section and a valid firearms 2658
requalification certification issued pursuant to division (F) (3) 2659
of this section has the same right to carry a concealed ~~handgun~~ 2660
deadly weapon that is not a restricted deadly weapon in this 2661
state as a person who was issued a concealed ~~handgun~~ weapons 2662
license under section 2923.125 of the Revised Code and is 2663

subject to the same restrictions that apply to a person who 2664
carries a license issued under that section. For purposes of 2665
reciprocity with other states, a qualified retired peace officer 2666
who possesses a retired peace officer identification card issued 2667
pursuant to division (F)(2) of this section and a valid firearms 2668
requalification certification issued pursuant to division (F)(3) 2669
of this section shall be considered to be a licensee in this 2670
state who has been issued a concealed weapons license under 2671
section 2923.125 of the Revised Code. 2672

(2) (a) Each public agency of this state or of a political 2673
subdivision of this state that is served by one or more peace 2674
officers shall issue a retired peace officer identification card 2675
to any person who retired from service as a peace officer with 2676
that agency, if the issuance is in accordance with the agency's 2677
policies and procedures and if the person, with respect to the 2678
person's service with that agency, satisfies all of the 2679
following: 2680

(i) The person retired in good standing from service as a 2681
peace officer with the public agency, and the retirement was not 2682
for reasons of mental instability. 2683

(ii) Before retiring from service as a peace officer with 2684
that agency, the person was authorized to engage in or supervise 2685
the prevention, detection, investigation, or prosecution of, or 2686
the incarceration of any person for, any violation of law and 2687
the person had statutory powers of arrest. 2688

(iii) At the time of the person's retirement as a peace 2689
officer with that agency, the person was trained and qualified 2690
to carry firearms in the performance of the peace officer's 2691
duties. 2692

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

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

If a retired peace officer who satisfies the criteria set forth in divisions (F)(2)(a)(i) to (iv) of this section attends 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's successful completion of the firearms requalification program requalifies the retired peace officer for purposes of division (F) of this section for five years from the date on which the program was successfully completed, and the requalification is valid during that five-year period. If a retired peace officer who satisfies the criteria set forth in divisions (F)(2)(a)(i) to (iv) of this section satisfactorily completes such a firearms requalification program, the retired peace officer shall be issued a firearms requalification certification that identifies the retired peace officer by name, identifies the entity that taught the program, specifies that the retired peace officer successfully completed the program, specifies the date on which the course was

successfully completed, and specifies that the requalification 2755
is valid for five years from that date of successful completion. 2756
The firearms requalification certification for a retired peace 2757
officer may be included in the retired peace officer 2758
identification card issued to the retired peace officer under 2759
division (F) (2) of this section. 2760

A retired peace officer who attends a firearms 2761
requalification program that is approved for purposes of 2762
firearms requalification required under section 109.801 of the 2763
Revised Code may be required to pay the cost of the program. 2764

(G) As used in this section: 2765

(1) "Qualified retired peace officer" means a person who 2766
satisfies all of the following: 2767

(a) The person satisfies the criteria set forth in 2768
divisions (F) (2) (a) (i) to (v) of this section. 2769

(b) The person is not under the influence of alcohol or 2770
another intoxicating or hallucinatory drug or substance. 2771

(c) The person is not prohibited by federal law from 2772
receiving firearms. 2773

(2) "Retired peace officer identification card" means an 2774
identification card that is issued pursuant to division (F) (2) 2775
of this section to a person who is a retired peace officer. 2776

(3) "Government facility of this state or a political 2777
subdivision of this state" means any of the following: 2778

(a) A building or part of a building that is owned or 2779
leased by the government of this state or a political 2780
subdivision of this state and where employees of the government 2781
of this state or the political subdivision regularly are present 2782

for the purpose of performing their official duties as employees 2783
of the state or political subdivision; 2784

(b) The office of a deputy registrar serving pursuant to 2785
Chapter 4503. of the Revised Code that is used to perform deputy 2786
registrar functions. 2787

(4) "Governing body" has the same meaning as in section 2788
154.01 of the Revised Code. 2789

(5) "Tactical medical professional" has the same meaning 2790
as in section 109.71 of the Revised Code. 2791

(6) "Validating identification" means photographic 2792
identification issued by the agency for which an individual 2793
serves as a peace officer that identifies the individual as a 2794
peace officer of the agency. 2795

Sec. 2923.127. (A) If a sheriff denies an application for 2796
a concealed ~~handgun~~-weapons license under section 2923.125 of 2797
the Revised Code, denies the renewal of a concealed ~~handgun~~- 2798
weapons license under that section, or denies an application for 2799
a concealed ~~handgun~~-weapons license on a temporary emergency 2800
basis under section 2923.1213 of the Revised Code as a result of 2801
the criminal records check conducted pursuant to section 311.41 2802
of the Revised Code and if the applicant believes the denial was 2803
based on incorrect information reported by the source the 2804
sheriff used in conducting the criminal records check, the 2805
applicant may challenge the criminal records check results using 2806
whichever of the following is applicable: 2807

(1) If the bureau of criminal identification and 2808
investigation performed the criminal records check, by using the 2809
bureau's existing challenge and review procedures; 2810

(2) If division (A)(1) of this section does not apply, by 2811

using the existing challenge and review procedure of the sheriff 2812
who denied the application or, if the sheriff does not have a 2813
challenge and review procedure, by using the challenge and 2814
review procedure prescribed by the bureau of criminal 2815
identification and investigation pursuant to division (B) of 2816
this section. 2817

(B) The bureau of criminal identification and 2818
investigation shall prescribe a challenge and review procedure 2819
for applicants to use to challenge criminal records checks under 2820
division (A) (2) of this section in counties in which the sheriff 2821
with whom an application of a type described in division (A) of 2822
this section was filed or submitted does not have an existing 2823
challenge and review procedure. 2824

Sec. 2923.128. (A) (1) (a) If a licensee holding a valid 2825
concealed ~~handgun~~ weapons license is arrested for or otherwise 2826
charged with an offense described in division (D) (1) (d) of 2827
section 2923.125 of the Revised Code or with a violation of 2828
section 2923.15 of the Revised Code or becomes subject to a 2829
temporary protection order or to a protection order issued by a 2830
court of another state that is substantially equivalent to a 2831
temporary protection order, the sheriff who issued the license 2832
shall suspend it and shall comply with division (A) (3) of this 2833
section upon becoming aware of the arrest, charge, or protection 2834
order. Upon suspending the license, the sheriff also shall 2835
comply with division (H) of section 2923.125 of the Revised 2836
Code. 2837

(b) A suspension under division (A) (1) (a) of this section 2838
shall be considered as beginning on the date that the licensee 2839
is arrested for or otherwise charged with an offense described 2840
in that division or on the date the appropriate court issued the 2841

protection order described in that division, irrespective of 2842
when the sheriff notifies the licensee under division (A) (3) of 2843
this section. The suspension shall end on the date on which the 2844
charges are dismissed or the licensee is found not guilty of the 2845
offense described in division (A) (1) (a) of this section or, 2846
subject to division (B) of this section, on the date the 2847
appropriate court terminates the protection order described in 2848
that division. If the suspension so ends, the sheriff shall 2849
return the license or temporary emergency license to the 2850
licensee. 2851

(2) (a) If a licensee holding a valid concealed ~~handgun~~ 2852
weapons license is convicted of or pleads guilty to a 2853
misdemeanor violation of division (B) (1), ~~(2)~~, or ~~(4)~~ (3) of 2854
section 2923.12 of the Revised Code or of division (E) (1), ~~(2)~~, 2855
~~(3)~~, or ~~(5)~~ (3) of section 2923.16 of the Revised Code, ~~except as~~ 2856
~~provided in division (A) (2) (c) of this section and subject to~~ 2857
~~division (C) of this section,~~ the sheriff who issued the license 2858
shall suspend it and shall comply with division (A) (3) of this 2859
section upon becoming aware of the conviction or guilty plea. 2860
Upon suspending the license, the sheriff also shall comply with 2861
division (H) of section 2923.125 of the Revised Code. 2862

(b) A suspension under division (A) (2) (a) of this section 2863
shall be considered as beginning on the date that the licensee 2864
is convicted of or pleads guilty to the offense described in 2865
that division, irrespective of when the sheriff notifies the 2866
licensee under division (A) (3) of this section. If the 2867
suspension is imposed for a misdemeanor violation of division 2868
(B) (1) ~~or (2)~~ of section 2923.12 of the Revised Code or of 2869
division (E) (1), ~~(2)~~, ~~or (3)~~ of section 2923.16 of the Revised 2870
Code, it shall end on the date that is one year after the date 2871
that the licensee is convicted of or pleads guilty to that 2872

violation. If the suspension is imposed for a misdemeanor 2873
violation of division (B) ~~(4)~~ (3) of section 2923.12 of the 2874
Revised Code or of division (E) ~~(5)~~ (3) of section 2923.16 of the 2875
Revised Code, it shall end on the date that is two years after 2876
the date that the licensee is convicted of or pleads guilty to 2877
that violation. If the licensee's license was issued under 2878
section 2923.125 of the Revised Code and the license remains 2879
valid after the suspension ends as described in this division, 2880
when the suspension ends, the sheriff shall return the license 2881
to the licensee. If the licensee's license was issued under 2882
section 2923.125 of the Revised Code and the license expires 2883
before the suspension ends as described in this division, or if 2884
the licensee's license was issued under section 2923.1213 of the 2885
Revised Code, the licensee is not eligible to apply for a new 2886
license under section 2923.125 or 2923.1213 of the Revised Code 2887
or to renew the license under section 2923.125 of the Revised 2888
Code until after the suspension ends as described in this 2889
division. 2890

~~(c) The license of a licensee who is convicted of or 2891
pleads guilty to a violation of division (B) (1) of section 2892
2923.12 or division (E) (1) or (2) of section 2923.16 of the 2893
Revised Code shall not be suspended pursuant to division (A) (2) 2894
(a) of this section if, at the time of the stop of the licensee 2895
for a law enforcement purpose, for a traffic stop, or for a 2896
purpose defined in section 5503.34 of the Revised Code that was 2897
the basis of the violation, any law enforcement officer involved 2898
with the stop or the employee of the motor carrier enforcement 2899
unit who made the stop had actual knowledge of the licensee's 2900
status as a licensee. 2901~~

(3) Upon becoming aware of an arrest, charge, or 2902
protection order described in division (A) (1) (a) of this section 2903

with respect to a licensee who was issued a concealed ~~handgun-~~ 2904
weapons license, or a conviction of or plea of guilty to a 2905
misdemeanor offense described in division (A) (2) (a) of this 2906
section with respect to a licensee who was issued a concealed 2907
~~handgun-weapons license and with respect to which division (A)-~~ 2908
~~(2) (c) of this section does not apply,~~ subject to division (C) 2909
of this section, the sheriff who issued the licensee's license 2910
shall notify the licensee, by certified mail, return receipt 2911
requested, at the licensee's last known residence address that 2912
the license has been suspended and that the licensee is required 2913
to surrender the license at the sheriff's office within ten days 2914
of the date on which the notice was mailed. If the suspension is 2915
pursuant to division (A) (2) of this section, the notice shall 2916
identify the date on which the suspension ends. 2917

(B) (1) A sheriff who issues a concealed ~~handgun-weapons~~ 2918
license to a licensee shall revoke the license in accordance 2919
with division (B) (2) of this section upon becoming aware that 2920
the licensee satisfies any of the following: 2921

(a) The licensee is under twenty-one years of age. 2922

(b) Subject to division (C) of this section, at the time 2923
of the issuance of the license, the licensee did not satisfy the 2924
eligibility requirements of division (D) (1) (c), (d), (e), (f), 2925
(g), or (h) of section 2923.125 of the Revised Code. 2926

(c) Subject to division (C) of this section, on or after 2927
the date on which the license was issued, the licensee is 2928
convicted of or pleads guilty to a violation of section 2923.15 2929
of the Revised Code or an offense described in division (D) (1) 2930
(e), (f), (g), or (h) of section 2923.125 of the Revised Code. 2931

(d) On or after the date on which the license was issued, 2932

the licensee becomes subject to a civil protection order or to a 2933
protection order issued by a court of another state that is 2934
substantially equivalent to a civil protection order. 2935

(e) The licensee knowingly carries a concealed ~~handgun~~ 2936
deadly weapon into a place that the licensee knows is an 2937
unauthorized place specified in division (B) of section 2923.126 2938
of the Revised Code, knowingly carries a concealed deadly weapon 2939
in any prohibited manner listed in that division, or knowingly 2940
carries under alleged authority as a licensee a concealed 2941
restricted deadly weapon. 2942

(f) On or after the date on which the license was issued, 2943
the licensee is adjudicated as a mental defective or is 2944
committed to a mental institution. 2945

(g) At the time of the issuance of the license, the 2946
licensee did not meet the residency requirements described in 2947
division (D)(1) of section 2923.125 of the Revised Code and 2948
currently does not meet the residency requirements described in 2949
that division. 2950

(h) Regarding a license issued under section 2923.125 of 2951
the Revised Code, the competency certificate the licensee 2952
submitted was forged or otherwise was fraudulent. 2953

(2) Upon becoming aware of any circumstance listed in 2954
division (B)(1) of this section that applies to a particular 2955
licensee who was issued a concealed ~~handgun~~ weapons license, 2956
subject to division (C) of this section, the sheriff who issued 2957
the license to the licensee shall notify the licensee, by 2958
certified mail, return receipt requested, at the licensee's last 2959
known residence address that the license is subject to 2960
revocation and that the licensee may come to the sheriff's 2961

office and contest the sheriff's proposed revocation within 2962
fourteen days of the date on which the notice was mailed. After 2963
the fourteen-day period and after consideration of any 2964
information that the licensee provides during that period, if 2965
the sheriff determines on the basis of the information of which 2966
the sheriff is aware that the licensee is described in division 2967
(B) (1) of this section and no longer satisfies the requirements 2968
described in division (D) (1) of section 2923.125 of the Revised 2969
Code that are applicable to the licensee's type of license, the 2970
sheriff shall revoke the license, notify the licensee of that 2971
fact, and require the licensee to surrender the license. Upon 2972
revoking the license, the sheriff also shall comply with 2973
division (H) of section 2923.125 of the Revised Code. 2974

(C) If a sheriff who issues a concealed ~~handgun~~-weapons 2975
license to a licensee becomes aware that at the time of the 2976
issuance of the license the licensee had been convicted of or 2977
pleaded guilty to an offense identified in division (D) (1) (e), 2978
(f), or (h) of section 2923.125 of the Revised Code or had been 2979
adjudicated a delinquent child for committing an act or 2980
violation identified in any of those divisions or becomes aware 2981
that on or after the date on which the license was issued the 2982
licensee has been convicted of or pleaded guilty to an offense 2983
identified in division (A) (2) (a) or (B) (1) (c) of this section, 2984
the sheriff shall not consider that conviction, guilty plea, or 2985
adjudication as having occurred for purposes of divisions (A) 2986
(2), (A) (3), (B) (1), and (B) (2) of this section if a court has 2987
ordered the sealing or expungement of the records of that 2988
conviction, guilty plea, or adjudication pursuant to sections 2989
2151.355 to 2151.358 or sections 2953.31 to 2953.36 of the 2990
Revised Code or the licensee has been relieved under operation 2991
of law or legal process from the disability imposed pursuant to 2992

section 2923.13 of the Revised Code relative to that conviction, 2993
guilty plea, or adjudication. 2994

(D) As used in this section, "motor carrier enforcement 2995
unit" has the same meaning as in section 2923.16 of the Revised 2996
Code. 2997

Sec. 2923.129. (A) (1) If a sheriff, the superintendent of 2998
the bureau of criminal identification and investigation, the 2999
employees of the bureau, the Ohio peace officer training 3000
commission, or the employees of the commission make a good faith 3001
effort in performing the duties imposed upon the sheriff, the 3002
superintendent, the bureau's employees, the commission, or the 3003
commission's employees by sections 109.731, 311.41, and 2923.124 3004
to 2923.1213 of the Revised Code, in addition to the personal 3005
immunity provided by section 9.86 of the Revised Code or 3006
division (A) (6) of section 2744.03 of the Revised Code and the 3007
governmental immunity of sections 2744.02 and 2744.03 of the 3008
Revised Code and in addition to any other immunity possessed by 3009
the bureau, the commission, and their employees, the sheriff, 3010
the sheriff's office, the county in which the sheriff has 3011
jurisdiction, the bureau, the superintendent of the bureau, the 3012
bureau's employees, the commission, and the commission's 3013
employees are immune from liability in a civil action for 3014
injury, death, or loss to person or property that allegedly was 3015
caused by or related to any of the following: 3016

(a) The issuance, renewal, suspension, or revocation of a 3017
concealed ~~handgun~~-weapons license; 3018

(b) The failure to issue, renew, suspend, or revoke a 3019
concealed ~~handgun~~-weapons license; 3020

(c) Any action or misconduct with a ~~handgun~~-deadly weapon 3021

committed by a licensee. 3022

(2) Any action of a sheriff relating to the issuance, 3023
renewal, suspension, or revocation of a concealed ~~handgun~~ 3024
weapons license shall be considered to be a governmental 3025
function for purposes of Chapter 2744. of the Revised Code. 3026

(3) An entity that or instructor who provides a competency 3027
certification of a type described in division (B)(3) of section 3028
2923.125 of the Revised Code is immune from civil liability that 3029
might otherwise be incurred or imposed for any death or any 3030
injury or loss to person or property that is caused by or 3031
related to a person to whom the entity or instructor has issued 3032
the competency certificate if all of the following apply: 3033

(a) The alleged liability of the entity or instructor 3034
relates to the training provided in the course, class, or 3035
program covered by the competency certificate. 3036

(b) The entity or instructor makes a good faith effort in 3037
determining whether the person has satisfactorily completed the 3038
course, class, or program and makes a good faith effort in 3039
assessing the person in the competency examination conducted 3040
pursuant to division (G)(2) of section 2923.125 of the Revised 3041
Code. 3042

(c) The entity or instructor did not issue the competency 3043
certificate with malicious purpose, in bad faith, or in a wanton 3044
or reckless manner. 3045

(4) An entity that or instructor who, prior to March 27, 3046
2013, provides a renewed competency certification of a type 3047
described in division (G)(4) of section 2923.125 of the Revised 3048
Code as it existed prior to March 27, 2013, is immune from civil 3049
liability that might otherwise be incurred or imposed for any 3050

death or any injury or loss to person or property that is caused 3051
by or related to a person to whom the entity or instructor has 3052
issued the renewed competency certificate if all of the 3053
following apply: 3054

(a) The entity or instructor makes a good faith effort in 3055
assessing the person in the physical demonstrations or the 3056
competency examination conducted pursuant to division (G) (4) of 3057
section 2923.125 of the Revised Code as it existed prior to 3058
March 27, 2013. 3059

(b) The entity or instructor did not issue the renewed 3060
competency certificate with malicious purpose, in bad faith, or 3061
in a wanton or reckless manner. 3062

(B) Notwithstanding section 149.43 of the Revised Code, 3063
the records that a sheriff keeps relative to the issuance, 3064
renewal, suspension, or revocation of a concealed ~~handgun~~ 3065
weapons license, including, but not limited to, completed 3066
applications for the issuance or renewal of a license, completed 3067
affidavits submitted regarding an application for a license on a 3068
temporary emergency basis, reports of criminal records checks 3069
and incompetency records checks under section 311.41 of the 3070
Revised Code, and applicants' social security numbers and 3071
fingerprints that are obtained under division (A) of section 3072
311.41 of the Revised Code, are confidential and are not public 3073
records. No person shall release or otherwise disseminate 3074
records that are confidential under this division unless 3075
required to do so pursuant to a court order. 3076

(C) Each sheriff shall report to the Ohio peace officer 3077
training commission the number of concealed ~~handgun~~ weapons 3078
licenses that the sheriff issued, renewed, suspended, revoked, 3079
or denied under section 2923.125 of the Revised Code during the 3080

previous quarter of the calendar year, the number of 3081
applications for those licenses for which processing was 3082
suspended in accordance with division (D) (3) of section 2923.125 3083
of the Revised Code during the previous quarter of the calendar 3084
year, and the number of concealed ~~handgun~~ weapons licenses on a 3085
temporary emergency basis that the sheriff issued, suspended, 3086
revoked, or denied under section 2923.1213 of the Revised Code 3087
during the previous quarter of the calendar year. The sheriff 3088
shall not include in the report the name or any other 3089
identifying information of an applicant or licensee. The sheriff 3090
shall report that information in a manner that permits the 3091
commission to maintain the statistics described in division (C) 3092
of section 109.731 of the Revised Code and to timely prepare the 3093
statistical report described in that division. The information 3094
that is received by the commission under this division is a 3095
public record kept by the commission for the purposes of section 3096
149.43 of the Revised Code. 3097

(D) Law enforcement agencies may use the information a 3098
sheriff makes available through the use of the law enforcement 3099
automated data system pursuant to division (H) of section 3100
2923.125 or division (B) (2) or (D) of section 2923.1213 of the 3101
Revised Code for law enforcement purposes only. The information 3102
is confidential and is not a public record. Except as provided 3103
in section 5503.101 of the Revised Code, a person who releases 3104
or otherwise disseminates this information obtained through the 3105
law enforcement automated data system in a manner not described 3106
in this division is guilty of a violation of section 2913.04 of 3107
the Revised Code. 3108

(E) Whoever violates division (B) of this section is 3109
guilty of illegal release of confidential concealed ~~handgun~~ 3110
weapons license records, a felony of the fifth degree. In 3111

addition to any penalties imposed under Chapter 2929. of the 3112
Revised Code for a violation of division (B) of this section or 3113
a violation of section 2913.04 of the Revised Code described in 3114
division (D) of this section, if the offender is a sheriff, an 3115
employee of a sheriff, or any other public officer or employee, 3116
and if the violation was willful and deliberate, the offender 3117
shall be subject to a civil fine of one thousand dollars. Any 3118
person who is harmed by a violation of division (B) or (C) of 3119
this section or a violation of section 2913.04 of the Revised 3120
Code described in division (D) of this section has a private 3121
cause of action against the offender for any injury, death, or 3122
loss to person or property that is a proximate result of the 3123
violation and may recover court costs and attorney's fees 3124
related to the action. 3125

Sec. 2923.1210. (A) A business entity, property owner, or 3126
public or private employer may not establish, maintain, or 3127
enforce a policy or rule that prohibits or has the effect of 3128
prohibiting a person who has been issued a valid concealed 3129
handgun weapons license, or a person who is deemed under 3130
division (C) of section 2923.111 of the Revised Code to have 3131
been issued a concealed weapons license under section 2923.125 3132
of the Revised Code, from transporting or storing a ~~firearm-~~ 3133
deadly weapon or ammunition for a deadly weapon that is a 3134
firearm when both of the following conditions are met: 3135

(1) Each ~~firearm-deadly weapon and, if there is~~ 3136
ammunition, all of the ammunition remains inside the person's 3137
privately owned motor vehicle while the person is physically 3138
present inside the motor vehicle, or each ~~firearm-deadly weapon~~ 3139
and, if there is ammunition, all of the ammunition is locked 3140
within the trunk, glove box, or other enclosed compartment or 3141
container within or on the person's privately owned motor 3142

vehicle; 3143

(2) The vehicle is in a location where it is otherwise 3144
permitted to be. 3145

(B) A business entity, property owner, or public or 3146
private employer that violates division (A) of this section may 3147
be found liable in a civil action for injunctive relief brought 3148
by any individual injured by the violation. The court may grant 3149
any injunctive relief it finds appropriate. 3150

(C) No business entity, property owner, or public or 3151
private employer shall be held liable in any civil action for 3152
damages, injuries, or death resulting from or arising out of 3153
another person's actions involving a ~~firearm~~ deadly weapon or 3154
ammunition for a deadly weapon that is a firearm transported or 3155
stored pursuant to division (A) of this section including the 3156
theft of a ~~firearm~~ deadly weapon from an employee's or invitee's 3157
automobile, unless the business entity, property owner, or 3158
public or private employer intentionally solicited or procured 3159
the other person's injurious actions. 3160

Sec. 2923.1211. (A) No person shall alter a concealed 3161
~~handgun~~ weapons license or create a fictitious document that 3162
purports to be a license of that nature. 3163

(B) No person, except in the performance of official 3164
duties, shall possess a concealed ~~handgun~~ weapons license that 3165
was issued and that has been revoked or suspended. 3166

(C) Whoever violates division (A) of this section is 3167
guilty of falsification of a concealed ~~handgun~~ weapons license, 3168
a felony of the fifth degree. Whoever violates division (B) of 3169
this section is guilty of possessing a revoked or suspended 3170
concealed ~~handgun~~ weapons license, a misdemeanor of the third 3171

degree. 3172

Sec. 2923.1212. Each person, board, or entity that owns or 3173
controls any place or premises identified in division (B) of 3174
section 2923.126 of the Revised Code as a place into which a 3175
valid license does not authorize the licensee to carry a 3176
concealed ~~handgun~~ deadly weapon, or a designee of such a person, 3177
board, or entity, shall post in one or more conspicuous 3178
locations in the premises a sign that contains a statement in 3179
substantially the following form: "Unless otherwise authorized 3180
by law, pursuant to the Ohio Revised Code, no person shall 3181
knowingly possess, have under the person's control, convey, or 3182
attempt to convey a deadly weapon or dangerous ordnance onto 3183
these premises." 3184

Sec. 2923.1213. (A) As used in this section: 3185

(1) "Evidence of imminent danger" means any of the 3186
following: 3187

(a) A statement sworn by the person seeking to carry a 3188
concealed ~~handgun~~ deadly weapon other than a restricted deadly 3189
weapon that is made under threat of perjury and that states that 3190
the person has reasonable cause to fear a criminal attack upon 3191
the person or a member of the person's family, such as would 3192
justify a prudent person in going armed; 3193

(b) A written document prepared by a governmental entity 3194
or public official describing the facts that give the person 3195
seeking to carry a concealed ~~handgun~~ deadly weapon other than a 3196
restricted deadly weapon reasonable cause to fear a criminal 3197
attack upon the person or a member of the person's family, such 3198
as would justify a prudent person in going armed. Written 3199
documents of this nature include, but are not limited to, any 3200

temporary protection order, civil protection order, protection 3201
order issued by another state, or other court order, any court 3202
report, and any report filed with or made by a law enforcement 3203
agency or prosecutor. 3204

(2) "Prosecutor" has the same meaning as in section 3205
2935.01 of the Revised Code. 3206

(B) (1) A person seeking a concealed ~~handgun~~ weapons 3207
license on a temporary emergency basis shall submit to the 3208
sheriff of the county in which the person resides or, if the 3209
person usually resides in another state, to the sheriff of the 3210
county in which the person is temporarily staying, all of the 3211
following: 3212

(a) Evidence of imminent danger to the person or a member 3213
of the person's family; 3214

(b) A sworn affidavit that contains all of the information 3215
required to be on the license and attesting that the person is 3216
legally living in the United States; is at least twenty-one 3217
years of age; is not a fugitive from justice; is not under 3218
indictment for or otherwise charged with an offense identified 3219
in division (D) (1) (d) of section 2923.125 of the Revised Code; 3220
has not been convicted of or pleaded guilty to an offense, and 3221
has not been adjudicated a delinquent child for committing an 3222
act, identified in division (D) (1) (e) of that section and to 3223
which division (B) (3) of this section does not apply; within 3224
three years of the date of the submission, has not been 3225
convicted of or pleaded guilty to an offense, and has not been 3226
adjudicated a delinquent child for committing an act, identified 3227
in division (D) (1) (f) of that section and to which division (B) 3228
(3) of this section does not apply; within five years of the 3229
date of the submission, has not been convicted of, pleaded 3230

guilty, or adjudicated a delinquent child for committing two or 3231
more violations identified in division (D)(1)(g) of that 3232
section; within ten years of the date of the submission, has not 3233
been convicted of, pleaded guilty, or been adjudicated a 3234
delinquent child for committing a violation identified in 3235
division (D)(1)(h) of that section and to which division (B)(3) 3236
of this section does not apply; has not been adjudicated as a 3237
mental defective, has not been committed to any mental 3238
institution, is not under adjudication of mental incompetence, 3239
has not been found by a court to be a mentally ill person 3240
subject to court order, and is not an involuntary patient other 3241
than one who is a patient only for purposes of observation, as 3242
described in division (D)(1)(i) of that section; is not 3243
currently subject to a civil protection order, a temporary 3244
protection order, or a protection order issued by a court of 3245
another state, as described in division (D)(1)(j) of that 3246
section; is not currently subject to a suspension imposed under 3247
division (A)(2) of section 2923.128 of the Revised Code of a 3248
concealed ~~handgun~~-weapons license that previously was issued to 3249
the person or a similar suspension imposed by another state 3250
regarding a concealed ~~handgun~~-weapons license issued by that 3251
state; is not an unlawful user of or addicted to any controlled 3252
substance as defined in 21 U.S.C. 802; if applicable, is an 3253
alien and has not been admitted to the United States under a 3254
nonimmigrant visa, as defined in the "Immigration and 3255
Nationality Act," 8 U.S.C. 1101(a)(26); has not been discharged 3256
from the armed forces of the United States under dishonorable 3257
conditions; if applicable, has not renounced the applicant's 3258
United States citizenship; and has not been convicted of, 3259
pleaded guilty to, or been adjudicated a delinquent child for 3260
committing a violation identified in division (D)(1)(s) of 3261
section 2923.125 of the Revised Code; 3262

| | |
|--|------|
| (c) A nonrefundable temporary emergency license fee as | 3263 |
| described in either of the following: | 3264 |
| (i) For an applicant who has been a resident of this state | 3265 |
| for five or more years, a fee of fifteen dollars plus the actual | 3266 |
| cost of having a background check performed by the bureau of | 3267 |
| criminal identification and investigation pursuant to section | 3268 |
| 311.41 of the Revised Code; | 3269 |
| (ii) For an applicant who has been a resident of this | 3270 |
| state for less than five years or who is not a resident of this | 3271 |
| state, but is temporarily staying in this state, a fee of | 3272 |
| fifteen dollars plus the actual cost of having background checks | 3273 |
| performed by the federal bureau of investigation and the bureau | 3274 |
| of criminal identification and investigation pursuant to section | 3275 |
| 311.41 of the Revised Code. | 3276 |
| (d) A set of fingerprints of the applicant provided as | 3277 |
| described in section 311.41 of the Revised Code through use of | 3278 |
| an electronic fingerprint reading device or, if the sheriff to | 3279 |
| whom the application is submitted does not possess and does not | 3280 |
| have ready access to the use of an electronic fingerprint | 3281 |
| reading device, on a standard impression sheet prescribed | 3282 |
| pursuant to division (C) (2) of section 109.572 of the Revised | 3283 |
| Code. If the fingerprints are provided on a standard impression | 3284 |
| sheet, the person also shall provide the person's social | 3285 |
| security number to the sheriff. | 3286 |
| (2) A sheriff shall accept the evidence of imminent | 3287 |
| danger, the sworn affidavit, the fee, and the set of | 3288 |
| fingerprints required under division (B) (1) of this section at | 3289 |
| the times and in the manners described in division (I) of this | 3290 |
| section. Upon receipt of the evidence of imminent danger, the | 3291 |
| sworn affidavit, the fee, and the set of fingerprints required | 3292 |

under division (B) (1) of this section, the sheriff, in the 3293
manner specified in section 311.41 of the Revised Code, 3294
immediately shall conduct or cause to be conducted the criminal 3295
records check and the incompetency records check described in 3296
section 311.41 of the Revised Code. Immediately upon receipt of 3297
the results of the records checks, the sheriff shall review the 3298
information and shall determine whether the criteria set forth 3299
in divisions (D) (1) (a) to (j) and (m) to (s) of section 2923.125 3300
of the Revised Code apply regarding the person. If the sheriff 3301
determines that all of the criteria set forth in divisions (D) 3302
(1) (a) to (j) and (m) to (s) of section 2923.125 of the Revised 3303
Code apply regarding the person, the sheriff shall immediately 3304
make available through the law enforcement automated data system 3305
all information that will be contained on the temporary 3306
emergency license for the person if one is issued, and the 3307
superintendent of the state highway patrol shall ensure that the 3308
system is so configured as to permit the transmission through 3309
the system of that information. Upon making that information 3310
available through the law enforcement automated data system, the 3311
sheriff shall immediately issue to the person a concealed 3312
~~handgun~~ weapons license on a temporary emergency basis. 3313

If the sheriff denies the issuance of a license on a 3314
temporary emergency basis to the person, the sheriff shall 3315
specify the grounds for the denial in a written notice to the 3316
person. The person may appeal the denial, or challenge criminal 3317
records check results that were the basis of the denial if 3318
applicable, in the same manners specified in division (D) (2) of 3319
section 2923.125 and in section 2923.127 of the Revised Code, 3320
regarding the denial of an application for a concealed ~~handgun~~ 3321
weapons license under that section. 3322

The license on a temporary emergency basis issued under 3323

this division shall be in the form, and shall include all of the 3324
information, described in divisions (A) (2) (a) and (d) of section 3325
109.731 of the Revised Code, and also shall include a unique 3326
combination of identifying letters and numbers in accordance 3327
with division (A) (2) (c) of that section. 3328

The license on a temporary emergency basis issued under 3329
this division is valid for ninety days and may not be renewed. A 3330
person who has been issued a license on a temporary emergency 3331
basis under this division shall not be issued another license on 3332
a temporary emergency basis unless at least four years has 3333
expired since the issuance of the prior license on a temporary 3334
emergency basis. 3335

(3) If a person seeking a concealed ~~handgun~~ weapons 3336
license on a temporary emergency basis has been convicted of or 3337
pleaded guilty to an offense identified in division (D) (1) (e), 3338
(f), or (h) of section 2923.125 of the Revised Code or has been 3339
adjudicated a delinquent child for committing an act or 3340
violation identified in any of those divisions, and if a court 3341
has ordered the sealing or expungement of the records of that 3342
conviction, guilty plea, or adjudication pursuant to sections 3343
2151.355 to 2151.358 or sections 2953.31 to 2953.36 of the 3344
Revised Code or the applicant has been relieved under operation 3345
of law or legal process from the disability imposed pursuant to 3346
section 2923.13 of the Revised Code relative to that conviction, 3347
guilty plea, or adjudication, the conviction, guilty plea, or 3348
adjudication shall not be relevant for purposes of the sworn 3349
affidavit described in division (B) (1) (b) of this section, and 3350
the person may complete, and swear to the truth of, the 3351
affidavit as if the conviction, guilty plea, or adjudication 3352
never had occurred. 3353

(4) The sheriff shall waive the payment pursuant to 3354
division (B) (1) (c) of this section of the license fee in 3355
connection with an application that is submitted by an applicant 3356
who is a retired peace officer, a retired person described in 3357
division (B) (1) (b) of section 109.77 of the Revised Code, or a 3358
retired federal law enforcement officer who, prior to 3359
retirement, was authorized under federal law to carry a firearm 3360
in the course of duty, unless the retired peace officer, person, 3361
or federal law enforcement officer retired as the result of a 3362
mental disability. 3363

The sheriff shall deposit all fees paid by an applicant 3364
under division (B) (1) (c) of this section into the sheriff's 3365
concealed ~~handgun-weapons~~ license issuance fund established 3366
pursuant to section 311.42 of the Revised Code. 3367

(C) A person who holds a concealed ~~handgun-weapons~~ license 3368
on a temporary emergency basis, regardless of whether the 3369
license was issued prior to, on, or after the effective date of 3370
this amendment, has the same right to carry a concealed ~~handgun-~~ 3371
~~deadly weapon that is not a restricted deadly weapon~~ as a person 3372
who was issued a concealed ~~handgun-weapons~~ license under section 3373
2923.125 of the Revised Code, ~~and any exceptions to the~~ 3374
~~prohibitions contained in section 1547.69 and sections 2923.12-~~ 3375
~~to 2923.16 of the Revised Code for a licensee under section-~~ 3376
~~2923.125 of the Revised Code apply to a licensee under this-~~ 3377
~~section.~~ The person is subject to the same restrictions, and to 3378
all other procedures, duties, and sanctions, that apply to a 3379
person who carries a license issued under section 2923.125 of 3380
the Revised Code, other than the license renewal procedures set 3381
forth in that section. A concealed weapons license on a 3382
temporary emergency basis that a sheriff issued as a concealed 3383
handgun license on a temporary emergency basis prior to the 3384

effective date of this amendment and that has not expired prior 3385
to the effective date of this amendment has the same validity as 3386
a concealed weapons license on a temporary emergency basis 3387
issued on or after that date and shall be treated for purposes 3388
of this section, sections 2923.127 to 2923.1212 of the Revised 3389
Code, and other Revised Code provisions as if it were a license 3390
issued on or after that date. 3391

(D) A sheriff who issues a concealed ~~handgun~~-weapons 3392
license on a temporary emergency basis under this section shall 3393
not require a person seeking to carry a concealed ~~handgun~~-deadly 3394
weapon that is not a restricted deadly weapon in accordance with 3395
this section to submit a competency certificate as a 3396
prerequisite for issuing the license and shall comply with 3397
division (H) of section 2923.125 of the Revised Code in regards 3398
to the license. The sheriff shall suspend or revoke the license 3399
in accordance with section 2923.128 of the Revised Code. In 3400
addition to the suspension or revocation procedures set forth in 3401
section 2923.128 of the Revised Code, the sheriff may revoke the 3402
license upon receiving information, verifiable by public 3403
documents, that the person is not eligible to possess a firearm 3404
or deadly weapon under either the laws of this state or of the 3405
United States or that the person committed perjury in obtaining 3406
the license; if the sheriff revokes a license under this 3407
additional authority, the sheriff shall notify the person, by 3408
certified mail, return receipt requested, at the person's last 3409
known residence address that the license has been revoked and 3410
that the person is required to surrender the license at the 3411
sheriff's office within ten days of the date on which the notice 3412
was mailed. Division (H) of section 2923.125 of the Revised Code 3413
applies regarding any suspension or revocation of a concealed 3414
~~handgun~~-weapons license on a temporary emergency basis. 3415

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

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

(G) The attorney general shall prescribe, and shall make available to sheriffs, a standard form to be used under division (B) of this section by a person who applies for a concealed ~~handgun-weapons~~ license on a temporary emergency basis on the basis of imminent danger of a type described in division (A)(1)(a) of this section. The attorney general shall design the form to enable applicants to provide the information that is required by law to be collected, and shall update the form as necessary. Burdens or restrictions to obtaining a concealed ~~handgun-weapons~~ license that are not expressly prescribed in law shall not be incorporated into the form. The attorney general shall post a printable version of the form on the web site of the attorney general and shall provide the address of the web site to any person who requests the form.

(H) A sheriff who receives any fees paid by a person under 3446
this section shall deposit all fees so paid into the sheriff's 3447
concealed ~~handgun~~-weapons license issuance expense fund 3448
established under section 311.42 of the Revised Code. 3449

(I) A sheriff shall accept evidence of imminent danger, a 3450
sworn affidavit, the fee, and the set of fingerprints specified 3451
in division (B) (1) of this section at any time during normal 3452
business hours. In no case shall a sheriff require an 3453
appointment, or designate a specific period of time, for the 3454
submission or acceptance of evidence of imminent danger, a sworn 3455
affidavit, the fee, and the set of fingerprints specified in 3456
division (B) (1) of this section, or for the provision to any 3457
person of a standard form to be used for a person to apply for a 3458
concealed ~~handgun~~-weapons license on a temporary emergency 3459
basis. 3460

Sec. 2923.16. (A) No person shall knowingly discharge a 3461
firearm while in or on a motor vehicle. 3462

(B) No person shall knowingly transport or have a loaded 3463
firearm in a motor vehicle in such a manner that the firearm is 3464
accessible to the operator or any passenger without leaving the 3465
vehicle. 3466

(C) No person shall knowingly transport or have a firearm 3467
in a motor vehicle, unless the person may lawfully possess that 3468
firearm under applicable law of this state or the United States, 3469
the firearm is unloaded, and the firearm is carried in one of 3470
the following ways: 3471

(1) In a closed package, box, or case; 3472

(2) In a compartment that can be reached only by leaving 3473
the vehicle; 3474

(3) In plain sight and secured in a rack or holder made 3475
for the purpose; 3476

(4) If the firearm is at least twenty-four inches in 3477
overall length as measured from the muzzle to the part of the 3478
stock furthest from the muzzle and if the barrel is at least 3479
eighteen inches in length, either in plain sight with the action 3480
open or the weapon stripped, or, if the firearm is of a type on 3481
which the action will not stay open or which cannot easily be 3482
stripped, in plain sight. 3483

(D) No person shall knowingly transport or have a loaded 3484
~~handgun~~-firearm in a motor vehicle if, at the time of that 3485
transportation or possession, any of the following applies: 3486

(1) The person is under the influence of alcohol, a drug 3487
of abuse, or a combination of them. 3488

(2) The person's whole blood, blood serum or plasma, 3489
breath, or urine contains a concentration of alcohol, a listed 3490
controlled substance, or a listed metabolite of a controlled 3491
substance prohibited for persons operating a vehicle, as 3492
specified in division (A) of section 4511.19 of the Revised 3493
Code, regardless of whether the person at the time of the 3494
transportation or possession as described in this division is 3495
the operator of or a passenger in the motor vehicle. 3496

(E) No person who has been issued a concealed ~~handgun~~- 3497
weapons license, who is deemed under division (C) of section 3498
2923.111 of the Revised Code to have been issued a concealed 3499
weapons license under section 2923.125 of the Revised Code, or 3500
who is an active duty member of the armed forces of the United 3501
States and is carrying a valid military identification card and 3502
documentation of successful completion of firearms training that 3503

meets or exceeds the training requirements described in division 3504
(G) (1) of section 2923.125 of the Revised Code, who is the 3505
driver or an occupant of a motor vehicle that is stopped as a 3506
result of a traffic stop or a stop for another law enforcement 3507
purpose or is the driver or an occupant of a commercial motor 3508
vehicle that is stopped by an employee of the motor carrier 3509
enforcement unit for the purposes defined in section 5503.34 of 3510
the Revised Code, and who is transporting or has a loaded 3511
~~handgun~~ firearm that is not a restricted firearm in the motor 3512
vehicle or commercial motor vehicle in any manner, shall do any 3513
of the following: 3514

~~(1) Fail to promptly inform any law enforcement officer 3515
who approaches the vehicle while stopped that the person has 3516
been issued a concealed handgun license or is authorized to 3517
carry a concealed handgun as an active duty member of the armed 3518
forces of the United States and that the person then possesses 3519
or has a loaded handgun in the motor vehicle;~~ 3520

~~(2) Fail to promptly inform the employee of the unit who 3521
approaches the vehicle while stopped that the person has been 3522
issued a concealed handgun license or is authorized to carry a 3523
concealed handgun as an active duty member of the armed forces 3524
of the United States and that the person then possesses or has a 3525
loaded handgun in the commercial motor vehicle;~~ 3526

~~(3) Knowingly fail to remain in the motor vehicle while 3527
stopped or knowingly fail to keep the person's hands in plain 3528
sight at any time after any law enforcement officer begins 3529
approaching the person while stopped and before the law 3530
enforcement officer leaves, unless the failure is pursuant to 3531
and in accordance with directions given by a law enforcement 3532
officer;~~ 3533

~~(4)~~ (2) Knowingly have contact with the loaded ~~handgun~~
firearm by touching it with the person's hands or fingers in the 3534
motor vehicle at any time after the law enforcement officer 3535
begins approaching and before the law enforcement officer 3536
leaves, unless the person has contact with the loaded ~~handgun~~
firearm pursuant to and in accordance with directions given by 3537
the law enforcement officer; 3538
3539
3540

~~(5)~~ (3) Knowingly disregard or fail to comply with any 3541
lawful order of any law enforcement officer given while the 3542
motor vehicle is stopped, including, but not limited to, a 3543
specific order to the person to keep the person's hands in plain 3544
sight. 3545

(F) (1) Divisions (A), (B), (C), and (E) of this section do 3546
not apply to any of the following: 3547

(a) An officer, agent, or employee of this or any other 3548
state or the United States, or a law enforcement officer, when 3549
authorized to carry or have loaded or accessible firearms in 3550
motor vehicles and acting within the scope of the officer's, 3551
agent's, or employee's duties; 3552

(b) Any person who is employed in this state, who is 3553
authorized to carry or have loaded or accessible firearms in 3554
motor vehicles, and who is subject to and in compliance with the 3555
requirements of section 109.801 of the Revised Code, unless the 3556
appointing authority of the person has expressly specified that 3557
the exemption provided in division (F) (1) (b) of this section 3558
does not apply to the person. 3559

(2) Division (A) of this section does not apply to a 3560
person if all of the following circumstances apply: 3561

(a) The person discharges a firearm from a motor vehicle 3562

at a coyote or groundhog, the discharge is not during the deer 3563
gun hunting season as set by the chief of the division of 3564
wildlife of the department of natural resources, and the 3565
discharge at the coyote or groundhog, but for the operation of 3566
this section, is lawful. 3567

(b) The motor vehicle from which the person discharges the 3568
firearm is on real property that is located in an unincorporated 3569
area of a township and that either is zoned for agriculture or 3570
is used for agriculture. 3571

(c) The person owns the real property described in 3572
division (F)(2)(b) of this section, is the spouse or a child of 3573
another person who owns that real property, is a tenant of 3574
another person who owns that real property, or is the spouse or 3575
a child of a tenant of another person who owns that real 3576
property. 3577

(d) The person does not discharge the firearm in any of 3578
the following manners: 3579

(i) While under the influence of alcohol, a drug of abuse, 3580
or alcohol and a drug of abuse; 3581

(ii) In the direction of a street, highway, or other 3582
public or private property used by the public for vehicular 3583
traffic or parking; 3584

(iii) At or into an occupied structure that is a permanent 3585
or temporary habitation; 3586

(iv) In the commission of any violation of law, including, 3587
but not limited to, a felony that includes, as an essential 3588
element, purposely or knowingly causing or attempting to cause 3589
the death of or physical harm to another and that was committed 3590
by discharging a firearm from a motor vehicle. 3591

(3) Division (A) of this section does not apply to a 3592
person if all of the following apply: 3593

(a) The person possesses a valid all-purpose vehicle 3594
permit issued under section 1533.103 of the Revised Code by the 3595
chief of the division of wildlife. 3596

(b) The person discharges a firearm at a wild quadruped or 3597
game bird as defined in section 1531.01 of the Revised Code 3598
during the open hunting season for the applicable wild quadruped 3599
or game bird. 3600

(c) The person discharges a firearm from a stationary all- 3601
purpose vehicle as defined in section 1531.01 of the Revised 3602
Code from private or publicly owned lands or from a motor 3603
vehicle that is parked on a road that is owned or administered 3604
by the division of wildlife. 3605

(d) The person does not discharge the firearm in any of 3606
the following manners: 3607

(i) While under the influence of alcohol, a drug of abuse, 3608
or alcohol and a drug of abuse; 3609

(ii) In the direction of a street, a highway, or other 3610
public or private property that is used by the public for 3611
vehicular traffic or parking; 3612

(iii) At or into an occupied structure that is a permanent 3613
or temporary habitation; 3614

(iv) In the commission of any violation of law, including, 3615
but not limited to, a felony that includes, as an essential 3616
element, purposely or knowingly causing or attempting to cause 3617
the death of or physical harm to another and that was committed 3618
by discharging a firearm from a motor vehicle. 3619

(4) Divisions (B) and (C) of this section do not apply to 3620
a person if all of the following circumstances apply: 3621

(a) At the time of the alleged violation of either of 3622
those divisions, the person is the operator of or a passenger in 3623
a motor vehicle. 3624

(b) The motor vehicle is on real property that is located 3625
in an unincorporated area of a township and that either is zoned 3626
for agriculture or is used for agriculture. 3627

(c) The person owns the real property described in 3628
division (D) (4) (b) of this section, is the spouse or a child of 3629
another person who owns that real property, is a tenant of 3630
another person who owns that real property, or is the spouse or 3631
a child of a tenant of another person who owns that real 3632
property. 3633

(d) The person, prior to arriving at the real property 3634
described in division (D) (4) (b) of this section, did not 3635
transport or possess a firearm in the motor vehicle in a manner 3636
prohibited by division (B) or (C) of this section while the 3637
motor vehicle was being operated on a street, highway, or other 3638
public or private property used by the public for vehicular 3639
traffic or parking. 3640

(5) Divisions (B) and (C) of this section do not apply to 3641
a person who transports or possesses a ~~handgun~~ firearm that is 3642
not a restricted firearm in a motor vehicle if, at the time of 3643
that transportation or possession, both of the following apply: 3644

(a) The person transporting or possessing the ~~handgun~~ 3645
firearm is ~~either~~ carrying a valid concealed ~~handgun~~ weapons 3646
license, is deemed under division (C) of section 2923.111 of the 3647
Revised Code to have been issued a concealed weapons license 3648

under section 2923.125 of the Revised Code, or is an active duty 3649
member of the armed forces of the United States and is carrying 3650
a valid military identification card and documentation of 3651
successful completion of firearms training that meets or exceeds 3652
the training requirements described in division (G)(1) of 3653
section 2923.125 of the Revised Code. 3654

(b) The person transporting or possessing the ~~handgun-~~ 3655
firearm is not knowingly in ~~a-an unauthorized place described-~~ 3656
specified in division (B) of section 2923.126 of the Revised 3657
Code and is not knowingly transporting or possessing the firearm 3658
in any prohibited manner listed in that division. 3659

(6) Divisions (B) and (C) of this section do not apply to 3660
a person if all of the following apply: 3661

(a) The person possesses a valid all-purpose vehicle 3662
permit issued under section 1533.103 of the Revised Code by the 3663
chief of the division of wildlife. 3664

(b) The person is on or in an all-purpose vehicle as 3665
defined in section 1531.01 of the Revised Code or a motor 3666
vehicle during the open hunting season for a wild quadruped or 3667
game bird. 3668

(c) The person is on or in an all-purpose vehicle as 3669
defined in section 1531.01 of the Revised Code on private or 3670
publicly owned lands or on or in a motor vehicle that is parked 3671
on a road that is owned or administered by the division of 3672
wildlife. 3673

(7) Nothing in this section prohibits or restricts a 3674
person from possessing, storing, or leaving a firearm in a 3675
locked motor vehicle that is parked in the state underground 3676
parking garage at the state capitol building or in the parking 3677

garage at the Riffe center for government and the arts in 3678
Columbus, if the person's transportation and possession of the 3679
firearm in the motor vehicle while traveling to the premises or 3680
facility was not in violation of division (A), (B), (C), (D), or 3681
(E) of this section or any other provision of the Revised Code. 3682

(G) (1) The affirmative defenses authorized in divisions 3683
(D) (1) and (2) of section 2923.12 of the Revised Code are 3684
affirmative defenses to a charge under division (B) or (C) of 3685
this section that involves a firearm other than a handgun if 3686
division (E) (3) of this section does not apply to the person 3687
charged. 3688

(2) It is an affirmative defense to a charge under 3689
division (B) or (C) of this section of improperly handling 3690
firearms in a motor vehicle that the actor transported or had 3691
the firearm in the motor vehicle for any lawful purpose and 3692
while the motor vehicle was on the actor's own property, 3693
provided that this affirmative defense is not available unless 3694
the person, immediately prior to arriving at the actor's own 3695
property, did not transport or possess the firearm in a motor 3696
vehicle in a manner prohibited by division (B) or (C) of this 3697
section while the motor vehicle was being operated on a street, 3698
highway, or other public or private property used by the public 3699
for vehicular traffic. 3700

(H) (1) No person who is charged with a violation of 3701
division (B), (C), or (D) of this section shall be required to 3702
obtain a concealed ~~handgun~~ weapons license as a condition for 3703
the dismissal of the charge. 3704

(2) (a) If a person is convicted of, was convicted of, 3705
pleads guilty to, or has pleaded guilty to a violation of 3706
division (E) of this section as it existed prior to September 3707

30, 2011, and ~~if~~ the conduct that was the basis of the violation 3708
no longer would be a violation of division (E) of this section 3709
on or after September 30, 2011, or if a person is convicted of, 3710
was convicted of, pleads guilty to, or has pleaded guilty to a 3711
violation of division (E) (1) or (2) of this section as it 3712
existed prior to the effective date of this amendment, the 3713
person may file an application under section 2953.37 of the 3714
Revised Code requesting the expungement of the record of 3715
conviction. 3716

If a person is convicted of, was convicted of, pleads 3717
guilty to, or has pleaded guilty to a violation of division (B) 3718
or (C) of this section as the division existed prior to 3719
September 30, 2011, and if the conduct that was the basis of the 3720
violation no longer would be a violation of division (B) or (C) 3721
of this section on or after September 30, 2011, due to the 3722
application of division (F) (5) of this section as it exists on 3723
and after September 30, 2011, the person may file an application 3724
under section 2953.37 of the Revised Code requesting the 3725
expungement of the record of conviction. 3726

(b) The attorney general shall develop a public media 3727
advisory that summarizes the expungement procedure established 3728
under section 2953.37 of the Revised Code and the offenders 3729
identified in division (H) (2) (a) of this section and those 3730
identified in division (E) (2) of section 2923.12 of the Revised 3731
Code who are authorized to apply for the expungement. Within 3732
thirty days after September 30, 2011, with respect to violations 3733
of division (B), (C), or (E) of this section as they existed 3734
prior to that date, and within thirty days after the effective 3735
date of this amendment with respect to a violation of division 3736
(E) (1) or (2) of this section or division (B) (1) of section 3737
2923.12 of the Revised Code as they existed prior to the 3738

effective date of this amendment, the attorney general shall 3739
provide a copy of the advisory to each daily newspaper published 3740
in this state and each television station that broadcasts in 3741
this state. The attorney general may provide the advisory in a 3742
tangible form, an electronic form, or in both tangible and 3743
electronic forms. 3744

(I) Whoever violates this section is guilty of improperly 3745
handling firearms in a motor vehicle. Violation of division (A) 3746
of this section is a felony of the fourth degree. Violation of 3747
division (C) of this section is a misdemeanor of the fourth 3748
degree. A violation of division (D) of this section is a felony 3749
of the fifth degree or, if the loaded ~~handgun~~ firearm is 3750
concealed on the person's person, a felony of the fourth degree. 3751
~~Except as otherwise provided in this division, a violation of~~ 3752
~~division (E) (1) or (2) of this section is a misdemeanor of the~~ 3753
~~first degree, and, in addition to any other penalty or sanction~~ 3754
~~imposed for the violation, the offender's concealed handgun~~ 3755
~~license shall be suspended pursuant to division (A) (2) of~~ 3756
~~section 2923.128 of the Revised Code. If at the time of the stop~~ 3757
~~of the offender for a traffic stop, for another law enforcement~~ 3758
~~purpose, or for a purpose defined in section 5503.34 of the~~ 3759
~~Revised Code that was the basis of the violation any law~~ 3760
~~enforcement officer involved with the stop or the employee of~~ 3761
~~the motor carrier enforcement unit who made the stop had actual~~ 3762
~~knowledge of the offender's status as a licensee, a violation of~~ 3763
~~division (E) (1) or (2) of this section is a minor misdemeanor,~~ 3764
~~and the offender's concealed handgun license shall not be~~ 3765
~~suspended pursuant to division (A) (2) of section 2923.128 of the~~ 3766
~~Revised Code.~~ A violation of division (E) ~~(4)~~ (2) of this section 3767
is a felony of the fifth degree. A violation of division (E) ~~(3)~~ 3768
(1) or ~~(5)~~ (3) of this section is a misdemeanor of the first 3769

degree or, if the offender previously has been convicted of or 3770
pleaded guilty to a violation of division (E) ~~(3)~~ (1) or ~~(5)~~ (3) of 3771
this section, a felony of the fifth degree. In addition to any 3772
other penalty or sanction imposed for a misdemeanor violation of 3773
division (E) ~~(3)~~ (1) or ~~(5)~~ (3) of this section, if the offender 3774
has been issued a concealed weapons license, the offender's 3775
~~concealed handgun~~ license shall be suspended pursuant to 3776
division (A) (2) of section 2923.128 of the Revised Code. A 3777
violation of division (B) of this section is a felony of the 3778
fourth degree. 3779

(J) If a law enforcement officer stops a motor vehicle for 3780
a traffic stop or any other purpose, if any person in the motor 3781
vehicle surrenders a ~~firearm~~ deadly weapon to the officer, 3782
either voluntarily or pursuant to a request or demand of the 3783
officer, and if the officer does not charge the person with a 3784
violation of this section or arrest the person for any offense, 3785
the person is not otherwise prohibited by law from possessing 3786
the ~~firearm~~ deadly weapon, and the ~~firearm~~ deadly weapon is not 3787
contraband, the officer shall return the ~~firearm~~ deadly weapon 3788
to the person at the termination of the stop. If a court orders 3789
a law enforcement officer to return a ~~firearm~~ deadly weapon to a 3790
person pursuant to the requirement set forth in this division, 3791
division (B) of section 2923.163 of the Revised Code applies. 3792

(K) As used in this section: 3793

(1) "Motor vehicle," "street," and "highway" have the same 3794
meanings as in section 4511.01 of the Revised Code. 3795

(2) "Occupied structure" has the same meaning as in 3796
section 2909.01 of the Revised Code. 3797

(3) "Agriculture" has the same meaning as in section 3798

519.01 of the Revised Code. 3799

(4) "Tenant" has the same meaning as in section 1531.01 of 3800
the Revised Code. 3801

(5) (a) "Unloaded" means, with respect to a firearm other 3802
than a firearm described in division (K) (6) of this section, 3803
that no ammunition is in the firearm in question, no magazine or 3804
speed loader containing ammunition is inserted into the firearm 3805
in question, and one of the following applies: 3806

(i) There is no ammunition in a magazine or speed loader 3807
that is in the vehicle in question and that may be used with the 3808
firearm in question. 3809

(ii) Any magazine or speed loader that contains ammunition 3810
and that may be used with the firearm in question is stored in a 3811
compartment within the vehicle in question that cannot be 3812
accessed without leaving the vehicle or is stored in a container 3813
that provides complete and separate enclosure. 3814

(b) For the purposes of division (K) (5) (a) (ii) of this 3815
section, a "container that provides complete and separate 3816
enclosure" includes, but is not limited to, any of the 3817
following: 3818

(i) A package, box, or case with multiple compartments, as 3819
long as the loaded magazine or speed loader and the firearm in 3820
question either are in separate compartments within the package, 3821
box, or case, or, if they are in the same compartment, the 3822
magazine or speed loader is contained within a separate 3823
enclosure in that compartment that does not contain the firearm 3824
and that closes using a snap, button, buckle, zipper, hook and 3825
loop closing mechanism, or other fastener that must be opened to 3826
access the contents or the firearm is contained within a 3827

separate enclosure of that nature in that compartment that does 3828
not contain the magazine or speed loader; 3829

(ii) A pocket or other enclosure on the person of the 3830
person in question that closes using a snap, button, buckle, 3831
zipper, hook and loop closing mechanism, or other fastener that 3832
must be opened to access the contents. 3833

(c) For the purposes of divisions (K) (5) (a) and (b) of 3834
this section, ammunition held in stripper-clips or in en-bloc 3835
clips is not considered ammunition that is loaded into a 3836
magazine or speed loader. 3837

(6) "Unloaded" means, with respect to a firearm employing 3838
a percussion cap, flintlock, or other obsolete ignition system, 3839
when the weapon is uncapped or when the priming charge is 3840
removed from the pan. 3841

(7) "Commercial motor vehicle" has the same meaning as in 3842
division (A) of section 4506.25 of the Revised Code. 3843

(8) "Motor carrier enforcement unit" means the motor 3844
carrier enforcement unit in the department of public safety, 3845
division of state highway patrol, that is created by section 3846
5503.34 of the Revised Code. 3847

(L) Divisions (K) (5) (a) and (b) of this section do not 3848
affect the authority of a person who is carrying a valid 3849
concealed ~~handgun~~ weapons license or who is deemed under 3850
division (C) of section 2923.111 of the Revised Code to have 3851
been issued a concealed weapons license under section 2923.125 3852
of the Revised Code to have one or more magazines or speed 3853
loaders containing ammunition anywhere in a vehicle, without 3854
being transported as described in those divisions, as long as no 3855
ammunition is in a firearm, other than a handgun, in the vehicle 3856

other than as permitted under any other provision of this 3857
chapter. A person who is carrying a valid concealed ~~handgun~~ 3858
weapons license or who is deemed under division (C) of section 3859
2923.111 of the Revised Code to have been issued a concealed 3860
weapons license under section 2923.125 of the Revised Code may 3861
have one or more magazines or speed loaders containing 3862
ammunition anywhere in a vehicle without further restriction, as 3863
long as no ammunition is in a firearm, other than a handgun, in 3864
the vehicle other than as permitted under any provision of this 3865
chapter. 3866

Sec. 2953.37. (A) As used in this section: 3867

(1) "Expunge" means to destroy, delete, and erase a record 3868
as appropriate for the record's physical or electronic form or 3869
characteristic so that the record is permanently irretrievable. 3870

(2) "Official records" has the same meaning as in section 3871
2953.51 of the Revised Code. 3872

(3) "Prosecutor" has the same meaning as in section 3873
2953.31 of the Revised Code. 3874

(4) "Record of conviction" means the record related to a 3875
conviction of or plea of guilty to an offense. 3876

(B) Any person who is convicted of, was convicted of, 3877
pleads guilty to, or has pleaded guilty to a violation of 3878
division (B), (C), or (E) of section 2923.16 of the Revised Code 3879
as the division existed prior to September 30, 2011, or a 3880
violation of division (E) (1) or (2) of section 2923.16 of the 3881
Revised Code as the division existed prior to the effective date 3882
of this amendment, and who is authorized by division (H) (2) (a) 3883
of that section to file an application under this section for 3884
the expungement of the conviction record may apply to the 3885

sentencing court for the expungement of the record of 3886
conviction. Any person who is convicted of, was convicted of, 3887
pleads guilty to, or has pleaded guilty to a violation of 3888
division (B) (1) of section 2923.12 of the Revised Code as it 3889
existed prior to the effective date of this amendment and who is 3890
authorized by division (E) (2) of that section may apply to the 3891
sentencing court for the expungement of the record of 3892
conviction. The person may file the application at any time on 3893
or after September 30, 2011, with respect to violations of 3894
division (B), (C), or (E) of section 2923.16 of the Revised Code 3895
as they existed prior to that date, or at any time on or after 3896
the effective date of this amendment with respect to a violation 3897
of division (B) (1) of section 2923.12 or of division (E) (1) or 3898
(2) of section 2923.16 of the Revised Code as the particular 3899
division existed prior to the effective date of this amendment. 3900
The application shall do all of the following: 3901

(1) Identify the applicant, the offense for which the 3902
expungement is sought, the date of the conviction of or plea of 3903
guilty to that offense, and the court in which the conviction 3904
occurred or the plea of guilty was entered; 3905

(2) Include evidence that the offense was a violation of 3906
division (B), (C), or (E) of section 2923.16 of the Revised Code 3907
as the division existed prior to September 30, 2011, or was a 3908
violation of division (B) (1) of section 2923.12 or of division 3909
(E) (1) or (2) of section 2923.16 of the Revised Code as the 3910
particular division existed prior to the effective date of this 3911
amendment, and that the applicant is authorized by division (H) 3912
(2) (a) of ~~that~~ section 2923.16 or division (E) (2) of section 3913
2923.12 of the Revised Code, whichever is applicable, to file an 3914
application under this section; 3915

(3) Include a request for expungement of the record of conviction of that offense under this section.

(C) Upon the filing of an application under division (B) of this section and the payment of the fee described in division (D) (3) of this section if applicable, the court shall set a date for a hearing and shall notify the prosecutor for the case of the hearing on the application. The prosecutor may object to the granting of the application by filing an objection with the court prior to the date set for the hearing. The prosecutor shall specify in the objection the reasons for believing a denial of the application is justified. The court shall direct its regular probation officer, a state probation officer, or the department of probation of the county in which the applicant resides to make inquiries and written reports as the court requires concerning the applicant. The court shall hold the hearing scheduled under this division.

(D) (1) At the hearing held under division (C) of this section, the court shall do each of the following:

(a) Determine whether the applicant has been convicted of or pleaded guilty to a violation of division (E) of section 2923.16 of the Revised Code as the division existed prior to September 30, 2011, and whether the conduct that was the basis of the violation no longer would be a violation of that division on or after September 30, 2011;

(b) Determine whether the applicant has been convicted of or pleaded guilty to a violation of division (B) or (C) of section 2923.16 of the Revised Code as the division existed prior to September 30, 2011, and whether the conduct that was the basis of the violation no longer would be a violation of that division on or after September 30, 2011, due to the

application of division (F) (5) of that section as it exists on 3946
and after September 30, 2011; 3947

(c) Determine whether the applicant has been convicted of 3948
or pleaded guilty to a violation of division (B) (1) of section 3949
2923.12 of the Revised Code or of division (E) (1) or (2) of 3950
section 2923.16 of the Revised Code as the particular division 3951
existed prior to the effective date of this amendment; 3952

(d) If the prosecutor has filed an objection in accordance 3953
with division (C) of this section, consider the reasons against 3954
granting the application specified by the prosecutor in the 3955
objection; 3956

~~(d)~~ (e) Weigh the interests of the applicant in having the 3957
records pertaining to the applicant's conviction or guilty plea 3958
expunged against the legitimate needs, if any, of the government 3959
to maintain those records. 3960

(2) (a) The court may order the expungement of all official 3961
records pertaining to the case and the deletion of all index 3962
references to the case and, if it does order the expungement, 3963
shall send notice of the order to each public office or agency 3964
that the court has reason to believe may have an official record 3965
pertaining to the case if the court, after complying with 3966
division (D) (1) of this section, determines both of the 3967
following: 3968

(i) That the applicant has been convicted of or pleaded 3969
guilty to a violation of division (E) of section 2923.16 of the 3970
Revised Code as it existed prior to September 30, 2011, and the 3971
conduct that was the basis of the violation no longer would be a 3972
violation of that division on or after September 30, 2011, ~~or;~~ 3973
that the applicant has been convicted of or pleaded guilty to a 3974

violation of division (B) or (C) of section 2923.16 of the Revised Code as the division existed prior to September 30, 2011, and the conduct that was the basis of the violation no longer would be a violation of that division on or after September 30, 2011, due to the application of division (F) (5) of that section as it exists on and after September 30, 2011; or that the applicant has been convicted of or pleaded guilty to a violation of division (B) (1) of section 2923.12 of the Revised Code or of division (E) (1) or (2) of section 2923.16 of the Revised Code as the particular division existed prior to the effective date of this amendment;

(ii) That the interests of the applicant in having the records pertaining to the applicant's conviction or guilty plea expunged are not outweighed by any legitimate needs of the government to maintain those records.

(b) The proceedings in the case that is the subject of an order issued under division (D) (2) (a) of this section shall be considered not to have occurred and the conviction or guilty plea of the person who is the subject of the proceedings shall be expunged. The record of the conviction shall not be used for any purpose, including, but not limited to, a criminal records check under section 109.572 of the Revised Code or a determination under section 2923.125 or 2923.1213 of the Revised Code of eligibility for a concealed ~~handgun~~ weapons license. The applicant may, and the court shall, reply that no record exists with respect to the applicant upon any inquiry into the matter.

(3) Upon the filing of an application under this section, the applicant, unless indigent, shall pay a fee of fifty dollars. The court shall pay thirty dollars of the fee into the state treasury and shall pay twenty dollars of the fee into the

county general revenue fund. 4005

Sec. 4749.10. (A) No class A, B, or C licensee and no 4006
registered employee of a class A, B, or C licensee shall carry a 4007
firearm, as defined in section 2923.11 of the Revised Code, in 4008
the course of engaging in the business of private investigation, 4009
the business of security services, or both businesses, unless 4010
all of the following apply: 4011

(1) The licensee or employee either has successfully 4012
completed a basic firearm training program at a training school 4013
approved by the Ohio peace officer training commission, which 4014
program includes twenty hours of training in handgun use and, if 4015
any firearm other than a handgun is to be used, five hours of 4016
training in the use of other firearms, and has received a 4017
certificate of satisfactory completion of that program from the 4018
executive director of the commission; the licensee or employee 4019
has, within three years prior to November 27, 1985, 4020
satisfactorily completed firearms training that has been 4021
approved by the commission as being equivalent to such a program 4022
and has received written evidence of approval of that training 4023
from the executive director of the commission; or the licensee 4024
or employee is a former peace officer, as defined in section 4025
109.71 of the Revised Code, who previously had successfully 4026
completed a firearms training course at a training school 4027
approved by the Ohio peace officer training commission and has 4028
received a certificate or other evidence of satisfactory 4029
completion of that course from the executive director of the 4030
commission. 4031

(2) The licensee or employee submits an application to the 4032
director of public safety, on a form prescribed by the director, 4033
in which the licensee or employee requests registration as a 4034

class A, B, or C licensee or employee who may carry a firearm. 4035
The application shall be accompanied by a copy of the 4036
certificate or the written evidence or other evidence described 4037
in division (A) (1) of this section, the identification card 4038
issued pursuant to section 4749.03 or 4749.06 of the Revised 4039
Code if one has previously been issued, a statement of the 4040
duties that will be performed while the licensee or employee is 4041
armed, and a fee the director determines, not to exceed fifteen 4042
dollars. In the case of a registered employee, the statement 4043
shall be prepared by the employing class A, B, or C licensee. 4044

(3) The licensee or employee receives a notation on the 4045
licensee's or employee's identification card that the licensee 4046
or employee is a firearm-bearer and carries the identification 4047
card whenever the licensee or employee carries a firearm in the 4048
course of engaging in the business of private investigation, the 4049
business of security services, or both businesses. 4050

(4) At any time within the immediately preceding twelve- 4051
month period, the licensee or employee has requalified in 4052
firearms use on a firearms training range at a firearms 4053
requalification program certified by the Ohio peace officer 4054
training commission or on a firearms training range under the 4055
supervision of an instructor certified by the commission and has 4056
received a certificate of satisfactory requalification from the 4057
certified program or certified instructor, provided that this 4058
division does not apply to any licensee or employee prior to the 4059
expiration of eighteen months after the licensee's or employee's 4060
completion of the program described in division (A) (1) of this 4061
section. A certificate of satisfactory requalification is valid 4062
and remains in effect for twelve months from the date of the 4063
requalification. 4064

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

(B) (1) The director of public safety shall register an applicant under division (A) of this section who satisfies divisions (A) (1) and (2) of this section, and place a notation on the applicant's identification card indicating that the applicant is a firearm-bearer and the date on which the applicant completed the program described in division (A) (1) of this section.

(2) A firearms requalification training program or instructor certified by the commission for the annual requalification of class A, B, or C licensees or employees who are authorized to carry a firearm under section 4749.10 of the Revised Code shall award a certificate of satisfactory requalification to each class A, B, or C licensee or registered employee of a class A, B, or C licensee who satisfactorily requalifies in firearms training. The certificate shall identify the licensee or employee and indicate the date of the requalification. A licensee or employee who receives such a certificate shall submit a copy of it to the director of public safety. A licensee shall submit the copy of the requalification certificate at the same time that the licensee makes application for renewal of the licensee's class A, B, or C license. The director shall keep a record of all copies of requalification certificates the director receives under this division and shall establish a procedure for the updating of identification cards to provide evidence of compliance with the annual requalification requirement. The procedure for the updating of

identification cards may provide for the issuance of a new card 4096
containing the evidence, the entry of a new notation containing 4097
the evidence on the existing card, the issuance of a separate 4098
card or paper containing the evidence, or any other procedure 4099
determined by the director to be reasonable. Each person who is 4100
issued a requalification certificate under this division 4101
promptly shall pay to the Ohio peace officer training commission 4102
established by section 109.71 of the Revised Code a fee the 4103
director determines, not to exceed fifteen dollars, which fee 4104
shall be transmitted to the treasurer of state for deposit in 4105
the peace officer private security fund established by section 4106
109.78 of the Revised Code. 4107

(C) Nothing in this section prohibits a private 4108
investigator or a security guard provider from carrying a 4109
concealed ~~handgun~~ deadly weapon that is not a restricted deadly 4110
weapon if the private investigator or security guard provider 4111
complies with sections 2923.124 to 2923.1213 of the Revised 4112
Code. 4113

Section 2. That existing sections 109.69, 109.731, 311.41, 4114
311.42, 311.43, 1547.69, 2921.13, 2923.11, 2923.12, 2923.121, 4115
2923.122, 2923.123, 2923.124, 2923.125, 2923.126, 2923.127, 4116
2923.128, 2923.129, 2923.1210, 2923.1211, 2923.1212, 2923.1213, 4117
2923.16, 2953.37, and 4749.10 of the Revised Code are hereby 4118
repealed. 4119

Section 3. The General Assembly, applying the principle 4120
stated in division (B) of section 1.52 of the Revised Code that 4121
amendments are to be harmonized if reasonably capable of 4122
simultaneous operation, finds that the following sections, 4123
presented in this act as composites of the sections as amended 4124
by the acts indicated, are the resulting versions of the 4125

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| sections in effect prior to the effective date of the sections | 4126 |
| as presented in this act: | 4127 |
| Section 2923.126 of the Revised Code as amended by both | 4128 |
| Am. Sub. H.B. 79 and Am. Sub. H.B. 228 of the 132nd General | 4129 |
| Assembly. | 4130 |
| Section 2923.1213 of the Revised Code as amended by both | 4131 |
| Am. Sub. H.B. 234 and Am. Sub. S.B. 43 of the 130th General | 4132 |
| Assembly. | 4133 |
| Section 2953.37 of the Revised Code as amended by both Am. | 4134 |
| Sub. H.B. 228 and Sub. H.B. 425 of the 132nd General Assembly. | 4135 |