

As Introduced

132nd General Assembly

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H. B. No. 79

Representatives Retherford, Hagan

**Cosponsors: Representatives Hambley, Seitz, Dean, Thompson, Brenner, Faber,
Becker, Vitale, Brinkman, Koehler, Riedel, Goodman, Antani, Stein, Hood,
Schaffer, Blessing**

A BILL

To amend sections 109.71, 109.73, 109.75, 109.79, 1
109.801, and 2923.126 and to enact sections 2
109.748 and 109.771 of the Revised Code to 3
provide for firearms training for tactical 4
medical professionals; to permit such a 5
professional who has received that training and 6
has been authorized by the law enforcement 7
agency to carry firearms while on duty; and to 8
grant such a professional the same right to 9
carry a concealed handgun in this state as a 10
concealed handgun licensee. 11

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

Section 1. That sections 109.71, 109.73, 109.75, 109.79, 12
109.801, and 2923.126 be amended and sections 109.748 and 13
109.771 of the Revised Code be enacted to read as follows: 14

Sec. 109.71. There is hereby created in the office of the 15
attorney general the Ohio peace officer training commission. The 16
commission shall consist of nine members appointed by the 17

governor with the advice and consent of the senate and selected 18
as follows: one member representing the public; two members who 19
are incumbent sheriffs; two members who are incumbent chiefs of 20
police; one member from the bureau of criminal identification 21
and investigation; one member from the state highway patrol; one 22
member who is the special agent in charge of a field office of 23
the federal bureau of investigation in this state; and one 24
member from the department of education, trade and industrial 25
education services, law enforcement training. 26

This section does not confer any arrest authority or any 27
ability or authority to detain a person, write or issue any 28
citation, or provide any disposition alternative, as granted 29
under Chapter 2935. of the Revised Code. 30

Pursuant to division (A) (9) of section 101.82 of the 31
Revised Code, the commission is exempt from the requirements of 32
sections 101.82 to 101.87 of the Revised Code. 33

As used in sections 109.71 to 109.801 of the Revised Code: 34

(A) "Peace officer" means: 35

(1) A deputy sheriff, marshal, deputy marshal, member of 36
the organized police department of a township or municipal 37
corporation, member of a township police district or joint 38
police district police force, member of a police force employed 39
by a metropolitan housing authority under division (D) of 40
section 3735.31 of the Revised Code, or township constable, who 41
is commissioned and employed as a peace officer by a political 42
subdivision of this state or by a metropolitan housing 43
authority, and whose primary duties are to preserve the peace, 44
to protect life and property, and to enforce the laws of this 45
state, ordinances of a municipal corporation, resolutions of a 46

township, or regulations of a board of county commissioners or 47
board of township trustees, or any of those laws, ordinances, 48
resolutions, or regulations; 49

(2) A police officer who is employed by a railroad company 50
and appointed and commissioned by the secretary of state 51
pursuant to sections 4973.17 to 4973.22 of the Revised Code; 52

(3) Employees of the department of taxation engaged in the 53
enforcement of Chapter 5743. of the Revised Code and designated 54
by the tax commissioner for peace officer training for purposes 55
of the delegation of investigation powers under section 5743.45 56
of the Revised Code; 57

(4) An undercover drug agent; 58

(5) Enforcement agents of the department of public safety 59
whom the director of public safety designates under section 60
5502.14 of the Revised Code; 61

(6) An employee of the department of natural resources who 62
is a natural resources law enforcement staff officer designated 63
pursuant to section 1501.013, a natural resources officer 64
appointed pursuant to section 1501.24, a forest-fire 65
investigator appointed pursuant to section 1503.09, or a 66
wildlife officer designated pursuant to section 1531.13 of the 67
Revised Code; 68

(7) An employee of a park district who is designated 69
pursuant to section 511.232 or 1545.13 of the Revised Code; 70

(8) An employee of a conservancy district who is 71
designated pursuant to section 6101.75 of the Revised Code; 72

(9) A police officer who is employed by a hospital that 73
employs and maintains its own proprietary police department or 74

security department, and who is appointed and commissioned by 75
the secretary of state pursuant to sections 4973.17 to 4973.22 76
of the Revised Code; 77

(10) Veterans' homes police officers designated under 78
section 5907.02 of the Revised Code; 79

(11) A police officer who is employed by a qualified 80
nonprofit corporation police department pursuant to section 81
1702.80 of the Revised Code; 82

(12) A state university law enforcement officer appointed 83
under section 3345.04 of the Revised Code or a person serving as 84
a state university law enforcement officer on a permanent basis 85
on June 19, 1978, who has been awarded a certificate by the 86
executive director of the Ohio peace officer training commission 87
attesting to the person's satisfactory completion of an approved 88
state, county, municipal, or department of natural resources 89
peace officer basic training program; 90

(13) A special police officer employed by the department 91
of mental health and addiction services pursuant to section 92
5119.08 of the Revised Code or the department of developmental 93
disabilities pursuant to section 5123.13 of the Revised Code; 94

(14) A member of a campus police department appointed 95
under section 1713.50 of the Revised Code; 96

(15) A member of a police force employed by a regional 97
transit authority under division (Y) of section 306.35 of the 98
Revised Code; 99

(16) Investigators appointed by the auditor of state 100
pursuant to section 117.091 of the Revised Code and engaged in 101
the enforcement of Chapter 117. of the Revised Code; 102

(17) A special police officer designated by the 103
superintendent of the state highway patrol pursuant to section 104
5503.09 of the Revised Code or a person who was serving as a 105
special police officer pursuant to that section on a permanent 106
basis on October 21, 1997, and who has been awarded a 107
certificate by the executive director of the Ohio peace officer 108
training commission attesting to the person's satisfactory 109
completion of an approved state, county, municipal, or 110
department of natural resources peace officer basic training 111
program; 112

(18) A special police officer employed by a port authority 113
under section 4582.04 or 4582.28 of the Revised Code or a person 114
serving as a special police officer employed by a port authority 115
on a permanent basis on May 17, 2000, who has been awarded a 116
certificate by the executive director of the Ohio peace officer 117
training commission attesting to the person's satisfactory 118
completion of an approved state, county, municipal, or 119
department of natural resources peace officer basic training 120
program; 121

(19) A special police officer employed by a municipal 122
corporation who has been awarded a certificate by the executive 123
director of the Ohio peace officer training commission for 124
satisfactory completion of an approved peace officer basic 125
training program and who is employed on a permanent basis on or 126
after March 19, 2003, at a municipal airport, or other municipal 127
air navigation facility, that has scheduled operations, as 128
defined in section 119.3 of Title 14 of the Code of Federal 129
Regulations, 14 C.F.R. 119.3, as amended, and that is required 130
to be under a security program and is governed by aviation 131
security rules of the transportation security administration of 132
the United States department of transportation as provided in 133

Parts 1542. and 1544. of Title 49 of the Code of Federal Regulations, as amended; 134
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(20) A police officer who is employed by an owner or operator of an amusement park that has an average yearly attendance in excess of six hundred thousand guests and that employs and maintains its own proprietary police department or security department, and who is appointed and commissioned by a judge of the appropriate municipal court or county court pursuant to section 4973.17 of the Revised Code; 136
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(21) A police officer who is employed by a bank, savings and loan association, savings bank, credit union, or association of banks, savings and loan associations, savings banks, or credit unions, who has been appointed and commissioned by the secretary of state pursuant to sections 4973.17 to 4973.22 of the Revised Code, and who has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of a state, county, municipal, or department of natural resources peace officer basic training program; 143
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(22) An investigator, as defined in section 109.541 of the Revised Code, of the bureau of criminal identification and investigation who is commissioned by the superintendent of the bureau as a special agent for the purpose of assisting law enforcement officers or providing emergency assistance to peace officers pursuant to authority granted under that section; 153
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(23) A state fire marshal law enforcement officer appointed under section 3737.22 of the Revised Code or a person serving as a state fire marshal law enforcement officer on a permanent basis on or after July 1, 1982, who has been awarded a certificate by the executive director of the Ohio peace officer 159
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training commission attesting to the person's satisfactory 164
completion of an approved state, county, municipal, or 165
department of natural resources peace officer basic training 166
program; 167

(24) A gaming agent employed under section 3772.03 of the 168
Revised Code. 169

(B) "Undercover drug agent" has the same meaning as in 170
division (B) (2) of section 109.79 of the Revised Code. 171

(C) "Crisis intervention training" means training in the 172
use of interpersonal and communication skills to most 173
effectively and sensitively interview victims of rape. 174

(D) "Missing children" has the same meaning as in section 175
2901.30 of the Revised Code. 176

(E) "Tactical medical professional" means an EMT, EMT- 177
basic, AEMT, EMT-I, paramedic, nurse, or physician who is 178
trained and certified in a nationally recognized tactical 179
medical training program that is equivalent to "tactical combat 180
casualty care" (TCCC) and "tactical emergency medical support" 181
(TEMS) and who functions in the tactical or austere environment 182
while attached to a law enforcement agency of either this state 183
or a political subdivision of this state. 184

(F) "EMT-basic," "EMT-I," and "paramedic" have the same 185
meanings as in section 4765.01 of the Revised Code and "EMT" and 186
"AEMT" have the same meanings as in section 4765.011 of the 187
Revised Code. 188

(G) "Nurse" means any of the following: 189

(1) Any person who is licensed to practice nursing as a 190
registered nurse by the board of nursing; 191

(2) Any certified nurse practitioner, clinical nurse specialist, certified registered nurse anesthetist, or certified nurse-midwife who holds a certificate of authority issued by the board of nursing under Chapter 4723. of the Revised Code; 192
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(3) Any person who is licensed to practice nursing as a licensed practical nurse by the board of nursing pursuant to Chapter 4723. of the Revised Code. 196
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(H) "Physician" means a person who is licensed pursuant to Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery. 199
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Sec. 109.73. (A) The Ohio peace officer training commission shall recommend rules to the attorney general with respect to all of the following: 202
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(1) The approval, or revocation of approval, of peace officer training schools administered by the state, counties, municipal corporations, public school districts, technical college districts, and the department of natural resources; 205
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(2) Minimum courses of study, attendance requirements, and equipment and facilities to be required at approved state, county, municipal, and department of natural resources peace officer training schools; 209
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(3) Minimum qualifications for instructors at approved state, county, municipal, and department of natural resources peace officer training schools; 213
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(4) The requirements of minimum basic training that peace officers appointed to probationary terms shall complete before being eligible for permanent appointment, which requirements shall include training in the handling of the offense of domestic violence, other types of domestic violence-related 216
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offenses and incidents, and protection orders and consent 221
agreements issued or approved under section 2919.26 or 3113.31 222
of the Revised Code; crisis intervention training; and training 223
in the handling of missing children and child abuse and neglect 224
cases; and training in handling violations of section 2905.32 of 225
the Revised Code; and the time within which such basic training 226
shall be completed following appointment to a probationary term; 227

(5) The requirements of minimum basic training that peace 228
officers not appointed for probationary terms but appointed on 229
other than a permanent basis shall complete in order to be 230
eligible for continued employment or permanent appointment, 231
which requirements shall include training in the handling of the 232
offense of domestic violence, other types of domestic violence- 233
related offenses and incidents, and protection orders and 234
consent agreements issued or approved under section 2919.26 or 235
3113.31 of the Revised Code, crisis intervention training, and 236
training in the handling of missing children and child abuse and 237
neglect cases, and training in handling violations of section 238
2905.32 of the Revised Code, and the time within which such 239
basic training shall be completed following appointment on other 240
than a permanent basis; 241

(6) Categories or classifications of advanced in-service 242
training programs for peace officers, including programs in the 243
handling of the offense of domestic violence, other types of 244
domestic violence-related offenses and incidents, and protection 245
orders and consent agreements issued or approved under section 246
2919.26 or 3113.31 of the Revised Code, in crisis intervention, 247
and in the handling of missing children and child abuse and 248
neglect cases, and in handling violations of section 2905.32 of 249
the Revised Code, and minimum courses of study and attendance 250
requirements with respect to such categories or classifications; 251

(7) Permitting persons, who are employed as members of a campus police department appointed under section 1713.50 of the Revised Code; who are employed as police officers by a qualified nonprofit corporation police department pursuant to section 1702.80 of the Revised Code; who are appointed and commissioned as bank, savings and loan association, savings bank, credit union, or association of banks, savings and loan associations, savings banks, or credit unions police officers, as railroad police officers, or as hospital police officers pursuant to sections 4973.17 to 4973.22 of the Revised Code; or who are appointed and commissioned as amusement park police officers pursuant to section 4973.17 of the Revised Code, to attend approved peace officer training schools, including the Ohio peace officer training academy, and to receive certificates of satisfactory completion of basic training programs, if the private college or university that established the campus police department; qualified nonprofit corporation police department; bank, savings and loan association, savings bank, credit union, or association of banks, savings and loan associations, savings banks, or credit unions; railroad company; hospital; or amusement park sponsoring the police officers pays the entire cost of the training and certification and if trainee vacancies are available;

(8) Permitting undercover drug agents to attend approved peace officer training schools, other than the Ohio peace officer training academy, and to receive certificates of satisfactory completion of basic training programs, if, for each undercover drug agent, the county, township, or municipal corporation that employs that undercover drug agent pays the entire cost of the training and certification;

(9) (a) The requirements for basic training programs for

bailiffs and deputy bailiffs of courts of record of this state 283
and for criminal investigators employed by the state public 284
defender that those persons shall complete before they may carry 285
a firearm while on duty; 286

(b) The requirements for any training received by a 287
bailiff or deputy bailiff of a court of record of this state or 288
by a criminal investigator employed by the state public defender 289
prior to June 6, 1986, that is to be considered equivalent to 290
the training described in division (A) (9) (a) of this section. 291

(10) Establishing minimum qualifications and requirements 292
for certification for dogs utilized by law enforcement agencies; 293

(11) Establishing minimum requirements for certification 294
of persons who are employed as correction officers in a full- 295
service jail, five-day facility, or eight-hour holding facility 296
or who provide correction services in such a jail or facility; 297

(12) Establishing requirements for the training of agents 298
of a county humane society under section 1717.06 of the Revised 299
Code, including, without limitation, a requirement that the 300
agents receive instruction on traditional animal husbandry 301
methods and training techniques, including customary owner- 302
performed practices; 303

(13) Permitting tactical medical professionals to attend 304
approved peace officer training schools, including the Ohio 305
peace officer training academy, to receive training of the type 306
described in division (A) (14) of this section and to receive 307
certificates of satisfactory completion of training programs 308
described in that division; 309

(14) The requirements for training programs that tactical 310
medical professionals shall complete to qualify them to carry 311

firearms while on duty under section 109.771 of the Revised 312
Code, which requirements shall include at least the firearms 313
training specified in division (A) of section 109.748 of the 314
Revised Code. 315

(B) The commission shall appoint an executive director, 316
with the approval of the attorney general, who shall hold office 317
during the pleasure of the commission. The executive director 318
shall perform such duties assigned by the commission. The 319
executive director shall receive a salary fixed pursuant to 320
Chapter 124. of the Revised Code and reimbursement for expenses 321
within the amounts available by appropriation. The executive 322
director may appoint officers, employees, agents, and 323
consultants as the executive director considers necessary, 324
prescribe their duties, and provide for reimbursement of their 325
expenses within the amounts available for reimbursement by 326
appropriation and with the approval of the commission. 327

(C) The commission may do all of the following: 328

(1) Recommend studies, surveys, and reports to be made by 329
the executive director regarding the carrying out of the 330
objectives and purposes of sections 109.71 to 109.77 of the 331
Revised Code; 332

(2) Visit and inspect any peace officer training school 333
that has been approved by the executive director or for which 334
application for approval has been made; 335

(3) Make recommendations, from time to time, to the 336
executive director, the attorney general, and the general 337
assembly regarding the carrying out of the purposes of sections 338
109.71 to 109.77 of the Revised Code; 339

(4) Report to the attorney general from time to time, and 340

to the governor and the general assembly at least annually, 341
concerning the activities of the commission; 342

(5) Establish fees for the services the commission offers 343
under sections 109.71 to 109.79 of the Revised Code, including, 344
but not limited to, fees for training, certification, and 345
testing; 346

(6) Perform such other acts as are necessary or 347
appropriate to carry out the powers and duties of the commission 348
as set forth in sections 109.71 to 109.77 of the Revised Code. 349

(D) In establishing the requirements, under division (A) 350
(12) of this section, the commission may consider any portions 351
of the curriculum for instruction on the topic of animal 352
husbandry practices, if any, of the Ohio state university 353
college of veterinary medicine. No person or entity that fails 354
to provide instruction on traditional animal husbandry methods 355
and training techniques, including customary owner-performed 356
practices, shall qualify to train a humane agent for appointment 357
under section 1717.06 of the Revised Code. 358

Sec. 109.748. The attorney general shall adopt, in 359
accordance with Chapter 119. or pursuant to section 109.74 of 360
the Revised Code, the following rules: 361

(A) Rules governing the training of tactical medical 362
professionals to qualify them to carry firearms while on duty 363
under section 109.771 of the Revised Code. The rules shall 364
specify the amount of training necessary for the satisfactory 365
completion of training programs at approved peace officer 366
training schools, other than the Ohio peace officer training 367
academy. The rules shall include all of the following: 368

(1) For all such professionals, a requirement that the 369

professional shall receive firearms training through a program 370
approved by the Ohio peace officer training commission and 371
training in any additional subjects deemed necessary by the Ohio 372
peace officer training commission. 373

(2) For such professionals seeking certification to carry 374
a rifle or carbine, a requirement that, in addition to the 375
training described in division (A)(1) of this section, the 376
professional shall receive training with respect to the carrying 377
and use of rifles and carbines through a program approved by the 378
Ohio peace officer training commission. 379

(B) Rules authorizing and governing the attendance of 380
tactical medical professionals at approved peace officer 381
training schools, including the Ohio peace officer training 382
academy, to receive training to qualify them to carry firearms 383
while on duty under section 109.771 of the Revised Code, and the 384
certification of the professionals upon their satisfactory 385
completion of training programs providing that training. 386

Sec. 109.75. The executive director of the Ohio peace 387
officer training commission, on behalf of the commission, shall 388
have the following powers and duties, which shall be exercised 389
with the general advice of the commission and only in accordance 390
with section 109.751 of the Revised Code and the rules adopted 391
pursuant to that section, and with the rules adopted by the 392
attorney general pursuant to sections 109.74, 109.741, 109.742, 393
and 109.743 of the Revised Code: 394

(A) To approve peace officer training schools and firearms 395
requalification programs administered by the state, counties, 396
municipal corporations, and the department of natural resources, 397
to issue certificates of approval to approved schools, and to 398
revoke an approval or certificate; 399

(B) To certify, as qualified, instructors at approved 400
peace officer training schools, to issue appropriate 401
certificates to these instructors, and to revoke for good cause 402
shown certificates of these instructors; 403

(C) To certify, as qualified, commanders at approved peace 404
officer training schools, to issue appropriate certificates to 405
these commanders, and to revoke for good cause shown 406
certificates of these commanders. As used in this division, 407
"commander" means the director or other head of an approved 408
peace officer training school. 409

(D) To certify peace officers and sheriffs who have 410
satisfactorily completed basic training programs and to issue 411
appropriate certificates to these peace officers and sheriffs; 412

(E) To cause studies and surveys to be made relating to 413
the establishment, operation, and approval of state, county, and 414
municipal peace officer training schools; 415

(F) To consult and cooperate with state, county, and 416
municipal peace officer training schools for the development of 417
advanced in-service training programs for peace officers; 418

(G) To consult and cooperate with universities, colleges, 419
and institutes for the development of specialized courses of 420
study in the state for peace officers in police science and 421
police administration; 422

(H) To consult and cooperate with other departments and 423
agencies of the state and federal government concerned with 424
peace officer training; 425

(I) To perform any other acts that may be necessary or 426
appropriate to carry out the executive director's powers and 427
duties as set forth in sections 109.71 to 109.77 of the Revised 428

Code;	429
(J) To report to the commission at each regular meeting of the commission and at any other times that the commission may require;	430 431 432
(K) To certify persons who have satisfactorily completed approved training programs for correction officers in full-service jails, five-day facilities, or eight-hour holding facilities or approved training programs for others who provide correction services in those jails or facilities and to issue appropriate certificates to those persons;	433 434 435 436 437 438
(L) To maintain any records associated with the powers and duties set forth in this section. Certification examinations, either before or after completion, are not public records for purposes of section 149.43 of the Revised Code, but the results of such examinations are public records under that section;	439 440 441 442 443
<u>(M) To certify tactical medical professionals who have satisfactorily completed approved training programs that qualify them to carry firearms while on duty under section 109.771 of the Revised Code and to issue appropriate certificates to such professionals.</u>	444 445 446 447 448
<u>Sec. 109.771. (A) A tactical medical professional may carry firearms while on duty in the same manner, to the same extent, and in the same areas as a law enforcement officer of the law enforcement agency the professional is serving, if all of the following apply:</u>	449 450 451 452 453
<u>(1) The law enforcement agency that the tactical medical professional is serving has authorized the professional to carry firearms while on duty.</u>	454 455 456
<u>(2) The tactical medical professional has done or received</u>	457

one of the following: 458

(a) The professional has been awarded a certificate by the 459
executive director of the Ohio peace officer training 460
commission, which certificate attests to satisfactory completion 461
of an approved state, county, or municipal basic training 462
program or a program at the Ohio peace officer training academy 463
that qualifies the professional to carry firearms while on duty 464
and that conforms to the rules adopted under section 109.748 of 465
the Revised Code. 466

(b) Prior to or during employment as a tactical medical 467
professional and prior to the effective date of this section, 468
the professional has successfully completed a firearms training 469
program, other than one described in division (A) (2) (a) of this 470
section, that was approved by the Ohio peace officer training 471
commission. 472

(B) A tactical medical professional to whom division (A) 473
of this section applies and who is carrying one or more firearms 474
under authority of that division has protection from potential 475
civil or criminal liability for any conduct occurring while 476
carrying the firearm or firearms to the same extent as a law 477
enforcement officer of the law enforcement agency the 478
professional is serving has such protection. 479

Sec. 109.79. (A) The Ohio peace officer training 480
commission shall establish and conduct a training school for law 481
enforcement officers of any political subdivision of the state 482
or of the state public defender's office. The school shall be 483
known as the Ohio peace officer training academy. No bailiff or 484
deputy bailiff of a court of record of this state and no 485
criminal investigator employed by the state public defender 486
shall be permitted to attend the academy for training unless the 487

employing court of the bailiff or deputy bailiff or the state 488
public defender, whichever is applicable, has authorized the 489
bailiff, deputy bailiff, or investigator to attend the academy. 490

The Ohio peace officer training commission shall develop 491
the training program, which shall include courses in both the 492
civil and criminal functions of law enforcement officers, a 493
course in crisis intervention with six or more hours of 494
training, training in the handling of missing children and child 495
abuse and neglect cases, and training on companion animal 496
encounters and companion animal behavior, and shall establish 497
rules governing qualifications for admission to the academy. The 498
commission may require competitive examinations to determine 499
fitness of prospective trainees, so long as the examinations or 500
other criteria for admission to the academy are consistent with 501
the provisions of Chapter 124. of the Revised Code. 502

The Ohio peace officer training commission shall determine 503
tuition costs sufficient in the aggregate to pay the costs of 504
operating the academy. The costs of acquiring and equipping the 505
academy shall be paid from appropriations made by the general 506
assembly to the Ohio peace officer training commission for that 507
purpose, from gifts or grants received for that purpose, or from 508
fees for goods related to the academy. 509

The Ohio peace officer training commission shall create a 510
gaming-related curriculum for gaming agents. The Ohio peace 511
officer training commission shall use money distributed to the 512
Ohio peace officer training academy from the Ohio law 513
enforcement training fund to first support the academy's 514
training programs for gaming agents and gaming-related 515
curriculum. The Ohio peace officer training commission may 516
utilize existing training programs in other states that 517

specialize in training gaming agents. 518

The law enforcement officers, during the period of their 519
training, shall receive compensation as determined by the 520
political subdivision that sponsors them or, if the officer is a 521
criminal investigator employed by the state public defender, as 522
determined by the state public defender. The political 523
subdivision may pay the tuition costs of the law enforcement 524
officers they sponsor and the state public defender may pay the 525
tuition costs of criminal investigators of that office who 526
attend the academy. 527

If trainee vacancies exist, the academy may train and 528
issue certificates of satisfactory completion to peace officers 529
who are employed by a campus police department pursuant to 530
section 1713.50 of the Revised Code, by a qualified nonprofit 531
corporation police department pursuant to section 1702.80 of the 532
Revised Code, or by a railroad company, who are amusement park 533
police officers appointed and commissioned by a judge of the 534
appropriate municipal court or county court pursuant to section 535
4973.17 of the Revised Code, or who are bank, savings and loan 536
association, savings bank, credit union, or association of 537
banks, savings and loan associations, savings banks, or credit 538
unions, or hospital police officers appointed and commissioned 539
by the secretary of state pursuant to sections 4973.17 to 540
4973.22 of the Revised Code, provided that no such officer shall 541
be trained at the academy unless the officer meets the 542
qualifications established for admission to the academy and the 543
qualified nonprofit corporation police department; bank, savings 544
and loan association, savings bank, credit union, or association 545
of banks, savings and loan associations, savings banks, or 546
credit unions; railroad company; hospital; or amusement park or 547
the private college or university that established the campus 548

police department prepays the entire cost of the training. A 549
qualified nonprofit corporation police department; bank, savings 550
and loan association, savings bank, credit union, or association 551
of banks, savings and loan associations, savings banks, or 552
credit unions; railroad company; hospital; or amusement park or 553
a private college or university that has established a campus 554
police department is not entitled to reimbursement from the 555
state for any amount paid for the cost of training the bank, 556
savings and loan association, savings bank, credit union, or 557
association of banks, savings and loan associations, savings 558
banks, or credit unions peace officers; the railroad company's 559
peace officers; or the peace officers of the qualified nonprofit 560
corporation police department, campus police department, 561
hospital, or amusement park. 562

The academy shall permit investigators employed by the 563
state medical board to take selected courses that the board 564
determines are consistent with its responsibilities for initial 565
and continuing training of investigators as required under 566
sections 4730.26 and 4731.05 of the Revised Code. The board 567
shall pay the entire cost of training that investigators receive 568
at the academy. 569

The academy shall permit tactical medical professionals to 570
attend training courses at the academy that are designed to 571
qualify the professionals to carry firearms while on duty under 572
section 109.771 of the Revised Code and that provide training 573
comparable to training mandated under the rules required by 574
division (A) of section 109.748 of the Revised Code. The 575
executive director of the Ohio peace officer training commission 576
may certify tactical medical professionals who satisfactorily 577
complete the training courses. The law enforcement agency served 578
by a tactical medical professional who attends the academy may 579

<u>pay the tuition costs of the professional.</u>	580
(B) As used in this section:	581
(1) "Law enforcement officers" include any undercover drug agent, any bailiff or deputy bailiff of a court of record, and any criminal investigator who is employed by the state public defender.	582 583 584 585
(2) "Undercover drug agent" means any person who:	586
(a) Is employed by a county, township, or municipal corporation for the purposes set forth in division (B) (2) (b) of this section but who is not an employee of a county sheriff's department, of a township constable, or of the police department of a municipal corporation or township;	587 588 589 590 591
(b) In the course of the person's employment by a county, township, or municipal corporation, investigates and gathers information pertaining to persons who are suspected of violating Chapter 2925. or 3719. of the Revised Code, and generally does not wear a uniform in the performance of the person's duties.	592 593 594 595 596
(3) "Crisis intervention training" has the same meaning as in section 109.71 of the Revised Code.	597 598
(4) "Missing children" has the same meaning as in section 2901.30 of the Revised Code.	599 600
(5) "Companion animal" has the same meaning as in section 959.131 of the Revised Code.	601 602
Sec. 109.801. (A) (1) Each year, any of the following persons who are authorized to carry firearms in the course of their official duties shall complete successfully a firearms requalification program approved by the executive director of the Ohio peace officer training commission in accordance with	603 604 605 606 607

rules adopted by the attorney general pursuant to section 608
109.743 of the Revised Code: any peace officer, sheriff, chief 609
of police of an organized police department of a municipal 610
corporation or township, chief of police of a township police 611
district or joint police district police force, superintendent 612
of the state highway patrol, state highway patrol trooper, or 613
chief of police of a university or college police department; 614
any parole or probation officer who carries a firearm in the 615
course of official duties; the house of representatives sergeant 616
at arms if the house of representatives sergeant at arms has 617
arrest authority pursuant to division (E) (1) of section 101.311 618
of the Revised Code; any assistant house of representatives 619
sergeant at arms; the senate sergeant at arms; any assistant 620
senate sergeant at arms; any tactical medical professional; or 621
any employee of the department of youth services who is 622
designated pursuant to division (A) (2) of section 5139.53 of the 623
Revised Code as being authorized to carry a firearm while on 624
duty as described in that division. 625

(2) No person listed in division (A) (1) of this section 626
shall carry a firearm during the course of official duties if 627
the person does not comply with division (A) (1) of this section. 628

(B) The hours that a sheriff spends attending a firearms 629
requalification program required by division (A) of this section 630
are in addition to the sixteen hours of continuing education 631
that are required by division (E) of section 311.01 of the 632
Revised Code. 633

(C) As used in this section, "firearm" has the same 634
meaning as in section 2923.11 of the Revised Code. 635

Sec. 2923.126. (A) A concealed handgun license that is 636
issued under section 2923.125 of the Revised Code shall expire 637

five years after the date of issuance. A licensee who has been 638
issued a license under that section shall be granted a grace 639
period of thirty days after the licensee's license expires 640
during which the licensee's license remains valid. Except as 641
provided in divisions (B) and (C) of this section, a licensee 642
who has been issued a concealed handgun license under section 643
2923.125 or 2923.1213 of the Revised Code may carry a concealed 644
handgun anywhere in this state if the licensee also carries a 645
valid license and valid identification when the licensee is in 646
actual possession of a concealed handgun. The licensee shall 647
give notice of any change in the licensee's residence address to 648
the sheriff who issued the license within forty-five days after 649
that change. 650

If a licensee is the driver or an occupant of a motor 651
vehicle that is stopped as the result of a traffic stop or a 652
stop for another law enforcement purpose and if the licensee is 653
transporting or has a loaded handgun in the motor vehicle at 654
that time, the licensee shall promptly inform any law 655
enforcement officer who approaches the vehicle while stopped 656
that the licensee has been issued a concealed handgun license 657
and that the licensee currently possesses or has a loaded 658
handgun; the licensee shall not knowingly disregard or fail to 659
comply with lawful orders of a law enforcement officer given 660
while the motor vehicle is stopped, knowingly fail to remain in 661
the motor vehicle while stopped, or knowingly fail to keep the 662
licensee's hands in plain sight after any law enforcement 663
officer begins approaching the licensee while stopped and before 664
the officer leaves, unless directed otherwise by a law 665
enforcement officer; and the licensee shall not knowingly have 666
contact with the loaded handgun by touching it with the 667
licensee's hands or fingers, in any manner in violation of 668

division (E) of section 2923.16 of the Revised Code, after any 669
law enforcement officer begins approaching the licensee while 670
stopped and before the officer leaves. Additionally, if a 671
licensee is the driver or an occupant of a commercial motor 672
vehicle that is stopped by an employee of the motor carrier 673
enforcement unit for the purposes defined in section 5503.34 of 674
the Revised Code and if the licensee is transporting or has a 675
loaded handgun in the commercial motor vehicle at that time, the 676
licensee shall promptly inform the employee of the unit who 677
approaches the vehicle while stopped that the licensee has been 678
issued a concealed handgun license and that the licensee 679
currently possesses or has a loaded handgun. 680

If a licensee is stopped for a law enforcement purpose and 681
if the licensee is carrying a concealed handgun at the time the 682
officer approaches, the licensee shall promptly inform any law 683
enforcement officer who approaches the licensee while stopped 684
that the licensee has been issued a concealed handgun license 685
and that the licensee currently is carrying a concealed handgun; 686
the licensee shall not knowingly disregard or fail to comply 687
with lawful orders of a law enforcement officer given while the 688
licensee is stopped or knowingly fail to keep the licensee's 689
hands in plain sight after any law enforcement officer begins 690
approaching the licensee while stopped and before the officer 691
leaves, unless directed otherwise by a law enforcement officer; 692
and the licensee shall not knowingly remove, attempt to remove, 693
grasp, or hold the loaded handgun or knowingly have contact with 694
the loaded handgun by touching it with the licensee's hands or 695
fingers, in any manner in violation of division (B) of section 696
2923.12 of the Revised Code, after any law enforcement officer 697
begins approaching the licensee while stopped and before the 698
officer leaves. 699

(B) A valid concealed handgun license does not authorize 700
the licensee to carry a concealed handgun in any manner 701
prohibited under division (B) of section 2923.12 of the Revised 702
Code or in any manner prohibited under section 2923.16 of the 703
Revised Code. A valid license does not authorize the licensee to 704
carry a concealed handgun into any of the following places: 705

(1) A police station, sheriff's office, or state highway 706
patrol station, premises controlled by the bureau of criminal 707
identification and investigation; a state correctional 708
institution, jail, workhouse, or other detention facility; any 709
area of an airport passenger terminal that is beyond a passenger 710
or property screening checkpoint or to which access is 711
restricted through security measures by the airport authority or 712
a public agency; or an institution that is maintained, operated, 713
managed, and governed pursuant to division (A) of section 714
5119.14 of the Revised Code or division (A) (1) of section 715
5123.03 of the Revised Code; 716

(2) A school safety zone if the licensee's carrying the 717
concealed handgun is in violation of section 2923.122 of the 718
Revised Code; 719

(3) A courthouse or another building or structure in which 720
a courtroom is located, in violation of section 2923.123 of the 721
Revised Code; 722

(4) Any premises or open air arena for which a D permit 723
has been issued under Chapter 4303. of the Revised Code if the 724
licensee's carrying the concealed handgun is in violation of 725
section 2923.121 of the Revised Code; 726

(5) Any premises owned or leased by any public or private 727
college, university, or other institution of higher education, 728

unless the handgun is in a locked motor vehicle or the licensee 729
is in the immediate process of placing the handgun in a locked 730
motor vehicle or unless the licensee is carrying the concealed 731
handgun pursuant to a written policy, rule, or other 732
authorization that is adopted by the institution's board of 733
trustees or other governing body and that authorizes specific 734
individuals or classes of individuals to carry a concealed 735
handgun on the premises; 736

(6) Any church, synagogue, mosque, or other place of 737
worship, unless the church, synagogue, mosque, or other place of 738
worship posts or permits otherwise; 739

(7) Any building that is a government facility of this 740
state or a political subdivision of this state and that is not a 741
building that is used primarily as a shelter, restroom, parking 742
facility for motor vehicles, or rest facility and is not a 743
courthouse or other building or structure in which a courtroom 744
is located that is subject to division (B)(3) of this section, 745
unless the governing body with authority over the building has 746
enacted a statute, ordinance, or policy that permits a licensee 747
to carry a concealed handgun into the building; 748

(8) A place in which federal law prohibits the carrying of 749
handguns. 750

(C) (1) Nothing in this section shall negate or restrict a 751
rule, policy, or practice of a private employer that is not a 752
private college, university, or other institution of higher 753
education concerning or prohibiting the presence of firearms on 754
the private employer's premises or property, including motor 755
vehicles owned by the private employer. Nothing in this section 756
shall require a private employer of that nature to adopt a rule, 757
policy, or practice concerning or prohibiting the presence of 758

firearms on the private employer's premises or property, 759
including motor vehicles owned by the private employer. 760

(2) (a) A private employer shall be immune from liability 761
in a civil action for any injury, death, or loss to person or 762
property that allegedly was caused by or related to a licensee 763
bringing a handgun onto the premises or property of the private 764
employer, including motor vehicles owned by the private 765
employer, unless the private employer acted with malicious 766
purpose. A private employer is immune from liability in a civil 767
action for any injury, death, or loss to person or property that 768
allegedly was caused by or related to the private employer's 769
decision to permit a licensee to bring, or prohibit a licensee 770
from bringing, a handgun onto the premises or property of the 771
private employer. 772

(b) A political subdivision shall be immune from liability 773
in a civil action, to the extent and in the manner provided in 774
Chapter 2744. of the Revised Code, for any injury, death, or 775
loss to person or property that allegedly was caused by or 776
related to a licensee bringing a handgun onto any premises or 777
property owned, leased, or otherwise under the control of the 778
political subdivision. As used in this division, "political 779
subdivision" has the same meaning as in section 2744.01 of the 780
Revised Code. 781

(c) An institution of higher education shall be immune 782
from liability in a civil action for any injury, death, or loss 783
to person or property that allegedly was caused by or related to 784
a licensee bringing a handgun onto the premises of the 785
institution, including motor vehicles owned by the institution, 786
unless the institution acted with malicious purpose. An 787
institution of higher education is immune from liability in a 788

civil action for any injury, death, or loss to person or 789
property that allegedly was caused by or related to the 790
institution's decision to permit a licensee or class of 791
licensees to bring a handgun onto the premises of the 792
institution. 793

(3) (a) Except as provided in division (C) (3) (b) of this 794
section, the owner or person in control of private land or 795
premises, and a private person or entity leasing land or 796
premises owned by the state, the United States, or a political 797
subdivision of the state or the United States, may post a sign 798
in a conspicuous location on that land or on those premises 799
prohibiting persons from carrying firearms or concealed firearms 800
on or onto that land or those premises. Except as otherwise 801
provided in this division, a person who knowingly violates a 802
posted prohibition of that nature is guilty of criminal trespass 803
in violation of division (A) (4) of section 2911.21 of the 804
Revised Code and is guilty of a misdemeanor of the fourth 805
degree. If a person knowingly violates a posted prohibition of 806
that nature and the posted land or premises primarily was a 807
parking lot or other parking facility, the person is not guilty 808
of criminal trespass under section 2911.21 of the Revised Code 809
or under any other criminal law of this state or criminal law, 810
ordinance, or resolution of a political subdivision of this 811
state, and instead is subject only to a civil cause of action 812
for trespass based on the violation. 813

If a person knowingly violates a posted prohibition of the 814
nature described in this division and the posted land or 815
premises is a child day-care center, type A family day-care 816
home, or type B family day-care home, unless the person is a 817
licensee who resides in a type A family day-care home or type B 818
family day-care home, the person is guilty of aggravated 819

trespass in violation of section 2911.211 of the Revised Code. 820
Except as otherwise provided in this division, the offender is 821
guilty of a misdemeanor of the first degree. If the person 822
previously has been convicted of a violation of this division or 823
of any offense of violence, if the weapon involved is a firearm 824
that is either loaded or for which the offender has ammunition 825
ready at hand, or if the weapon involved is dangerous ordnance, 826
the offender is guilty of a felony of the fourth degree. 827

(b) A landlord may not prohibit or restrict a tenant who 828
is a licensee and who on or after September 9, 2008, enters into 829
a rental agreement with the landlord for the use of residential 830
premises, and the tenant's guest while the tenant is present, 831
from lawfully carrying or possessing a handgun on those 832
residential premises. 833

(c) As used in division (C) (3) of this section: 834

(i) "Residential premises" has the same meaning as in 835
section 5321.01 of the Revised Code, except "residential 836
premises" does not include a dwelling unit that is owned or 837
operated by a college or university. 838

(ii) "Landlord," "tenant," and "rental agreement" have the 839
same meanings as in section 5321.01 of the Revised Code. 840

(D) A person who holds a valid concealed handgun license 841
issued by another state that is recognized by the attorney 842
general pursuant to a reciprocity agreement entered into 843
pursuant to section 109.69 of the Revised Code or a person who 844
holds a valid concealed handgun license under the circumstances 845
described in division (B) of section 109.69 of the Revised Code 846
has the same right to carry a concealed handgun in this state as 847
a person who was issued a concealed handgun license under 848

section 2923.125 of the Revised Code and is subject to the same 849
restrictions that apply to a person who carries a license issued 850
under that section. 851

(E) (1) A peace officer has the same right to carry a 852
concealed handgun in this state as a person who was issued a 853
concealed handgun license under section 2923.125 of the Revised 854
Code. For purposes of reciprocity with other states, a peace 855
officer shall be considered to be a licensee in this state. 856

(2) An active duty member of the armed forces of the 857
United States who is carrying a valid military identification 858
card and documentation of successful completion of firearms 859
training that meets or exceeds the training requirements 860
described in division (G) (1) of section 2923.125 of the Revised 861
Code has the same right to carry a concealed handgun in this 862
state as a person who was issued a concealed handgun license 863
under section 2923.125 of the Revised Code and is subject to the 864
same restrictions as specified in this section. 865

(3) A tactical medical professional who is qualified to 866
carry firearms while on duty under section 109.771 of the 867
Revised Code has the same right to carry a concealed handgun in 868
this state as a person who was issued a concealed handgun 869
license under section 2923.125 of the Revised Code. 870

(F) (1) A qualified retired peace officer who possesses a 871
retired peace officer identification card issued pursuant to 872
division (F) (2) of this section and a valid firearms 873
requalification certification issued pursuant to division (F) (3) 874
of this section has the same right to carry a concealed handgun 875
in this state as a person who was issued a concealed handgun 876
license under section 2923.125 of the Revised Code and is 877
subject to the same restrictions that apply to a person who 878

carries a license issued under that section. For purposes of 879
reciprocity with other states, a qualified retired peace officer 880
who possesses a retired peace officer identification card issued 881
pursuant to division (F) (2) of this section and a valid firearms 882
requalification certification issued pursuant to division (F) (3) 883
of this section shall be considered to be a licensee in this 884
state. 885

(2) (a) Each public agency of this state or of a political 886
subdivision of this state that is served by one or more peace 887
officers shall issue a retired peace officer identification card 888
to any person who retired from service as a peace officer with 889
that agency, if the issuance is in accordance with the agency's 890
policies and procedures and if the person, with respect to the 891
person's service with that agency, satisfies all of the 892
following: 893

(i) The person retired in good standing from service as a 894
peace officer with the public agency, and the retirement was not 895
for reasons of mental instability. 896

(ii) Before retiring from service as a peace officer with 897
that agency, the person was authorized to engage in or supervise 898
the prevention, detection, investigation, or prosecution of, or 899
the incarceration of any person for, any violation of law and 900
the person had statutory powers of arrest. 901

(iii) At the time of the person's retirement as a peace 902
officer with that agency, the person was trained and qualified 903
to carry firearms in the performance of the peace officer's 904
duties. 905

(iv) Before retiring from service as a peace officer with 906
that agency, the person was regularly employed as a peace 907

officer for an aggregate of fifteen years or more, or, in the 908
alternative, the person retired from service as a peace officer 909
with that agency, after completing any applicable probationary 910
period of that service, due to a service-connected disability, 911
as determined by the agency. 912

(b) A retired peace officer identification card issued to 913
a person under division (F)(2)(a) of this section shall identify 914
the person by name, contain a photograph of the person, identify 915
the public agency of this state or of the political subdivision 916
of this state from which the person retired as a peace officer 917
and that is issuing the identification card, and specify that 918
the person retired in good standing from service as a peace 919
officer with the issuing public agency and satisfies the 920
criteria set forth in divisions (F)(2)(a)(i) to (iv) of this 921
section. In addition to the required content specified in this 922
division, a retired peace officer identification card issued to 923
a person under division (F)(2)(a) of this section may include 924
the firearms requalification certification described in division 925
(F)(3) of this section, and if the identification card includes 926
that certification, the identification card shall serve as the 927
firearms requalification certification for the retired peace 928
officer. If the issuing public agency issues credentials to 929
active law enforcement officers who serve the agency, the agency 930
may comply with division (F)(2)(a) of this section by issuing 931
the same credentials to persons who retired from service as a 932
peace officer with the agency and who satisfy the criteria set 933
forth in divisions (F)(2)(a)(i) to (iv) of this section, 934
provided that the credentials so issued to retired peace 935
officers are stamped with the word "RETIRED." 936

(c) A public agency of this state or of a political 937
subdivision of this state may charge persons who retired from 938

service as a peace officer with the agency a reasonable fee for 939
issuing to the person a retired peace officer identification 940
card pursuant to division (F) (2) (a) of this section. 941

(3) If a person retired from service as a peace officer 942
with a public agency of this state or of a political subdivision 943
of this state and the person satisfies the criteria set forth in 944
divisions (F) (2) (a) (i) to (iv) of this section, the public 945
agency may provide the retired peace officer with the 946
opportunity to attend a firearms requalification program that is 947
approved for purposes of firearms requalification required under 948
section 109.801 of the Revised Code. The retired peace officer 949
may be required to pay the cost of the course. 950

If a retired peace officer who satisfies the criteria set 951
forth in divisions (F) (2) (a) (i) to (iv) of this section attends 952
a firearms requalification program that is approved for purposes 953
of firearms requalification required under section 109.801 of 954
the Revised Code, the retired peace officer's successful 955
completion of the firearms requalification program requalifies 956
the retired peace officer for purposes of division (F) of this 957
section for five years from the date on which the program was 958
successfully completed, and the requalification is valid during 959
that five-year period. If a retired peace officer who satisfies 960
the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 961
section satisfactorily completes such a firearms requalification 962
program, the retired peace officer shall be issued a firearms 963
requalification certification that identifies the retired peace 964
officer by name, identifies the entity that taught the program, 965
specifies that the retired peace officer successfully completed 966
the program, specifies the date on which the course was 967
successfully completed, and specifies that the requalification 968
is valid for five years from that date of successful completion. 969

The firearms requalification certification for a retired peace officer may be included in the retired peace officer identification card issued to the retired peace officer under division (F) (2) of this section.

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

(G) As used in this section:

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

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

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

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

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

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

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

(b) The office of a deputy registrar serving pursuant to Chapter 4503. of the Revised Code that is used to perform deputy registrar functions.	998 999 1000
(4) "Governing body" has the same meaning as in section 154.01 of the Revised Code.	1001 1002
<u>(5) "Tactical medical professional" has the same meaning as in section 109.71 of the Revised Code.</u>	1003 1004
Section 2. That existing sections 109.71, 109.73, 109.75, 109.79, 109.801, and 2923.126 of the Revised Code are hereby repealed.	1005 1006 1007