

**As Introduced**

**131st General Assembly**

**Regular Session**

**2015-2016**

**H. B. No. 590**

**Representative Becker**

**Cosponsors: Representatives Zeltwanger, Dean, Blessing, Brinkman, Retherford,  
Hood, Maag, Vitale, Young**

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**A BILL**

To amend sections 2917.11, 2923.12, 2923.121, 1  
2923.122, 2923.123, and 2923.126 of the Revised 2  
Code to provide that a concealed handgun 3  
licensee who carries a handgun concealed on or 4  
in property on which carrying a concealed 5  
handgun is prohibited is subject to removal but 6  
is not guilty of a violation of the prohibition 7  
unless the licensee fails to leave the premises 8  
upon request, that a licensee who fails to leave 9  
upon request or returns with a firearm within 10  
thirty days is guilty of disorderly conduct, and 11  
that a private property owner who chooses to 12  
prohibit firearms on the property is not immune 13  
from liability if a related injury occurs. 14

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

**Section 1.** That sections 2917.11, 2923.12, 2923.121, 15  
2923.122, 2923.123, and 2923.126 of the Revised Code be amended 16  
to read as follows: 17

**Sec. 2917.11.** (A) No person shall recklessly cause 18

inconvenience, annoyance, or alarm to another by doing any of 19  
the following: 20

(1) Engaging in fighting, in threatening harm to persons 21  
or property, or in violent or turbulent behavior; 22

(2) Making unreasonable noise or an offensively coarse 23  
utterance, gesture, or display or communicating unwarranted and 24  
grossly abusive language to any person; 25

(3) Insulting, taunting, or challenging another, under 26  
circumstances in which that conduct is likely to provoke a 27  
violent response; 28

(4) Hindering or preventing the movement of persons on a 29  
public street, road, highway, or right-of-way, or to, from, 30  
within, or upon public or private property, so as to interfere 31  
with the rights of others, and by any act that serves no lawful 32  
and reasonable purpose of the offender; 33

(5) Creating a condition that is physically offensive to 34  
persons or that presents a risk of physical harm to persons or 35  
property, by any act that serves no lawful and reasonable 36  
purpose of the offender. 37

(B) No person, while voluntarily intoxicated, shall do 38  
either of the following: 39

(1) In a public place or in the presence of two or more 40  
persons, engage in conduct likely to be offensive or to cause 41  
inconvenience, annoyance, or alarm to persons of ordinary 42  
sensibilities, which conduct the offender, if the offender were 43  
not intoxicated, should know is likely to have that effect on 44  
others; 45

(2) Engage in conduct or create a condition that presents 46

a risk of physical harm to the offender or another, or to the property of another. 47  
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(C) (1) No person who has a valid license to carry a concealed handgun and carries a concealed handgun on or onto land or premises in violation of a sign posted pursuant to division (C) (3) (a) of section 2923.126 of the Revised Code or in violation of section 2923.12, 2923.121, 2923.122, or 2923.123 of the Revised Code shall do either of the following: 49  
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(a) Refuse or fail to leave the land or premises upon being requested to do so by the owner, lessee, or person in control of the land or premises or by the owner's, lessee's, or person's agent or employee; 55  
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(b) Return within thirty days to the same land or premises while knowingly in possession of a firearm in violation of a sign posted pursuant to division (C) (3) (a) of section 2923.126 of the Revised Code or in violation of section 2923.12, 2923.121, 2923.122, or 2923.123 of the Revised Code. 59  
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(2) A law enforcement officer or security officer may record any violation of division (C) (1) of this section to determine whether the person has entered the same land or premises more than once within thirty days while knowingly in possession of a firearm in violation of a sign posted pursuant to division (C) (3) (a) of section 2923.126 of the Revised Code or in violation of section 2923.12, 2923.121, 2923.122, or 2923.123 of the Revised Code. 64  
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(D) Violation of any statute or ordinance of which an element is operating a motor vehicle, locomotive, watercraft, aircraft, or other vehicle while under the influence of alcohol or any drug of abuse, is not a violation of division (B) of this 72  
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section.	76
<del>(D)</del> <u>(E)</u> If a person appears to an ordinary observer to be intoxicated, it is probable cause to believe that person is voluntarily intoxicated for purposes of division (B) of this section.	77 78 79 80
<del>(E)</del> <u>(F)</u> (1) Whoever violates this section is guilty of disorderly conduct.	81 82
(2) Except as otherwise provided in division <del>(E)</del> <u>(F)</u> (3) of this section, disorderly conduct <u>in violation of division (A) or (B) of this section</u> is a minor misdemeanor.	83 84 85
(3) Disorderly conduct <u>in violation of division (A) or (B) of this section</u> is a misdemeanor of the fourth degree if any of the following applies:	86 87 88
(a) The offender persists in disorderly conduct after reasonable warning or request to desist.	89 90
(b) The offense is committed in the vicinity of a school or in a school safety zone.	91 92
(c) The offense is committed in the presence of any law enforcement officer, firefighter, rescuer, medical person, emergency medical services person, or other authorized person who is engaged in the person's duties at the scene of a fire, accident, disaster, riot, or emergency of any kind.	93 94 95 96 97
(d) The offense is committed in the presence of any emergency facility person who is engaged in the person's duties in an emergency facility.	98 99 100
<del>(F)</del> <u>(4) Disorderly conduct in violation of division (C) (1) of this section is a misdemeanor of the fourth degree.</u>	101 102

<u>(G) As used in this section:</u>	103
(1) "Emergency medical services person" is the singular of "emergency medical services personnel" as defined in section 2133.21 of the Revised Code.	104 105 106
(2) "Emergency facility person" is the singular of "emergency facility personnel" as defined in section 2909.04 of the Revised Code.	107 108 109
(3) "Emergency facility" has the same meaning as in section 2909.04 of the Revised Code.	110 111
(4) "Committed in the vicinity of a school" has the same meaning as in section 2925.01 of the Revised Code.	112 113
<u>(5) "Valid license" has the same meaning as in section 2923.124 of the Revised Code.</u>	114 115
<b>Sec. 2923.12.</b> (A) No person shall knowingly carry or have, concealed on the person's person or concealed ready at hand, any of the following:	116 117 118
(1) A deadly weapon other than a handgun;	119
(2) A handgun other than a dangerous ordnance;	120
(3) A dangerous ordnance.	121
(B) No person who has been issued a concealed handgun license shall do any of the following:	122 123
(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;	124 125 126 127 128 129

(2) If the person is stopped for a law enforcement purpose 130  
and is carrying a concealed handgun, knowingly fail to keep the 131  
person's hands in plain sight at any time after any law 132  
enforcement officer begins approaching the person while stopped 133  
and before the law enforcement officer leaves, unless the 134  
failure is pursuant to and in accordance with directions given 135  
by a law enforcement officer; 136

(3) If the person is stopped for a law enforcement 137  
purpose, if the person is carrying a concealed handgun, and if 138  
the person is approached by any law enforcement officer while 139  
stopped, knowingly remove or attempt to remove the loaded 140  
handgun from the holster, pocket, or other place in which the 141  
person is carrying it, knowingly grasp or hold the loaded 142  
handgun, or knowingly have contact with the loaded handgun by 143  
touching it with the person's hands or fingers at any time after 144  
the law enforcement officer begins approaching and before the 145  
law enforcement officer leaves, unless the person removes, 146  
attempts to remove, grasps, holds, or has contact with the 147  
loaded handgun pursuant to and in accordance with directions 148  
given by the law enforcement officer; 149

(4) If the person is stopped for a law enforcement purpose 150  
and is carrying a concealed handgun, knowingly disregard or fail 151  
to comply with any lawful order of any law enforcement officer 152  
given while the person is stopped, including, but not limited 153  
to, a specific order to the person to keep the person's hands in 154  
plain sight. 155

(C) (1) This section does not apply to any of the 156  
following: 157

(a) An officer, agent, or employee of this or any other 158  
state or the United States, or to a law enforcement officer, who 159

is authorized to carry concealed weapons or dangerous ordnance 160  
or is authorized to carry handguns and is acting within the 161  
scope of the officer's, agent's, or employee's duties; 162

(b) Any person who is employed in this state, who is 163  
authorized to carry concealed weapons or dangerous ordnance or 164  
is authorized to carry handguns, and who is subject to and in 165  
compliance with the requirements of section 109.801 of the 166  
Revised Code, unless the appointing authority of the person has 167  
expressly specified that the exemption provided in division (C) 168  
(1) (b) of this section does not apply to the person; 169

(c) A person's transportation or storage of a firearm, 170  
other than a firearm described in divisions (G) to (M) of 171  
section 2923.11 of the Revised Code, in a motor vehicle for any 172  
lawful purpose if the firearm is not on the actor's person; 173

(d) A person's storage or possession of a firearm, other 174  
than a firearm described in divisions (G) to (M) of section 175  
2923.11 of the Revised Code, in the actor's own home for any 176  
lawful purpose. 177

(2) Division (A) (2) of this section does not apply to any 178  
person who, at the time of the alleged carrying or possession of 179  
a handgun, is carrying a valid concealed handgun license, unless 180  
the person knowingly is in a place described in division (B) of 181  
section 2923.126 of the Revised Code. 182

(D) It is an affirmative defense to a charge under 183  
division (A) (1) of this section of carrying or having control of 184  
a weapon other than a handgun and other than a dangerous 185  
ordnance that the actor was not otherwise prohibited by law from 186  
having the weapon and that any of the following applies: 187

(1) The weapon was carried or kept ready at hand by the 188

actor for defensive purposes while the actor was engaged in or 189  
was going to or from the actor's lawful business or occupation, 190  
which business or occupation was of a character or was 191  
necessarily carried on in a manner or at a time or place as to 192  
render the actor particularly susceptible to criminal attack, 193  
such as would justify a prudent person in going armed. 194

(2) The weapon was carried or kept ready at hand by the 195  
actor for defensive purposes while the actor was engaged in a 196  
lawful activity and had reasonable cause to fear a criminal 197  
attack upon the actor, a member of the actor's family, or the 198  
actor's home, such as would justify a prudent person in going 199  
armed. 200

(3) The weapon was carried or kept ready at hand by the 201  
actor for any lawful purpose and while in the actor's own home. 202

(E) No person who is charged with a violation of this 203  
section shall be required to obtain a concealed handgun license 204  
as a condition for the dismissal of the charge. 205

(F) (1) ~~Whoever~~ Except as otherwise provided in division 206  
(F) (4) of this section, whoever violates this section is guilty 207  
of carrying concealed weapons. Except as otherwise provided in 208  
this division or division (F) (2) of this section, carrying 209  
concealed weapons in violation of division (A) of this section 210  
is a misdemeanor of the first degree. Except as otherwise 211  
provided in this division or division (F) (2) of this section, if 212  
the offender previously has been convicted of a violation of 213  
this section or of any offense of violence, if the weapon 214  
involved is a firearm that is either loaded or for which the 215  
offender has ammunition ready at hand, or if the weapon involved 216  
is dangerous ordnance, carrying concealed weapons in violation 217  
of division (A) of this section is a felony of the fourth 218

degree. Except as otherwise provided in division (F) (2) of this 219  
section, if the offense is committed aboard an aircraft, or with 220  
purpose to carry a concealed weapon aboard an aircraft, 221  
regardless of the weapon involved, carrying concealed weapons in 222  
violation of division (A) of this section is a felony of the 223  
third degree. 224

(2) If a person being arrested for a violation of division 225  
(A) (2) of this section promptly produces a valid concealed 226  
handgun license, and if at the time of the violation the person 227  
was not knowingly in a place described in division (B) of 228  
section 2923.126 of the Revised Code, the officer shall not 229  
arrest the person for a violation of that division. If the 230  
person is not able to promptly produce any concealed handgun 231  
license and if the person is not in a place described in that 232  
section, the officer may arrest the person for a violation of 233  
that division, and the offender shall be punished as follows: 234

(a) The offender shall be guilty of a minor misdemeanor if 235  
both of the following apply: 236

(i) Within ten days after the arrest, the offender 237  
presents a concealed handgun license, which license was valid at 238  
the time of the arrest to the law enforcement agency that 239  
employs the arresting officer. 240

(ii) At the time of the arrest, the offender was not 241  
knowingly in a place described in division (B) of section 242  
2923.126 of the Revised Code. 243

(b) The offender shall be guilty of a misdemeanor and 244  
shall be fined five hundred dollars if all of the following 245  
apply: 246

(i) The offender previously had been issued a concealed 247

handgun license, and that license expired within the two years 248  
immediately preceding the arrest. 249

(ii) Within forty-five days after the arrest, the offender 250  
presents a concealed handgun license to the law enforcement 251  
agency that employed the arresting officer, and the offender 252  
waives in writing the offender's right to a speedy trial on the 253  
charge of the violation that is provided in section 2945.71 of 254  
the Revised Code. 255

(iii) At the time of the commission of the offense, the 256  
offender was not knowingly in a place described in division (B) 257  
of section 2923.126 of the Revised Code. 258

(c) If neither division (F) (2) (a) nor (b) of this section 259  
applies, the offender shall be punished under division (F) (1) of 260  
this section. 261

(3) Except as otherwise provided in this division, 262  
carrying concealed weapons in violation of division (B) (1) of 263  
this section is a misdemeanor of the first degree, and, in 264  
addition to any other penalty or sanction imposed for a 265  
violation of division (B) (1) of this section, the offender's 266  
concealed handgun license shall be suspended pursuant to 267  
division (A) (2) of section 2923.128 of the Revised Code. If, at 268  
the time of the stop of the offender for a law enforcement 269  
purpose that was the basis of the violation, any law enforcement 270  
officer involved with the stop had actual knowledge that the 271  
offender has been issued a concealed handgun license, carrying 272  
concealed weapons in violation of division (B) (1) of this 273  
section is a minor misdemeanor, and the offender's concealed 274  
handgun license shall not be suspended pursuant to division (A) 275  
(2) of section 2923.128 of the Revised Code. 276

(4) A person who has a valid concealed handgun license and 277  
who carries a concealed handgun on or onto land or premises in 278  
violation of division (A) (2) of this section is subject to 279  
removal from the premises but is not guilty of carrying 280  
concealed weapons, and no law enforcement officer shall seize or 281  
authorize the seizure of the person's handgun, ammunition, or 282  
accessories, except as permitted under division (G) of this 283  
section. If the person refuses or fails to leave the premises 284  
upon being requested to do so by the individual in control of 285  
the premises or by that individual's agent or employee, or 286  
returns within thirty days to the same land or premises while 287  
knowingly in possession of a firearm in violation of this 288  
section, the person is guilty of disorderly conduct, as 289  
described in division (C) of section 2917.11 of the Revised 290  
Code. 291

(5) Carrying concealed weapons in violation of division 292  
(B) (2) or (4) of this section is a misdemeanor of the first 293  
degree or, if the offender previously has been convicted of or 294  
pleaded guilty to a violation of division (B) (2) or (4) of this 295  
section, a felony of the fifth degree. In addition to any other 296  
penalty or sanction imposed for a misdemeanor violation of 297  
division (B) (2) or (4) of this section, the offender's concealed 298  
handgun license shall be suspended pursuant to division (A) (2) 299  
of section 2923.128 of the Revised Code. 300

~~(5)~~ (6) Carrying concealed weapons in violation of 301  
division (B) (3) of this section is a felony of the fifth degree. 302

(G) If a law enforcement officer stops a person to 303  
question the person regarding a possible violation of this 304  
section, for a traffic stop, or for any other law enforcement 305  
purpose, if the person surrenders a firearm to the officer, 306

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

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

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

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

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

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

(d) The principal holder of a D permit issued for a 336  
premises or an open air arena under Chapter 4303. of the Revised 337  
Code while in the premises or open air arena for which the 338  
permit was issued if the principal holder of the D permit also 339  
possesses a valid concealed handgun license and as long as the 340  
principal holder is not consuming beer or intoxicating liquor or 341  
under the influence of alcohol or a drug of abuse, or any agent 342  
or employee of that holder who also is a peace officer, as 343  
defined in section 2151.3515 of the Revised Code, who is off 344  
duty, and who otherwise is authorized to carry firearms while in 345  
the course of the officer's official duties and while in the 346  
premises or open air arena for which the permit was issued and 347  
as long as the agent or employee of that holder is not consuming 348  
beer or intoxicating liquor or under the influence of alcohol or 349  
a drug of abuse. 350

(e) Any person who is carrying a valid concealed handgun 351  
license, as long as the person is not consuming beer or 352  
intoxicating liquor or under the influence of alcohol or a drug 353  
of abuse. 354

(2) This section does not prohibit any person who is a 355  
member of a veteran's organization, as defined in section 356  
2915.01 of the Revised Code, from possessing a rifle in any room 357  
in any premises owned, leased, or otherwise under the control of 358  
the veteran's organization, if the rifle is not loaded with live 359  
ammunition and if the person otherwise is not prohibited by law 360  
from having the rifle. 361

(3) This section does not apply to any person possessing 362  
or displaying firearms in any room used to exhibit unloaded 363  
firearms for sale or trade in a soldiers' memorial established 364  
pursuant to Chapter 345. of the Revised Code, in a convention 365

center, or in any other public meeting place, if the person is 366  
an exhibitor, trader, purchaser, or seller of firearms and is 367  
not otherwise prohibited by law from possessing, trading, 368  
purchasing, or selling the firearms. 369

(C) It is an affirmative defense to a charge under this 370  
section of illegal possession of a firearm in a liquor permit 371  
premises that involves the possession of a firearm other than a 372  
handgun, that the actor was not otherwise prohibited by law from 373  
having the firearm, and that any of the following apply: 374

(1) The firearm was carried or kept ready at hand by the 375  
actor for defensive purposes, while the actor was engaged in or 376  
was going to or from the actor's lawful business or occupation, 377  
which business or occupation was of such character or was 378  
necessarily carried on in such manner or at such a time or place 379  
as to render the actor particularly susceptible to criminal 380  
attack, such as would justify a prudent person in going armed. 381

(2) The firearm was carried or kept ready at hand by the 382  
actor for defensive purposes, while the actor was engaged in a 383  
lawful activity, and had reasonable cause to fear a criminal 384  
attack upon the actor or a member of the actor's family, or upon 385  
the actor's home, such as would justify a prudent person in 386  
going armed. 387

(D) No person who is charged with a violation of this 388  
section shall be required to obtain a concealed handgun license 389  
as a condition for the dismissal of the charge. 390

~~(E) Whoever~~ (1) Except as otherwise provided in division 391  
(E)(2) of this section, whoever violates this section is guilty 392  
of illegal possession of a firearm in a liquor permit premises. 393  
Except as otherwise provided in this division, illegal 394

possession of a firearm in a liquor permit premises is a felony 395  
of the fifth degree. If the offender commits the violation of 396  
this section by knowingly carrying or having the firearm 397  
concealed on the offender's person or concealed ready at hand, 398  
illegal possession of a firearm in a liquor permit premises is a 399  
felony of the third degree. 400

(2) A person who has a valid concealed handgun license and 401  
who carries a concealed handgun on or onto premises in violation 402  
of this section is subject to removal from the land or premises 403  
but is not guilty of illegal possession of a firearm in a liquor 404  
permit premises, and no law enforcement officer shall seize or 405  
authorize the seizure of the person's handgun, ammunition, or 406  
accessories, except as permitted under division (G) of section 407  
2923.12 of the Revised Code. If the person refuses or fails to 408  
leave the premises upon being requested to do so by the owner, 409  
lessee, or person in control of the premises or by an agent or 410  
employee of that individual, or returns within thirty days to 411  
the same land or premises while knowingly in possession of a 412  
firearm in violation of this section, the person is guilty of 413  
disorderly conduct, as described in division (C) of section 414  
2917.11 of the Revised Code. 415

(F) As used in this section, "beer" and "intoxicating 416  
liquor" have the same meanings as in section 4301.01 of the 417  
Revised Code. 418

**Sec. 2923.122.** (A) No person shall knowingly convey, or 419  
attempt to convey, a deadly weapon or dangerous ordnance into a 420  
school safety zone. 421

(B) No person shall knowingly possess a deadly weapon or 422  
dangerous ordnance in a school safety zone. 423

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

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

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

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

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

(b) Any person who is employed in this state, who is authorized to carry deadly weapons or dangerous ordnance, and who is subject to and in compliance with the requirements of section 109.801 of the Revised Code, unless the appointing authority of the person has expressly specified that the exemption provided in division (D) (1) (b) of this section does

not apply to the person. 453

(2) Division (C) of this section does not apply to 454  
premises upon which home schooling is conducted. Division (C) of 455  
this section also does not apply to a school administrator, 456  
teacher, or employee who possesses an object that is 457  
indistinguishable from a firearm for legitimate school purposes 458  
during the course of employment, a student who uses an object 459  
that is indistinguishable from a firearm under the direction of 460  
a school administrator, teacher, or employee, or any other 461  
person who with the express prior approval of a school 462  
administrator possesses an object that is indistinguishable from 463  
a firearm for a legitimate purpose, including the use of the 464  
object in a ceremonial activity, a play, reenactment, or other 465  
dramatic presentation, or a ROTC activity or another similar use 466  
of the object. 467

(3) This section does not apply to a person who conveys or 468  
attempts to convey a handgun into, or possesses a handgun in, a 469  
school safety zone if, at the time of that conveyance, attempted 470  
conveyance, or possession of the handgun, all of the following 471  
apply: 472

(a) The person does not enter into a school building or 473  
onto school premises and is not at a school activity. 474

(b) The person is carrying a valid concealed handgun 475  
license. 476

(c) The person is in the school safety zone in accordance 477  
with 18 U.S.C. 922(q) (2) (B). 478

(d) The person is not knowingly in a place described in 479  
division (B) (1) or (B) (3) to (10) of section 2923.126 of the 480  
Revised Code. 481

(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:

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

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

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

~~(E) (1) Whoever~~ (a) Except as otherwise provided in  
division (E) (1) (b) of this section, whoever violates division  
(A) or (B) of this section is guilty of illegal conveyance or  
possession of a deadly weapon or dangerous ordnance in a school  
safety zone. Except as otherwise provided in this division,  
illegal conveyance or possession of a deadly weapon or dangerous  
ordnance in a school safety zone is a felony of the fifth  
degree. If the offender previously has been convicted of a  
violation of this section, illegal conveyance or possession of a  
deadly weapon or dangerous ordnance in a school safety zone is a  
felony of the fourth degree.

(b) A person who has a valid concealed handgun license and  
who carries a concealed handgun in a school safety zone in  
violation of division (A) or (B) of this section is subject to  
removal from the land or premises but is not guilty of illegal  
conveyance or possession of a deadly weapon or dangerous  
ordnance in a school safety zone, and no law enforcement officer

shall seize or authorize the seizure of the person's handgun, 511  
ammunition, or accessories, except as permitted under division 512  
(G) of section 2923.12 of the Revised Code. If the person 513  
refuses or fails to leave the school safety zone upon being 514  
requested to do so by the individual in control of the premises 515  
or by that individual's agent or employee, or returns within 516  
thirty days to the same school safety zone while knowingly in 517  
possession of a firearm in violation of this section, the person 518  
is guilty of disorderly conduct, as described in division (C) of 519  
section 2917.11 of the Revised Code. 520

(2) Whoever violates division (C) of this section is 521  
guilty of illegal possession of an object indistinguishable from 522  
a firearm in a school safety zone. Except as otherwise provided 523  
in this division, illegal possession of an object 524  
indistinguishable from a firearm in a school safety zone is a 525  
misdemeanor of the first degree. If the offender previously has 526  
been convicted of a violation of this section, illegal 527  
possession of an object indistinguishable from a firearm in a 528  
school safety zone is a felony of the fifth degree. 529

(F) (1) In addition to any other penalty imposed upon a 530  
person who is convicted of or pleads guilty to a violation of 531  
this section and subject to division (F) (2) of this section, if 532  
the offender has not attained nineteen years of age, regardless 533  
of whether the offender is attending or is enrolled in a school 534  
operated by a board of education or for which the state board of 535  
education prescribes minimum standards under section 3301.07 of 536  
the Revised Code, the court shall impose upon the offender a 537  
class four suspension of the offender's probationary driver's 538  
license, restricted license, driver's license, commercial 539  
driver's license, temporary instruction permit, or probationary 540  
commercial driver's license that then is in effect from the 541

range specified in division (A) (4) of section 4510.02 of the Revised Code and shall deny the offender the issuance of any permit or license of that type during the period of the suspension.

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

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

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

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

(B) No person shall knowingly possess or have under the person's control a deadly weapon or dangerous ordnance in a courthouse or in another building or structure in which a

courtroom is located.	571
(C) This section does not apply to any of the following:	572
(1) Except as provided in division (E) of this section, a judge of a court of record of this state or a magistrate;	573 574
(2) A peace officer, officer of a law enforcement agency, or person who is in either of the following categories:	575 576
(a) Except as provided in division (E) of this section, a peace officer, or an officer of a law enforcement agency of another state, a political subdivision of another state, or the United States, who is authorized to carry a deadly weapon or dangerous ordnance, who possesses or has under that individual's control a deadly weapon or dangerous ordnance as a requirement of that individual's duties, and who is acting within the scope of that individual's duties at the time of that possession or control;	577 578 579 580 581 582 583 584 585
(b) Except as provided in division (E) of this section, a person who is employed in this state, who is authorized to carry a deadly weapon or dangerous ordnance, who possesses or has under that individual's control a deadly weapon or dangerous ordnance as a requirement of that person's duties, and who is subject to and in compliance with the requirements of section 109.801 of the Revised Code, unless the appointing authority of the person has expressly specified that the exemption provided in division (C) (2) (b) of this section does not apply to the person.	586 587 588 589 590 591 592 593 594 595
(3) A person who conveys, attempts to convey, possesses, or has under the person's control a deadly weapon or dangerous ordnance that is to be used as evidence in a pending criminal or civil action or proceeding;	596 597 598 599

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

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

(6) Except as provided in division (E) of this section, a person who conveys or attempts to convey a handgun into a courthouse or into another building or structure in which a courtroom is located, who, at the time of the conveyance or attempt, is carrying a valid concealed handgun license, and who transfers possession of the handgun to the officer or officer's designee who has charge of the courthouse or building. The officer shall secure the handgun until the licensee is prepared to leave the premises. The exemption described in this division applies only if the officer who has charge of the courthouse or building provides services of the nature described in this division. An officer who has charge of the courthouse or building is not required to offer services of the nature described in this division.

(D) (1) ~~Whoever~~ Except as otherwise provided in division

(D) (3) of this section, whoever violates division (A) of this 630  
section is guilty of illegal conveyance of a deadly weapon or 631  
dangerous ordnance into a courthouse. Except as otherwise 632  
provided in this division, illegal conveyance of a deadly weapon 633  
or dangerous ordnance into a courthouse is a felony of the fifth 634  
degree. If the offender previously has been convicted of a 635  
violation of division (A) or (B) of this section, illegal 636  
conveyance of a deadly weapon or dangerous ordnance into a 637  
courthouse is a felony of the fourth degree. 638

(2) ~~Whoever~~ Except as otherwise provided in division (D) 639  
(3) of this section, whoever violates division (B) of this 640  
section is guilty of illegal possession or control of a deadly 641  
weapon or dangerous ordnance in a courthouse. Except as 642  
otherwise provided in this division, illegal possession or 643  
control of a deadly weapon or dangerous ordnance in a courthouse 644  
is a felony of the fifth degree. If the offender previously has 645  
been convicted of a violation of division (A) or (B) of this 646  
section, illegal possession or control of a deadly weapon or 647  
dangerous ordnance in a courthouse is a felony of the fourth 648  
degree. 649

(3) A person who has a valid concealed handgun license and 650  
who conveys, possesses, or controls a concealed handgun in 651  
violation of division (A) or (B) of this section is subject to 652  
removal from the premises but is not guilty of illegal 653  
conveyance of a deadly weapon or dangerous ordnance into a 654  
courthouse or of illegal possession or control of a deadly 655  
weapon or dangerous ordnance in a courthouse, as applicable, and 656  
no law enforcement officer shall seize or authorize the seizure 657  
of the person's handgun, ammunition, or accessories, except as 658  
permitted under division (G) of section 2923.12 of the Revised 659  
Code. If the person refuses or fails to leave the premises upon 660

being requested to do so by the individual in control of the 661  
premises or by that individual's agent or employee, or returns 662  
within thirty days to the same premises while knowingly in 663  
possession of a firearm in violation of this section, the person 664  
is guilty of disorderly conduct, as described in division (C) of 665  
section 2917.11 of the Revised Code. 666

(E) The exemptions described in divisions (C) (1), (2) (a), 667  
(2) (b), (4), (5), and (6) of this section do not apply to any 668  
judge, magistrate, peace officer, officer of a law enforcement 669  
agency, bailiff, deputy bailiff, prosecutor, secret service 670  
officer, or other person described in any of those divisions if 671  
a rule of superintendence or another type of rule adopted by the 672  
supreme court pursuant to Article IV, Ohio Constitution, or an 673  
applicable local rule of court prohibits all persons from 674  
conveying or attempting to convey a deadly weapon or dangerous 675  
ordnance into a courthouse or into another building or structure 676  
in which a courtroom is located or from possessing or having 677  
under one's control a deadly weapon or dangerous ordnance in a 678  
courthouse or in another building or structure in which a 679  
courtroom is located. 680

(F) As used in this section: 681

(1) "Magistrate" means an individual who is appointed by a 682  
court of record of this state and who has the powers and may 683  
perform the functions specified in Civil Rule 53, Criminal Rule 684  
19, or Juvenile Rule 40. 685

(2) "Peace officer" and "prosecutor" have the same 686  
meanings as in section 2935.01 of the Revised Code. 687

**Sec. 2923.126.** (A) A concealed handgun license that is 688  
issued under section 2923.125 of the Revised Code shall expire 689

five years after the date of issuance. A licensee who has been 690  
issued a license under that section shall be granted a grace 691  
period of thirty days after the licensee's license expires 692  
during which the licensee's license remains valid. Except as 693  
provided in divisions (B) and (C) of this section, a licensee 694  
who has been issued a concealed handgun license under section 695  
2923.125 or 2923.1213 of the Revised Code may carry a concealed 696  
handgun anywhere in this state if the licensee also carries a 697  
valid license and valid identification when the licensee is in 698  
actual possession of a concealed handgun. The licensee shall 699  
give notice of any change in the licensee's residence address to 700  
the sheriff who issued the license within forty-five days after 701  
that change. 702

If a licensee is the driver or an occupant of a motor 703  
vehicle that is stopped as the result of a traffic stop or a 704  
stop for another law enforcement purpose and if the licensee is 705  
transporting or has a loaded handgun in the motor vehicle at 706  
that time, the licensee shall promptly inform any law 707  
enforcement officer who approaches the vehicle while stopped 708  
that the licensee has been issued a concealed handgun license 709  
and that the licensee currently possesses or has a loaded 710  
handgun; the licensee shall not knowingly disregard or fail to 711  
comply with lawful orders of a law enforcement officer given 712  
while the motor vehicle is stopped, knowingly fail to remain in 713  
the motor vehicle while stopped, or knowingly fail to keep the 714  
licensee's hands in plain sight after any law enforcement 715  
officer begins approaching the licensee while stopped and before 716  
the officer leaves, unless directed otherwise by a law 717  
enforcement officer; and the licensee shall not knowingly have 718  
contact with the loaded handgun by touching it with the 719  
licensee's hands or fingers, in any manner in violation of 720

division (E) of section 2923.16 of the Revised Code, after any 721  
law enforcement officer begins approaching the licensee while 722  
stopped and before the officer leaves. Additionally, if a 723  
licensee is the driver or an occupant of a commercial motor 724  
vehicle that is stopped by an employee of the motor carrier 725  
enforcement unit for the purposes defined in section ~~5503.04~~ 726  
5503.34 of the Revised Code and if the licensee is transporting 727  
or has a loaded handgun in the commercial motor vehicle at that 728  
time, the licensee shall promptly inform the employee of the 729  
unit who approaches the vehicle while stopped that the licensee 730  
has been issued a concealed handgun license and that the 731  
licensee currently possesses or has a loaded handgun. 732

If a licensee is stopped for a law enforcement purpose and 733  
if the licensee is carrying a concealed handgun at the time the 734  
officer approaches, the licensee shall promptly inform any law 735  
enforcement officer who approaches the licensee while stopped 736  
that the licensee has been issued a concealed handgun license 737  
and that the licensee currently is carrying a concealed handgun; 738  
the licensee shall not knowingly disregard or fail to comply 739  
with lawful orders of a law enforcement officer given while the 740  
licensee is stopped or knowingly fail to keep the licensee's 741  
hands in plain sight after any law enforcement officer begins 742  
approaching the licensee while stopped and before the officer 743  
leaves, unless directed otherwise by a law enforcement officer; 744  
and the licensee shall not knowingly remove, attempt to remove, 745  
grasp, or hold the loaded handgun or knowingly have contact with 746  
the loaded handgun by touching it with the licensee's hands or 747  
fingers, in any manner in violation of division (B) of section 748  
2923.12 of the Revised Code, after any law enforcement officer 749  
begins approaching the licensee while stopped and before the 750  
officer leaves. 751

(B) A valid concealed handgun license does not authorize 752  
the licensee to carry a concealed handgun in any manner 753  
prohibited under division (B) of section 2923.12 of the Revised 754  
Code or in any manner prohibited under section 2923.16 of the 755  
Revised Code. A valid license does not authorize the licensee to 756  
carry a concealed handgun into any of the following places: 757

(1) A police station, sheriff's office, or state highway 758  
patrol station, premises controlled by the bureau of criminal 759  
identification and investigation, a state correctional 760  
institution, jail, workhouse, or other detention facility, an 761  
airport passenger terminal, or an institution that is 762  
maintained, operated, managed, and governed pursuant to division 763  
(A) of section 5119.14 of the Revised Code or division (A)(1) of 764  
section 5123.03 of the Revised Code; 765

(2) A school safety zone if the licensee's carrying the 766  
concealed handgun is in violation of section 2923.122 of the 767  
Revised Code; 768

(3) A courthouse or another building or structure in which 769  
a courtroom is located, in violation of section 2923.123 of the 770  
Revised Code; 771

(4) Any premises or open air arena for which a D permit 772  
has been issued under Chapter 4303. of the Revised Code if the 773  
licensee's carrying the concealed handgun is in violation of 774  
section 2923.121 of the Revised Code; 775

(5) Any premises owned or leased by any public or private 776  
college, university, or other institution of higher education, 777  
unless the handgun is in a locked motor vehicle or the licensee 778  
is in the immediate process of placing the handgun in a locked 779  
motor vehicle; 780

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

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

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

(9) 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;

(10) A place in which federal law prohibits the carrying of handguns.

(C)(1) Nothing in this section shall negate or restrict a rule, policy, or practice of a private employer that is not a private college, university, or other institution of higher education concerning or prohibiting the presence of firearms on

the private employer's premises or property, including motor 810  
vehicles owned by the private employer. Nothing in this section 811  
shall require a private employer of that nature to adopt a rule, 812  
policy, or practice concerning or prohibiting the presence of 813  
firearms on the private employer's premises or property, 814  
including motor vehicles owned by the private employer. 815

(2) (a) A private employer shall be immune from liability 816  
in a civil action for any injury, death, or loss to person or 817  
property that allegedly was caused by or related to a licensee 818  
bringing a handgun onto the premises or property of the private 819  
employer, including motor vehicles owned by the private 820  
employer, unless the private employer acted with malicious 821  
purpose. ~~A-Except as provided in division (C) (3) (c) of this~~ 822  
section, a private employer is immune from liability in a civil 823  
action for any injury, death, or loss to person or property that 824  
allegedly was caused by or related to the private employer's 825  
decision to permit a licensee to bring, or prohibit a licensee 826  
from bringing, a handgun onto the premises or property of the 827  
private employer. As used in this division, "private employer" 828  
includes a private college, university, or other institution of 829  
higher education. 830

(b) A political subdivision shall be immune from liability 831  
in a civil action, to the extent and in the manner provided in 832  
Chapter 2744. of the Revised Code, for any injury, death, or 833  
loss to person or property that allegedly was caused by or 834  
related to a licensee bringing a handgun onto any premises or 835  
property owned, leased, or otherwise under the control of the 836  
political subdivision. As used in this division, "political 837  
subdivision" has the same meaning as in section 2744.01 of the 838  
Revised Code. 839

(3) (a) Except as provided in division (C) (3) (b) of this 840  
section, the owner or person in control of private land or 841  
premises, and a private person or entity leasing land or 842  
premises owned by the state, the United States, or a political 843  
subdivision of the state or the United States, may post a sign 844  
in a conspicuous location on that land or on those premises 845  
prohibiting persons from carrying firearms or concealed firearms 846  
on or onto that land or those premises. Except as otherwise 847  
provided in this division or division (C) (3) (d) of this section, 848  
a person who knowingly violates a posted prohibition of that 849  
nature is guilty of criminal trespass in violation of division 850  
(A) (4) of section 2911.21 of the Revised Code and is guilty of a 851  
misdemeanor of the fourth degree. If a person knowingly violates 852  
a posted prohibition of that nature and the posted land or 853  
premises primarily was a parking lot or other parking facility, 854  
the person is not guilty of criminal trespass under section 855  
2911.21 of the Revised Code or under any other criminal law of 856  
this state or criminal law, ordinance, or resolution of a 857  
political subdivision of this state, and instead, except as 858  
otherwise provided in division (C) (3) (d) of this section, the 859  
person is subject only to a civil cause of action for trespass 860  
based on the violation. 861

(b) A landlord may not prohibit or restrict a tenant who 862  
is a licensee and who on or after September 9, 2008, enters into 863  
a rental agreement with the landlord for the use of residential 864  
premises, and the tenant's guest while the tenant is present, 865  
from lawfully carrying or possessing a handgun on those 866  
residential premises. 867

(c) An owner or person in control of private land or 868  
premises, or a private person or entity leasing land or premises 869  
owned by the state, the United States, or a political 870

subdivision of the state or the United States, who posts a sign 871  
prohibiting persons from carrying firearms or concealed firearms 872  
onto the land or premises pursuant to division (C) (3) (a) of this 873  
section assumes responsibility for the safety and defense of all 874  
persons lawfully on the posted land or premises. The person or 875  
entity in control of the property is not immune from liability 876  
in a civil action for any injury, death, or loss to person or 877  
property that allegedly was caused by or related to the decision 878  
to prohibit persons from carrying firearms or concealed firearms 879  
on that land or premises, unless state or federal law prohibits 880  
carrying firearms or concealed firearms onto the land or 881  
premises. 882

(d) A licensee who carries a concealed handgun on or onto 883  
land or premises in violation of a sign posted under division 884  
(C) (3) (a) of this section is subject to removal from the land or 885  
premises but is not guilty of criminal trespass based on the 886  
violation, is not subject to a civil cause of action for 887  
trespass based on the violation, and, except as otherwise 888  
provided in this division, is not guilty of disorderly conduct 889  
based on the violation, and no law enforcement officer shall 890  
seize or authorize the seizure of the person's handgun, 891  
ammunition, or accessories based on the violation, except as 892  
permitted under division (G) of section 2923.12 of the Revised 893  
Code. If the licensee refuses or fails to leave the land or 894  
premises upon being requested to do so by the owner, lessee, or 895  
person in control of the land or premises or by the owner's, 896  
lessee's, or person's agent or employee, or the licensee returns 897  
within thirty days to the same land or premises while knowingly 898  
in possession of a firearm in violation of a sign posted under 899  
division (C) (3) (a) of this section, the licensee is guilty of 900  
disorderly conduct, as described in division (C) of section 901

<u>2917.11 of the Revised Code.</u>	902
<u>(4)</u> As used in division (C) (3) of this section:	903
(i) "Residential premises" has the same meaning as in	904
section 5321.01 of the Revised Code, except "residential	905
premises" does not include a dwelling unit that is owned or	906
operated by a college or university.	907
(ii) "Landlord," "tenant," and "rental agreement" have the	908
same meanings as in section 5321.01 of the Revised Code.	909
(D) A person who holds a valid concealed handgun license	910
issued by another state that is recognized by the attorney	911
general pursuant to a reciprocity agreement entered into	912
pursuant to section 109.69 of the Revised Code or a person who	913
holds a valid concealed handgun license under the circumstances	914
described in division (B) of section 109.69 of the Revised Code	915
has the same right to carry a concealed handgun in this state as	916
a person who was issued a concealed handgun license under	917
section 2923.125 of the Revised Code and is subject to the same	918
restrictions that apply to a person who carries a license issued	919
under that section.	920
(E) A peace officer has the same right to carry a	921
concealed handgun in this state as a person who was issued a	922
concealed handgun license under section 2923.125 of the Revised	923
Code. For purposes of reciprocity with other states, a peace	924
officer shall be considered to be a licensee in this state.	925
(F) (1) A qualified retired peace officer who possesses a	926
retired peace officer identification card issued pursuant to	927
division (F) (2) of this section and a valid firearms	928
requalification certification issued pursuant to division (F) (3)	929
of this section has the same right to carry a concealed handgun	930

in this state as a person who was issued a concealed handgun 931  
license under section 2923.125 of the Revised Code and is 932  
subject to the same restrictions that apply to a person who 933  
carries a license issued under that section. For purposes of 934  
reciprocity with other states, a qualified retired peace officer 935  
who possesses a retired peace officer identification card issued 936  
pursuant to division (F)(2) of this section and a valid firearms 937  
requalification certification issued pursuant to division (F)(3) 938  
of this section shall be considered to be a licensee in this 939  
state. 940

(2) (a) Each public agency of this state or of a political 941  
subdivision of this state that is served by one or more peace 942  
officers shall issue a retired peace officer identification card 943  
to any person who retired from service as a peace officer with 944  
that agency, if the issuance is in accordance with the agency's 945  
policies and procedures and if the person, with respect to the 946  
person's service with that agency, satisfies all of the 947  
following: 948

(i) The person retired in good standing from service as a 949  
peace officer with the public agency, and the retirement was not 950  
for reasons of mental instability. 951

(ii) Before retiring from service as a peace officer with 952  
that agency, the person was authorized to engage in or supervise 953  
the prevention, detection, investigation, or prosecution of, or 954  
the incarceration of any person for, any violation of law and 955  
the person had statutory powers of arrest. 956

(iii) At the time of the person's retirement as a peace 957  
officer with that agency, the person was trained and qualified 958  
to carry firearms in the performance of the peace officer's 959  
duties. 960

(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 1023  
is valid for five years from that date of successful completion. 1024  
The firearms requalification certification for a retired peace 1025  
officer may be included in the retired peace officer 1026  
identification card issued to the retired peace officer under 1027  
division (F) (2) of this section. 1028

A retired peace officer who attends a firearms 1029  
requalification program that is approved for purposes of 1030  
firearms requalification required under section 109.801 of the 1031  
Revised Code may be required to pay the cost of the program. 1032

(G) As used in this section: 1033

(1) "Qualified retired peace officer" means a person who 1034  
satisfies all of the following: 1035

(a) The person satisfies the criteria set forth in 1036  
divisions (F) (2) (a) (i) to (v) of this section. 1037

(b) The person is not under the influence of alcohol or 1038  
another intoxicating or hallucinatory drug or substance. 1039

(c) The person is not prohibited by federal law from 1040  
receiving firearms. 1041

(2) "Retired peace officer identification card" means an 1042  
identification card that is issued pursuant to division (F) (2) 1043  
of this section to a person who is a retired peace officer. 1044

(3) "Government facility of this state or a political 1045  
subdivision of this state" means any of the following: 1046

(a) A building or part of a building that is owned or 1047  
leased by the government of this state or a political 1048  
subdivision of this state and where employees of the government 1049  
of this state or the political subdivision regularly are present 1050

for the purpose of performing their official duties as employees 1051  
of the state or political subdivision; 1052

(b) The office of a deputy registrar serving pursuant to 1053  
Chapter 4503. of the Revised Code that is used to perform deputy 1054  
registrar functions. 1055

**Section 2.** That existing sections 2917.11, 2923.12, 1056  
2923.121, 2923.122, 2923.123, and 2923.126 of the Revised Code 1057  
are hereby repealed. 1058

**Section 3.** Section 2923.122 of the Revised Code is 1059  
presented in this act as a composite of the section as amended 1060  
by both Am. Sub. H.B. 495 and Am. Sub. S.B. 337 of the 129th 1061  
General Assembly. The General Assembly, applying the principle 1062  
stated in division (B) of section 1.52 of the Revised Code that 1063  
amendments are to be harmonized if reasonably capable of 1064  
simultaneous operation, finds that the composite is the 1065  
resulting version of the section in effect prior to the 1066  
effective date of the section as presented in this act. 1067