

As Introduced

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H. B. No. 147

Representative Hood

**Cosponsors: Representatives Retherford, Thompson, Becker, Vitale, Brenner,
Blessing, Maag, Roegner, Young, Buchy, Johnson, T., Boose, Kraus, Antani,
Amstutz, Hill, Schaffer, Koehler, Zeltwanger, Conditt**

A BILL

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

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

Section 1. That sections 109.69, 109.731, 1547.69, 19
2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 2923.124, 20
2923.125, 2923.126, 2923.128, 2923.129, 2923.1213, 2923.16, and 21
4749.10 be amended and section 2923.111 of the Revised Code be 22
enacted to read as follows: 23

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

(a) The eligibility requirements imposed by that license- 29
issuing state for that license are substantially comparable to 30
the eligibility requirements for a concealed handgun license 31
issued under section 2923.125 of the Revised Code. 32

(b) That license-issuing state recognizes a concealed 33
handgun license issued under section 2923.125 of the Revised 34
Code. 35

(2) A reciprocity agreement entered into under division 36
(A) (1) of this section also may provide for the recognition in 37
this state of a concealed handgun license issued on a temporary 38
or emergency basis by the other license-issuing state, if the 39
eligibility requirements imposed by that license-issuing state 40
for the temporary or emergency license are substantially 41
comparable to the eligibility requirements for a concealed 42
handgun license issued under section 2923.125 or 2923.1213 of 43
the Revised Code and if that license-issuing state recognizes a 44
concealed handgun license issued under section 2923.1213 of the 45
Revised Code. 46

(3) The attorney general shall not negotiate any agreement 47

with any other license-issuing state under which a concealed 48
handgun license issued by the other state is recognized in this 49
state other than as provided in divisions (A) (1) and (2) of this 50
section. 51

(B) As used in this section: 52

(1) "Handgun," "firearm," and "concealed handgun license" 53
have the same meanings as in section 2923.11 of the Revised 54
Code. 55

(2) "License-issuing state" means a state other than this 56
state that, pursuant to law, provides for the issuance of a 57
license to carry a concealed handgun or a license to carry a 58
concealed firearm. 59

Sec. 109.731. (A) The Ohio peace officer training 60
commission shall prescribe, and shall make available to 61
sheriffs, all of the following: 62

(1) An application form that is to be used under section 63
2923.125 of the Revised Code by a person who applies for a 64
concealed handgun license and an application form that is to be 65
used under section 2923.125 of the Revised Code by a person who 66
applies for the renewal of a license of that nature, both of 67
which shall conform substantially to the forms prescribed in 68
section 2923.1210 of the Revised Code; 69

(2) A form for the concealed handgun license that is to be 70
issued by sheriffs to persons who qualify for a concealed 71
handgun license under section 2923.125 of the Revised Code and 72
that conforms to the following requirements: 73

(a) It has space for the licensee's full name, residence 74
address, and date of birth and for a color photograph of the 75
licensee. 76

(b) It has space for the date of issuance of the license, 77
its expiration date, its county of issuance, the name of the 78
sheriff who issues the license, and the unique combination of 79
letters and numbers that identify the county of issuance and the 80
license given to the licensee by the sheriff in accordance with 81
division (A) (4) of this section. 82

(c) It has space for the signature of the licensee and the 83
signature or a facsimile signature of the sheriff who issues the 84
license. 85

(d) It does not require the licensee to include serial 86
numbers of ~~handguns~~ firearms, other identification related to 87
~~handguns~~ firearms, or similar data that is not pertinent or 88
relevant to obtaining the license and that could be used as a de 89
facto means of registration of ~~handguns~~ firearms owned by the 90
licensee. 91

(3) A series of three-letter county codes that identify 92
each county in this state; 93

(4) A procedure by which a sheriff shall give each 94
concealed handgun license, replacement concealed handgun 95
license, or renewal concealed handgun license and each concealed 96
handgun license on a temporary emergency basis or replacement 97
license on a temporary emergency basis the sheriff issues under 98
section 2923.125 or 2923.1213 of the Revised Code a unique 99
combination of letters and numbers that identifies the county in 100
which the license was issued and that uses the county code and a 101
unique number for each license the sheriff of that county 102
issues; 103

(5) A form for a concealed handgun license on a temporary 104
emergency basis that is to be issued by sheriffs to persons who 105

qualify for such a license under section 2923.1213 of the Revised Code, which form shall conform to all the requirements set forth in divisions (A) (2) (a) to (d) of this section and shall additionally conspicuously specify that the license is issued on a temporary emergency basis and the date of its issuance.

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

(a) Explains the firearms laws of this state;

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

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

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

(C) The Ohio peace officer training commission shall maintain statistics with respect to the issuance, renewal, suspension, revocation, and denial of concealed handgun licenses

under section 2923.125 of the Revised Code and the suspension of 135
processing of applications for those licenses, and with respect 136
to the issuance, suspension, revocation, and denial of concealed 137
handgun licenses on a temporary emergency basis under section 138
2923.1213 of the Revised Code, as reported by the sheriffs 139
pursuant to division (C) of section 2923.129 of the Revised 140
Code. Not later than the first day of March in each year, the 141
commission shall submit a statistical report to the governor, 142
the president of the senate, and the speaker of the house of 143
representatives indicating the number of concealed handgun 144
licenses that were issued, renewed, suspended, revoked, and 145
denied under section 2923.125 of the Revised Code in the 146
previous calendar year, the number of applications for those 147
licenses for which processing was suspended in accordance with 148
division (D) (3) of that section in the previous calendar year, 149
and the number of concealed handgun licenses on a temporary 150
emergency basis that were issued, suspended, revoked, or denied 151
under section 2923.1213 of the Revised Code in the previous 152
calendar year. Nothing in the statistics or the statistical 153
report shall identify, or enable the identification of, any 154
individual who was issued or denied a license, for whom a 155
license was renewed, whose license was suspended or revoked, or 156
for whom application processing was suspended. The statistics 157
and the statistical report are public records for the purpose of 158
section 149.43 of the Revised Code. 159

(D) As used in this section, "concealed handgun license," 160
"firearm," and "handgun" have the same meanings as in section 161
2923.11 of the Revised Code. 162

Sec. 1547.69. (A) As used in this section: 163

(1) "Firearm," "concealed handgun license," "handgun," 164

"restricted firearm," and "valid concealed handgun license" have 165
the same meanings as in section 2923.11 of the Revised Code. 166

(2) "Unloaded" has the same meanings as in divisions (K) 167
(5) and (6) of section 2923.16 of the Revised Code, except that 168
all references in the definition in division (K) (5) of that 169
section to "vehicle" shall be construed for purposes of this 170
section to be references to "vessel." 171

(B) No person shall knowingly discharge a firearm while in 172
or on a vessel. 173

(C) No person shall knowingly transport or have a loaded 174
firearm in a vessel in a manner that the firearm is accessible 175
to the operator or any passenger. 176

(D) No person shall knowingly transport or have a firearm 177
in a vessel unless it is unloaded and is carried in one of the 178
following ways: 179

(1) In a closed package, box, or case; 180

(2) In plain sight with the action opened or the weapon 181
stripped, or, if the firearm is of a type on which the action 182
will not stay open or that cannot easily be stripped, in plain 183
sight. 184

(E) (1) The affirmative defenses authorized in divisions 185
(D) (1) and (2) of section 2923.12 of the Revised Code are 186
affirmative defenses to a charge under division (C) or (D) of 187
this section that involves a firearm other than a handgun if 188
division (H) (2) of this section does not apply to the person 189
charged. It is an affirmative defense to a charge under division 190
(C) or (D) of this section of transporting or having a firearm 191
of any type, including a handgun, in a vessel that the actor 192
transported or had the firearm in the vessel for any lawful 193

purpose and while the vessel was on the actor's own property, 194
provided that this affirmative defense is not available unless 195
the actor, prior to arriving at the vessel on the actor's own 196
property, did not transport or possess the firearm in the vessel 197
or in a motor vehicle in a manner prohibited by this section or 198
division (B) or (C) of section 2923.16 of the Revised Code while 199
the vessel was being operated on a waterway that was not on the 200
actor's own property or while the motor vehicle was being 201
operated on a street, highway, or other public or private 202
property used by the public for vehicular traffic. 203

(2) No person who is charged with a violation of division 204
(C) or (D) of this section shall be required to obtain a license 205
or temporary emergency license to carry a concealed handgun 206
under section 2923.125 or 2923.1213 of the Revised Code as a 207
condition for the dismissal of the charge. 208

(F) Divisions (B), (C), and (D) of this section do not 209
apply to the possession or discharge of a United States coast 210
guard approved signaling device required to be carried aboard a 211
vessel under section 1547.251 of the Revised Code when the 212
signaling device is possessed or used for the purpose of giving 213
a visual distress signal. No person shall knowingly transport or 214
possess any signaling device of that nature in or on a vessel in 215
a loaded condition at any time other than immediately prior to 216
the discharge of the signaling device for the purpose of giving 217
a visual distress signal. 218

(G) No person shall operate or permit to be operated any 219
vessel on the waters in this state in violation of this section. 220

(H) (1) This section does not apply to any of the 221
following: 222

(a) An officer, agent, or employee of this or any other state or of the United States, or to a law enforcement officer, when authorized to carry or have loaded or accessible firearms in a vessel and 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 or have loaded or accessible firearms in a vessel, and who is subject to and in compliance with the requirements of section 109.801 of the Revised Code, unless the appointing authority of the person has expressly specified that the exemption provided in division (H) (1) (b) of this section does not apply to the person;

(c) Any person legally engaged in hunting.

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

(I) If a law enforcement officer stops a vessel for a violation of this section or any other law enforcement purpose, if any person on the vessel surrenders a firearm to the officer, either voluntarily or pursuant to a request or demand of the officer, and if the officer does not charge the person with a

violation of this section or arrest the person for any offense, 253
the person is not otherwise prohibited by law from possessing 254
the firearm, and the firearm is not contraband, the officer 255
shall return the firearm to the person at the termination of the 256
stop. 257

(J) Division (L) of section 2923.16 of the Revised Code 258
applies with respect to division (A) (2) of this section, except 259
that all references in division (L) of section 2923.16 of the 260
Revised Code to "vehicle," to "this chapter," or to "division 261
(K) (5) (a) or (b) of this section" shall be construed for 262
purposes of this section to be, respectively, references to 263
"vessel," to "section 1547.69 of the Revised Code," and to 264
"divisions (K) (5) (a) and (b) of section 2923.16 of the Revised 265
Code as incorporated under the definition of firearm adopted 266
under division (A) (2) of this section." 267

Sec. 2923.11. As used in sections 2923.11 to 2923.24 of 268
the Revised Code: 269

(A) "Deadly weapon" means any instrument, device, or thing 270
capable of inflicting death, and designed or specially adapted 271
for use as a weapon, or possessed, carried, or used as a weapon. 272

(B) (1) "Firearm" means any deadly weapon capable of 273
expelling or propelling one or more projectiles by the action of 274
an explosive or combustible propellant. "Firearm" includes an 275
unloaded firearm, and any firearm that is inoperable but that 276
can readily be rendered operable. 277

(2) When determining whether a firearm is capable of 278
expelling or propelling one or more projectiles by the action of 279
an explosive or combustible propellant, the trier of fact may 280
rely upon circumstantial evidence, including, but not limited 281

to, the representations and actions of the individual exercising control over the firearm. 282
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(C) "Handgun" means any of the following: 284

(1) Any firearm that has a short stock and is designed to be held and fired by the use of a single hand; 285
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(2) Any combination of parts from which a firearm of a type described in division (C) (1) of this section can be assembled. 287
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(D) "Semi-automatic firearm" means any firearm designed or specially adapted to fire a single cartridge and automatically chamber a succeeding cartridge ready to fire, with a single function of the trigger. 290
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(E) "Automatic firearm" means any firearm designed or specially adapted to fire a succession of cartridges with a single function of the trigger. "Automatic firearm" also means any semi-automatic firearm designed or specially adapted to fire more than thirty-one cartridges without reloading, other than a firearm chambering only .22 caliber short, long, or long-rifle cartridges. 294
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(F) "Sawed-off firearm" means a shotgun with a barrel less than eighteen inches long, or a rifle with a barrel less than sixteen inches long, or a shotgun or rifle less than twenty-six inches long overall. 301
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(G) "Zip-gun" means any of the following: 305

(1) Any firearm of crude and extemporized manufacture; 306

(2) Any device, including without limitation a starter's pistol, that is not designed as a firearm, but that is specially adapted for use as a firearm; 307
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(3) Any industrial tool, signalling device, or safety device, that is not designed as a firearm, but that as designed is capable of use as such, when possessed, carried, or used as a firearm.

(H) "Explosive device" means any device designed or specially adapted to cause physical harm to persons or property by means of an explosion, and consisting of an explosive substance or agency and a means to detonate it. "Explosive device" includes without limitation any bomb, any explosive demolition device, any blasting cap or detonator containing an explosive charge, and any pressure vessel that has been knowingly tampered with or arranged so as to explode.

(I) "Incendiary device" means any firebomb, and any device designed or specially adapted to cause physical harm to persons or property by means of fire, and consisting of an incendiary substance or agency and a means to ignite it.

(J) "Ballistic knife" means a knife with a detachable blade that is propelled by a spring-operated mechanism.

(K) "Dangerous ordnance" means any of the following, except as provided in division (L) of this section:

(1) Any automatic or sawed-off firearm, zip-gun, or ballistic knife;

(2) Any explosive device or incendiary device;

(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, cyclonite, TNT, picric acid, and other high explosives; amatol, tritonal, tetrytol, pentolite, pecretol, cyclotol, and other high explosive compositions; plastic explosives; dynamite, blasting gelatin, gelatin dynamite, sensitized ammonium nitrate, liquid-oxygen blasting explosives, blasting powder, and other

blasting agents; and any other explosive substance having 339
sufficient brisance or power to be particularly suitable for use 340
as a military explosive, or for use in mining, quarrying, 341
excavating, or demolitions; 342

(4) Any firearm, rocket launcher, mortar, artillery piece, 343
grenade, mine, bomb, torpedo, or similar weapon, designed and 344
manufactured for military purposes, and the ammunition for that 345
weapon; 346

(5) Any firearm muffler or silencer; 347

(6) Any combination of parts that is intended by the owner 348
for use in converting any firearm or other device into a 349
dangerous ordnance. 350

(L) "Dangerous ordnance" does not include any of the 351
following: 352

(1) Any firearm, including a military weapon and the 353
ammunition for that weapon, and regardless of its actual age, 354
that employs a percussion cap or other obsolete ignition system, 355
or that is designed and safe for use only with black powder; 356

(2) Any pistol, rifle, or shotgun, designed or suitable 357
for sporting purposes, including a military weapon as issued or 358
as modified, and the ammunition for that weapon, unless the 359
firearm is an automatic or sawed-off firearm; 360

(3) Any cannon or other artillery piece that, regardless 361
of its actual age, is of a type in accepted use prior to 1887, 362
has no mechanical, hydraulic, pneumatic, or other system for 363
absorbing recoil and returning the tube into battery without 364
displacing the carriage, and is designed and safe for use only 365
with black powder; 366

(4) Black powder, priming quills, and percussion caps 367
possessed and lawfully used to fire a cannon of a type defined 368
in division (L) (3) of this section during displays, 369
celebrations, organized matches or shoots, and target practice, 370
and smokeless and black powder, primers, and percussion caps 371
possessed and lawfully used as a propellant or ignition device 372
in small-arms or small-arms ammunition; 373

(5) Dangerous ordnance that is inoperable or inert and 374
cannot readily be rendered operable or activated, and that is 375
kept as a trophy, souvenir, curio, or museum piece. 376

(6) Any device that is expressly excepted from the 377
definition of a destructive device pursuant to the "Gun Control 378
Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a) (4), as amended, 379
and regulations issued under that act. 380

(M) "Explosive" means any chemical compound, mixture, or 381
device, the primary or common purpose of which is to function by 382
explosion. "Explosive" includes all materials that have been 383
classified as division 1.1, division 1.2, division 1.3, or 384
division 1.4 explosives by the United States department of 385
transportation in its regulations and includes, but is not 386
limited to, dynamite, black powder, pellet powders, initiating 387
explosives, blasting caps, electric blasting caps, safety fuses, 388
fuse igniters, squibs, cordeau detonant fuses, instantaneous 389
fuses, and igniter cords and igniters. "Explosive" does not 390
include "fireworks," as defined in section 3743.01 of the 391
Revised Code, or any substance or material otherwise meeting the 392
definition of explosive set forth in this section that is 393
manufactured, sold, possessed, transported, stored, or used in 394
any activity described in section 3743.80 of the Revised Code, 395
provided the activity is conducted in accordance with all 396

applicable laws, rules, and regulations, including, but not 397
limited to, the provisions of section 3743.80 of the Revised 398
Code and the rules of the fire marshal adopted pursuant to 399
section 3737.82 of the Revised Code. 400

(N) (1) "Concealed handgun license" or "license to carry a 401
concealed handgun" means, subject to division (N) (2) of this 402
section, a license or temporary emergency license ~~to carry a~~ 403
~~concealed handgun~~ issued under section 2923.125 or 2923.1213 of 404
the Revised Code that authorizes the person to whom it is issued 405
to carry a concealed firearm other than a restricted firearm or 406
a license ~~to carry a concealed handgun~~ issued by another state 407
with which the attorney general has entered into a reciprocity 408
agreement under section 109.69 of the Revised Code that 409
authorizes the person to whom it is issued either to carry a 410
concealed handgun or to carry a concealed firearm other than a 411
restricted firearm. 412

(2) A reference in any provision of the Revised Code to a 413
concealed handgun license issued under section 2923.125 of the 414
Revised Code or a license to carry a concealed handgun issued 415
under section 2923.125 of the Revised Code means only a license 416
of the type that is specified in that section. A reference in 417
any provision of the Revised Code to a concealed handgun license 418
issued under section 2923.1213 of the Revised Code, a license to 419
carry a concealed handgun issued under section 2923.1213 of the 420
Revised Code, or a license to carry a concealed handgun on a 421
temporary emergency basis means only a license of the type that 422
is specified in section 2923.1213 of the Revised Code. A 423
reference in any provision of the Revised Code to a concealed 424
handgun license issued by another state or a license to carry a 425
concealed handgun issued by another state means only a license 426
issued by another state with which the attorney general has 427

entered into a reciprocity agreement under section 109.69 of the Revised Code.

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

(O) "Valid concealed handgun license" or "valid license to carry a concealed handgun" means a concealed handgun license that is currently valid, that is not under a suspension under division (A) (1) of section 2923.128 of the Revised Code, under section 2923.1213 of the Revised Code, or under a suspension provision of the state other than this state in which the license was issued, and that has not been revoked under division (B) (1) of section 2923.128 of the Revised Code, under section 2923.1213 of the Revised Code, or under a revocation provision of the state other than this state in which the license was issued.

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

Sec. 2923.111. (A) Notwithstanding any other Revised Code section to the contrary, subject to the limitations specified in this division and to division (C) (2) of this section, a person who is twenty-one years of age or older and is not legally prohibited from possessing or receiving a firearm under 18 U.S.C. 922(g) (1) to (9) shall not be required to obtain a

concealed handgun license under section 2923.125 or 2923.1213 of 458
the Revised Code in order to carry in this state a concealed 459
firearm that is not a restricted firearm. 460

Except as provided in divisions (B) and (C) of section 461
2923.126 of the Revised Code and regardless of whether the 462
person has been issued a concealed handgun license under section 463
2923.125 or 2923.1213 of the Revised Code or by another state, a 464
person who is twenty-one years of age or older and is not 465
legally prohibited from possessing or receiving a firearm under 466
18 U.S.C. 922(g) (1) to (9) may carry a concealed firearm that is 467
not a restricted firearm anywhere in this state. The person's 468
right to carry a concealed firearm that is not a restricted 469
firearm that is granted under this division is the same right as 470
is granted to a person who is issued a concealed handgun license 471
under section 2923.125 of the Revised Code, and the person 472
described in this division is subject to the same restrictions 473
as apply to a person who is issued a license under section 474
2923.125 of the Revised Code. 475

(B) The mere carrying or possession of a firearm that is 476
not a restricted firearm pursuant to the right described in 477
division (A) of this section, with or without a concealed 478
handgun license issued under section 2923.125 or 2923.1213 of 479
the Revised Code or by another state, does not constitute 480
grounds for any law enforcement officer or any agent of the 481
state, a county, a municipal corporation, or a township to 482
conduct any search, seizure, or detention, no matter how 483
temporary in duration, of an otherwise law-abiding person. 484

(C) (1) For purposes of sections 1547.69 and 2923.12 to 485
2923.1213 of the Revised Code and any other provision of law 486
that refers to a concealed handgun license or a concealed 487

handgun licensee, except when the context clearly indicates 488
otherwise, a person who is described in division (A) of this 489
section and is carrying or has, concealed on the person's person 490
or ready at hand, a firearm that is not a restricted firearm 491
shall be deemed to have been issued a concealed handgun license 492
under section 2923.125 of the Revised Code. 493

(2) The concealed handgun license expiration provisions of 494
section 2923.125 of the Revised Code and the concealed handgun 495
license suspension and revocation provisions of section 2923.128 496
of the Revised Code do not apply with respect to a person who is 497
described in division (A) of this section unless the person has 498
been issued a concealed handgun license. If a person is 499
described in division (A) of this section and the person 500
thereafter comes within any category of persons specified in 18 501
U.S.C. 922(g) (1) to (9) so that the person as a result is 502
legally prohibited under the applicable provision from 503
possessing or receiving a firearm, both of the following apply 504
automatically and immediately upon the person coming within that 505
category: 506

(a) Division (A) of this section and the authority and 507
right to carry a concealed firearm that are described in that 508
division do not apply to the person. 509

(b) Division (C) (1) of this section does not apply to the 510
person, and the person no longer is deemed to have been issued a 511
concealed handgun license under section 2923.125 of the Revised 512
Code as described in that division. 513

Sec. 2923.12. (A) No person shall knowingly carry or have, 514
concealed on the person's person or concealed ready at hand, any 515
of the following: 516

- (1) A deadly weapon other than a handgun; 517
- (2) A handgun other than a dangerous ordnance; 518
- (3) A dangerous ordnance. 519
- (B) No person who has been issued a concealed handgun license and is carrying a concealed firearm that is not a restricted firearm or who is deemed under division (C) of section 2923.111 of the Revised Code to have been issued a concealed handgun license under section 2923.125 of the Revised Code and is carrying a concealed firearm that is not a restricted firearm shall do any of the following: 520-526
- (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~~ firearm and, if the person has been issued a concealed handgun license, that the person has been issued the license; 527-534
- (2) If the person is stopped for a law enforcement purpose ~~and is carrying a concealed handgun,~~ knowingly fail to keep the person's hands in plain sight at any time after any law enforcement officer begins approaching the person while stopped and before the law enforcement officer leaves, unless the failure is pursuant to and in accordance with directions given by a law enforcement officer; 535-541
- (3) If the person is stopped for a law enforcement purpose, ~~if the person is carrying a concealed handgun,~~ and if the person is approached by any law enforcement officer while stopped, knowingly remove or attempt to remove the loaded 542-545

~~handgun-firearm~~ from the holster, pocket, or other place in 546
which the person is carrying it, knowingly grasp or hold the 547
loaded ~~handgun-firearm~~, or knowingly have contact with the 548
loaded ~~handgun-firearm~~ by touching it with the person's hands or 549
fingers at any time after the law enforcement officer begins 550
approaching and before the law enforcement officer leaves, 551
unless the person removes, attempts to remove, grasps, holds, or 552
has contact with the loaded ~~handgun-firearm~~ pursuant to and in 553
accordance with directions given by the law enforcement officer; 554

(4) If the person is stopped for a law enforcement purpose 555
~~and is carrying a concealed handgun~~, knowingly disregard or fail 556
to comply with any lawful order of any law enforcement officer 557
given while the person is stopped, including, but not limited 558
to, a specific order to the person to keep the person's hands in 559
plain sight. 560

(C) (1) This section does not apply to any of the 561
following: 562

(a) An officer, agent, or employee of this or any other 563
state or the United States, or to a law enforcement officer, who 564
is authorized to carry concealed weapons or dangerous ordnance 565
or is authorized to carry handguns and is acting within the 566
scope of the officer's, agent's, or employee's duties; 567

(b) Any person who is employed in this state, who is 568
authorized to carry concealed weapons or dangerous ordnance or 569
is authorized to carry handguns, and who is subject to and in 570
compliance with the requirements of section 109.801 of the 571
Revised Code, unless the appointing authority of the person has 572
expressly specified that the exemption provided in division (C) 573
(1) (b) of this section does not apply to the person; 574

(c) A person's transportation or storage of a firearm, 575
other than a firearm described in divisions (G) to (M) of 576
section 2923.11 of the Revised Code, in a motor vehicle for any 577
lawful purpose if the firearm is not on the actor's person; 578

(d) A person's storage or possession of a firearm, other 579
than a firearm described in divisions (G) to (M) of section 580
2923.11 of the Revised Code, in the actor's own home for any 581
lawful purpose. 582

(2) ~~Division~~ Divisions (A) (1) and (2) of this section ~~does~~ 583
do not apply to any person ~~who~~ with respect to the carrying or 584
possession of any firearm that is not a restricted firearm if, 585
at the time of the alleged carrying or possession of a ~~a~~ 586
~~handgun~~ the firearm, the person is carrying a valid concealed 587
handgun license or is deemed under division (C) of section 588
2923.111 of the Revised Code to have been issued a concealed 589
handgun license under section 2923.125 of the Revised Code, 590
unless the person at that time knowingly is in ~~a~~ an unauthorized 591
place ~~described~~ specified in division (B) of section 2923.126 of 592
the Revised Code or knowingly is transporting or possessing the 593
firearm in any prohibited manner listed in that division. 594

(D) It is an affirmative defense to a charge under 595
division (A) (1) of this section of carrying or having control of 596
a deadly weapon other than a handgun and other than a dangerous 597
ordnance that division (C) (1) or (2) of this section does not 598
apply, that the actor was not otherwise prohibited by law from 599
having the weapon, and that any of the following applies: 600

(1) The weapon was carried or kept ready at hand by the 601
actor for defensive purposes while the actor was engaged in or 602
was going to or from the actor's lawful business or occupation, 603
which business or occupation was of a character or was 604

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

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

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

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

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

(A) of this section is a felony of the third degree. 635

~~(2) If a person being arrested for a violation of division
(A) (2) of this section promptly produces a valid concealed
handgun license, and if at the time of the violation the person
was not knowingly in a place described in division (B) of
section 2923.126 of the Revised Code, the officer shall not
arrest the person for a violation of that division. If the
person is not able to promptly produce any concealed handgun
license and if the person is not in a place described in that
section, the officer may arrest the person for a violation of
that division, and the offender shall be punished as follows:~~ 636
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~~(a) The offender shall be guilty of a minor misdemeanor if
both of the following apply:~~ 646
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~~(i) Within ten days after the arrest, the offender
presents a concealed handgun license, which license was valid at
the time of the arrest to the law enforcement agency that
employs the arresting officer.~~ 648
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~~(ii) At the time of the arrest, the offender was not
knowingly in a place described in division (B) of section
2923.126 of the Revised Code.~~ 652
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~~(b) The offender shall be guilty of a misdemeanor and
shall be fined five hundred dollars if all of the following
apply:~~ 655
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~~(i) The offender previously had been issued a concealed
handgun license, and that license expired within the two years
immediately preceding the arrest.~~ 658
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~~(ii) Within forty five days after the arrest, the offender
presents a concealed handgun license to the law enforcement
agency that employed the arresting officer, and the offender~~ 661
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~~waives in writing the offender's right to a speedy trial on the charge of the violation that is provided in section 2945.71 of the Revised Code.~~

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

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

~~(3) Except as otherwise provided in this division, carrying concealed weapons in violation of division (B) (1) of this section is a misdemeanor of the first degree, and, in addition to any other penalty or sanction imposed for a violation of division (B) (1) of this section, if the offender has been issued a concealed handgun license, the offender's ~~concealed handgun~~ license shall be suspended pursuant to division (A) (2) of section 2923.128 of the Revised Code. If, at the time of the stop of the offender for a law enforcement purpose that was the basis of the violation, any law enforcement officer involved with the stop had actual knowledge that the offender has been issued a concealed handgun license or that the offender is deemed under division (C) of section 2923.111 of the Revised Code to have been issued a concealed handgun license under section 2923.125 of the Revised Code, carrying concealed weapons in violation of division (B) (1) of this section is a minor misdemeanor, and if the offender has been issued a concealed handgun license, the offender's ~~concealed handgun~~ license shall not be suspended pursuant to division (A) (2) of section 2923.128 of the Revised Code.~~

~~(4)~~ (3) Carrying concealed weapons in violation of

division (B) (2) or (4) of this section is a misdemeanor of the 694
first degree or, if the offender previously has been convicted 695
of or pleaded guilty to a violation of division (B) (2) or (4) of 696
this section, a felony of the fifth degree. In addition to any 697
other penalty or sanction imposed for a misdemeanor violation of 698
division (B) (2) or (4) of this section, if the offender has been 699
issued a concealed handgun license, the offender's ~~concealed-~~ 700
~~handgun-~~license shall be suspended pursuant to division (A) (2) 701
of section 2923.128 of the Revised Code. 702

~~(5)~~ (4) Carrying concealed weapons in violation of 703
division (B) (3) of this section is a felony of the fifth degree. 704

(G) If a law enforcement officer stops a person to 705
question the person regarding a possible violation of this 706
section, for a traffic stop, or for any other law enforcement 707
purpose, if the person surrenders a firearm to the officer, 708
either voluntarily or pursuant to a request or demand of the 709
officer, and if the officer does not charge the person with a 710
violation of this section or arrest the person for any offense, 711
the person is not otherwise prohibited by law from possessing 712
the firearm, and the firearm is not contraband, the officer 713
shall return the firearm to the person at the termination of the 714
stop. If a court orders a law enforcement officer to return a 715
firearm to a person pursuant to the requirement set forth in 716
this division, division (B) of section 2923.163 of the Revised 717
Code applies. 718

Sec. 2923.121. (A) No person shall possess a firearm in 719
any room in which any person is consuming beer or intoxicating 720
liquor in a premises for which a D permit has been issued under 721
Chapter 4303. of the Revised Code or in an open air arena for 722
which a permit of that nature has been issued. 723

(B) (1) This section does not apply to any of the 724
following: 725

(a) An officer, agent, or employee of this or any other 726
state or the United States, or to a law enforcement officer, who 727
is authorized to carry firearms and is acting within the scope 728
of the officer's, agent's, or employee's duties; 729

(b) Any person who is employed in this state, who is 730
authorized to carry firearms, and who is subject to and in 731
compliance with the requirements of section 109.801 of the 732
Revised Code, unless the appointing authority of the person has 733
expressly specified that the exemption provided in division (B) 734
(1) (b) of this section does not apply to the person; 735

(c) Any room used for the accommodation of guests of a 736
hotel, as defined in section 4301.01 of the Revised Code; 737

(d) The principal holder of a D permit issued for a 738
premises or an open air arena under Chapter 4303. of the Revised 739
Code while in the premises or open air arena for which the 740
permit was issued if the principal holder of the D permit also 741
possesses a valid concealed handgun license or is deemed under 742
division (C) of section 2923.111 of the Revised Code to have 743
been issued a concealed handgun license under section 2923.125 744
of the Revised Code and as long as the firearm is not a 745
restricted firearm and the principal holder is not consuming 746
beer or intoxicating liquor or under the influence of alcohol or 747
a drug of abuse, or any agent or employee of that holder who 748
also is a peace officer, as defined in section 2151.3515 of the 749
Revised Code, who is off duty, and who otherwise is authorized 750
to carry firearms while in the course of the officer's official 751
duties and while in the premises or open air arena for which the 752
permit was issued and as long as the firearm is not a restricted 753

firearm and the agent or employee of that holder is not 754
consuming beer or intoxicating liquor or under the influence of 755
alcohol or a drug of abuse. 756

(e) Any person who is carrying a valid concealed handgun 757
license or is deemed under division (C) of section 2923.111 of 758
the Revised Code to have been issued a concealed handgun license 759
under section 2923.125 of the Revised Code, as long as the 760
firearm is not a restricted firearm and the person is not 761
consuming beer or intoxicating liquor or under the influence of 762
alcohol or a drug of abuse. 763

(2) This section does not prohibit any person who is a 764
member of a veteran's organization, as defined in section 765
2915.01 of the Revised Code, from possessing a rifle in any room 766
in any premises owned, leased, or otherwise under the control of 767
the veteran's organization, if the rifle is not loaded with live 768
ammunition and if the person otherwise is not prohibited by law 769
from having the rifle. 770

(3) This section does not apply to any person possessing 771
or displaying firearms in any room used to exhibit unloaded 772
firearms for sale or trade in a soldiers' memorial established 773
pursuant to Chapter 345. of the Revised Code, in a convention 774
center, or in any other public meeting place, if the person is 775
an exhibitor, trader, purchaser, or seller of firearms and is 776
not otherwise prohibited by law from possessing, trading, 777
purchasing, or selling the firearms. 778

(C) It is an affirmative defense to a charge under this 779
section of illegal possession of a firearm in a liquor permit 780
premises ~~that involves~~ involving the possession of a firearm 781
other than a handgun, that divisions (B)(1)(d) and (e) of this 782
section do not apply, that the actor was not otherwise 783

prohibited by law from having the firearm, and that any of the 784
following apply: 785

(1) The firearm was carried or kept ready at hand by the 786
actor for defensive purposes, while the actor was engaged in or 787
was going to or from the actor's lawful business or occupation, 788
which business or occupation was of such character or was 789
necessarily carried on in such manner or at such a time or place 790
as to render the actor particularly susceptible to criminal 791
attack, such as would justify a prudent person in going armed. 792

(2) The firearm was carried or kept ready at hand by the 793
actor for defensive purposes, while the actor was engaged in a 794
lawful activity, and had reasonable cause to fear a criminal 795
attack upon the actor or a member of the actor's family, or upon 796
the actor's home, such as would justify a prudent person in 797
going armed. 798

(D) No person who is charged with a violation of this 799
section shall be required to obtain a concealed handgun license 800
as a condition for the dismissal of the charge. 801

(E) Whoever violates this section is guilty of illegal 802
possession of a firearm in a liquor permit premises. Except as 803
otherwise provided in this division, illegal possession of a 804
firearm in a liquor permit premises is a felony of the fifth 805
degree. If the offender commits the violation of this section by 806
knowingly carrying or having the firearm concealed on the 807
offender's person or concealed ready at hand, illegal possession 808
of a firearm in a liquor permit premises is a felony of the 809
third degree. 810

(F) As used in this section, "beer" and "intoxicating 811
liquor" have the same meanings as in section 4301.01 of the 812

Revised Code. 813

Sec. 2923.122. (A) No person shall knowingly convey, or 814
attempt to convey, a deadly weapon or dangerous ordnance into a 815
school safety zone. 816

(B) No person shall knowingly possess a deadly weapon or 817
dangerous ordnance in a school safety zone. 818

(C) No person shall knowingly possess an object in a 819
school safety zone if both of the following apply: 820

(1) The object is indistinguishable from a firearm, 821
whether or not the object is capable of being fired. 822

(2) The person indicates that the person possesses the 823
object and that it is a firearm, or the person knowingly 824
displays or brandishes the object and indicates that it is a 825
firearm. 826

(D) (1) This section does not apply to any of the 827
following: 828

(a) An officer, agent, or employee of this or any other 829
state or the United States, or a law enforcement officer, who is 830
authorized to carry deadly weapons or dangerous ordnance and is 831
acting within the scope of the officer's, agent's, or employee's 832
duties, a security officer employed by a board of education or 833
governing body of a school during the time that the security 834
officer is on duty pursuant to that contract of employment, or 835
any other person who has written authorization from the board of 836
education or governing body of a school to convey deadly weapons 837
or dangerous ordnance into a school safety zone or to possess a 838
deadly weapon or dangerous ordnance in a school safety zone and 839
who conveys or possesses the deadly weapon or dangerous ordnance 840
in accordance with that authorization; 841

(b) Any person who is employed in this state, who is 842
authorized to carry deadly weapons or dangerous ordnance, and 843
who is subject to and in compliance with the requirements of 844
section 109.801 of the Revised Code, unless the appointing 845
authority of the person has expressly specified that the 846
exemption provided in division (D) (1) (b) of this section does 847
not apply to the person. 848

(2) Division (C) of this section does not apply to 849
premises upon which home schooling is conducted. Division (C) of 850
this section also does not apply to a school administrator, 851
teacher, or employee who possesses an object that is 852
indistinguishable from a firearm for legitimate school purposes 853
during the course of employment, a student who uses an object 854
that is indistinguishable from a firearm under the direction of 855
a school administrator, teacher, or employee, or any other 856
person who with the express prior approval of a school 857
administrator possesses an object that is indistinguishable from 858
a firearm for a legitimate purpose, including the use of the 859
object in a ceremonial activity, a play, reenactment, or other 860
dramatic presentation, or a ROTC activity or another similar use 861
of the object. 862

(3) This section does not apply to a person who conveys or 863
attempts to convey a ~~handgun~~ firearm that is not a restricted 864
firearm into, or possesses a ~~handgun~~ firearm that is not a 865
restricted firearm in, a school safety zone if, at the time of 866
that conveyance, attempted conveyance, or possession of the 867
~~handgun~~ firearm that is not a restricted firearm, all the person 868
is carrying a valid concealed handgun license or is deemed under 869
division (C) of section 2923.111 of the Revised Code to have 870
been issued a concealed handgun license under section 2923.125 871
of the Revised Code and either of the following ~~apply~~ applies: 872

(a) The person does not enter into a school building or onto school premises and is not at a school activity- 873
874

~~(b) The person is carrying a valid concealed handgun license. 875
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~~(c) The, the person is in the school safety zone in accordance with 18 U.S.C. 922(q) (2) (B)- 877
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~~(d) The, and the person is not knowingly in a-an unauthorized place described-specified in division (B) (1) or (B) (3) to (10) of section 2923.126 of the Revised Code and is not knowingly conveying, attempting to convey, or possessing the firearm in any prohibited manner specified in any of those divisions. 879
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~~(4) This section does not apply to a person who conveys or attempts to convey a handgun into, or possesses a handgun in, a school safety zone if at the time of that conveyance, attempted conveyance, or possession of the handgun all of the following apply: 885
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889~~

~~(a) The person is carrying a valid concealed handgun license. 890
891~~

(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- 892
893
894

~~(c) The and the person is not in violation of section 2923.16 of the Revised Code. 895
896~~

(E) (1) 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. 897
898
899
Except as otherwise provided in this division, illegal 900

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.

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

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

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

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

(2) A peace officer, officer of a law enforcement agency, 961
or person who is in either of the following categories: 962

(a) Except as provided in division (E) of this section, a 963
peace officer, or an officer of a law enforcement agency of 964
another state, a political subdivision of another state, or the 965
United States, who is authorized to carry a deadly weapon or 966
dangerous ordnance, who possesses or has under that individual's 967
control a deadly weapon or dangerous ordnance as a requirement 968
of that individual's duties, and who is acting within the scope 969
of that individual's duties at the time of that possession or 970
control; 971

(b) Except as provided in division (E) of this section, a 972
person who is employed in this state, who is authorized to carry 973
a deadly weapon or dangerous ordnance, who possesses or has 974
under that individual's control a deadly weapon or dangerous 975
ordnance as a requirement of that person's duties, and who is 976
subject to and in compliance with the requirements of section 977
109.801 of the Revised Code, unless the appointing authority of 978
the person has expressly specified that the exemption provided 979
in division (C) (2) (b) of this section does not apply to the 980
person. 981

(3) A person who conveys, attempts to convey, possesses, 982
or has under the person's control a deadly weapon or dangerous 983
ordnance that is to be used as evidence in a pending criminal or 984
civil action or proceeding; 985

(4) Except as provided in division (E) of this section, a 986
bailiff or deputy bailiff of a court of record of this state who 987
is authorized to carry a firearm pursuant to section 109.77 of 988
the Revised Code, who possesses or has under that individual's 989
control a firearm as a requirement of that individual's duties, 990

and who is acting within the scope of that individual's duties 991
at the time of that possession or control; 992

(5) Except as provided in division (E) of this section, a 993
prosecutor, or a secret service officer appointed by a county 994
prosecuting attorney, who is authorized to carry a deadly weapon 995
or dangerous ordnance in the performance of the individual's 996
duties, who possesses or has under that individual's control a 997
deadly weapon or dangerous ordnance as a requirement of that 998
individual's duties, and who is acting within the scope of that 999
individual's duties at the time of that possession or control; 1000

(6) Except as provided in division (E) of this section, a 1001
person who conveys or attempts to convey a ~~handgun~~ firearm that 1002
is not a restricted firearm into a courthouse or into another 1003
building or structure in which a courtroom is located, ~~or who,~~ 1004
possesses or has under the person's control a firearm that is 1005
not a restricted firearm in a courthouse or such a building or 1006
structure, if the person at the time of the conveyance ~~or,~~ 1007
attempt, possession, or control, is carrying a valid concealed 1008
handgun license, ~~or is deemed under division (C) of section~~ 1009
2923.111 of the Revised Code to have been issued a concealed 1010
handgun license under section 2923.125 of the Revised Code and 1011
~~who~~ the person transfers possession of the ~~handgun~~ firearm to 1012
the officer or officer's designee who has charge of the 1013
courthouse or building. The officer shall secure the ~~handgun~~ 1014
firearm until the ~~licensee~~ person is prepared to leave the 1015
premises. The exemption described in this division applies only 1016
if the officer who has charge of the courthouse or building 1017
provides services of the nature described in this division. An 1018
officer who has charge of the courthouse or building is not 1019
required to offer services of the nature described in this 1020
division. 1021

(D) (1) Whoever violates division (A) of this section is 1022
guilty of illegal conveyance of a deadly weapon or dangerous 1023
ordnance into a courthouse. Except as otherwise provided in this 1024
division, illegal conveyance of a deadly weapon or dangerous 1025
ordnance into a courthouse is a felony of the fifth degree. If 1026
the offender previously has been convicted of a violation of 1027
division (A) or (B) of this section, illegal conveyance of a 1028
deadly weapon or dangerous ordnance into a courthouse is a 1029
felony of the fourth degree. 1030

(2) Whoever violates division (B) of this section is 1031
guilty of illegal possession or control of a deadly weapon or 1032
dangerous ordnance in a courthouse. Except as otherwise provided 1033
in this division, illegal possession or control of a deadly 1034
weapon or dangerous ordnance in a courthouse is a felony of the 1035
fifth degree. If the offender previously has been convicted of a 1036
violation of division (A) or (B) of this section, illegal 1037
possession or control of a deadly weapon or dangerous ordnance 1038
in a courthouse is a felony of the fourth degree. 1039

(E) The exemptions described in divisions (C) (1), (2) (a), 1040
(2) (b), (4), (5), and (6) of this section do not apply to any 1041
judge, magistrate, peace officer, officer of a law enforcement 1042
agency, bailiff, deputy bailiff, prosecutor, secret service 1043
officer, or other person described in any of those divisions if 1044
a rule of superintendence or another type of rule adopted by the 1045
supreme court pursuant to Article IV, Ohio Constitution, or an 1046
applicable local rule of court prohibits all persons from 1047
conveying or attempting to convey a deadly weapon or dangerous 1048
ordnance into a courthouse or into another building or structure 1049
in which a courtroom is located or from possessing or having 1050
under one's control a deadly weapon or dangerous ordnance in a 1051
courthouse or in another building or structure in which a 1052

courtroom is located. 1053

(F) As used in this section: 1054

(1) "Magistrate" means an individual who is appointed by a 1055
court of record of this state and who has the powers and may 1056
perform the functions specified in Civil Rule 53, Criminal Rule 1057
19, or Juvenile Rule 40. 1058

(2) "Peace officer" and "prosecutor" have the same 1059
meanings as in section 2935.01 of the Revised Code. 1060

Sec. 2923.124. As used in sections 2923.124 to 2923.1213 1061
of the Revised Code: 1062

(A) "Application form" means the application form 1063
prescribed pursuant to division (A)(1) of section 109.731 of the 1064
Revised Code and includes a copy of that form. 1065

(B) "Competency certification" and "competency 1066
certificate" mean a document of the type described in division 1067
(B)(3) of section 2923.125 of the Revised Code. 1068

(C) "Detention facility" has the same meaning as in 1069
section 2921.01 of the Revised Code. 1070

(D) "Licensee" means a person to whom a concealed handgun 1071
license has been issued under section 2923.125 of the Revised 1072
Code and, except when the context clearly indicates otherwise, 1073
includes a person to whom a concealed handgun license on a 1074
temporary emergency basis has been issued under section 1075
2923.1213 of the Revised Code ~~and~~, a person to whom a concealed 1076
handgun license has been issued by another state, and a person 1077
who is deemed under division (C) of section 2923.111 of the 1078
Revised Code to have been issued a concealed handgun license 1079
under section 2923.125 of the Revised Code. 1080

(E) "License fee" or "license renewal fee" means the fee 1081
for a concealed handgun license or the fee to renew that license 1082
that is prescribed pursuant to division (C) of section 109.731 1083
of the Revised Code and that is to be paid by an applicant for a 1084
license of that type. 1085

(F) "Peace officer" has the same meaning as in section 1086
2935.01 of the Revised Code. 1087

(G) "State correctional institution" has the same meaning 1088
as in section 2967.01 of the Revised Code. 1089

(H) "Civil protection order" means a protection order 1090
issued, or consent agreement approved, under section 2903.214 or 1091
3113.31 of the Revised Code. 1092

(I) "Temporary protection order" means a protection order 1093
issued under section 2903.213 or 2919.26 of the Revised Code. 1094

(J) "Protection order issued by a court of another state" 1095
has the same meaning as in section 2919.27 of the Revised Code. 1096

(K) "Child day-care center," "type A family day-care home" 1097
and "type B family day-care home" have the same meanings as in 1098
section 5104.01 of the Revised Code. 1099

(L) "Foreign air transportation," "interstate air 1100
transportation," and "intrastate air transportation" have the 1101
same meanings as in 49 U.S.C. 40102, as now or hereafter 1102
amended. 1103

(M) "Commercial motor vehicle" has the same meaning as in 1104
division (A) of section 4506.25 of the Revised Code. 1105

(N) "Motor carrier enforcement unit" has the same meaning 1106
as in section 2923.16 of the Revised Code. 1107

Sec. 2923.125. (A) This section applies with respect to 1108
the application for and issuance by this state of concealed 1109
handgun licenses other than concealed handgun licenses on a 1110
temporary emergency basis that are issued under section 1111
2923.1213 of the Revised Code. Upon the request of a person who 1112
wishes to obtain a concealed handgun license with respect to 1113
which this section applies or to renew a concealed handgun 1114
license with respect to which this section applies, a sheriff, 1115
as provided in division (I) of this section, shall provide to 1116
the person free of charge an application form and the web site 1117
address at which the pamphlet described in division (B) of 1118
section 109.731 of the Revised Code may be found. A sheriff 1119
shall accept a completed application form and the fee, items, 1120
materials, and information specified in divisions (B) (1) to (5) 1121
of this section at the times and in the manners described in 1122
division (I) of this section. 1123

(B) An applicant for a concealed handgun license with 1124
respect to which this section applies shall submit a completed 1125
application form and all of the following to the sheriff of the 1126
county in which the applicant resides or to the sheriff of any 1127
county adjacent to the county in which the applicant resides: 1128

(1) (a) A nonrefundable license fee as described in either 1129
of the following: 1130

(i) For an applicant who has been a resident of this state 1131
for five or more years, a fee of sixty-seven dollars; 1132

(ii) For an applicant who has been a resident of this 1133
state for less than five years, a fee of sixty-seven dollars 1134
plus the actual cost of having a background check performed by 1135
the federal bureau of investigation. 1136

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

(c) A sheriff shall waive the payment of the license fee described in division (B) (1) (a) of this section in connection with an initial or renewal application for a license that is submitted by an applicant who is a retired peace officer, a retired person described in division (B) (1) (b) of section 109.77 of the Revised Code, or a retired federal law enforcement officer who, prior to retirement, was authorized under federal law to carry a firearm in the course of duty, unless the retired peace officer, person, or federal law enforcement officer retired as the result of a mental disability.

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

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

(3) One or more of the following competency certifications, each of which shall reflect that, regarding a certification described in division (B) (3) (a), (b), (c), (e), or (f) of this section, within the three years immediately preceding the application the applicant has performed that to which the competency certification relates and that, regarding a certification described in division (B) (3) (d) of this section, the applicant currently is an active or reserve member of the armed forces of the United States or within the six years

immediately preceding the application the honorable discharge or 1167
retirement to which the competency certification relates 1168
occurred: 1169

(a) An original or photocopy of a certificate of 1170
completion of a firearms safety, training, or requalification or 1171
firearms safety instructor course, class, or program that was 1172
offered by or under the auspices of the national rifle 1173
association and that complies with the requirements set forth in 1174
division (G) of this section; 1175

(b) An original or photocopy of a certificate of 1176
completion of a firearms safety, training, or requalification or 1177
firearms safety instructor course, class, or program that 1178
satisfies all of the following criteria: 1179

(i) It was open to members of the general public. 1180

(ii) It utilized qualified instructors who were certified 1181
by the national rifle association, the executive director of the 1182
Ohio peace officer training commission pursuant to section 1183
109.75 or 109.78 of the Revised Code, or a governmental official 1184
or entity of another state. 1185

(iii) It was offered by or under the auspices of a law 1186
enforcement agency of this or another state or the United 1187
States, a public or private college, university, or other 1188
similar postsecondary educational institution located in this or 1189
another state, a firearms training school located in this or 1190
another state, or another type of public or private entity or 1191
organization located in this or another state. 1192

(iv) It complies with the requirements set forth in 1193
division (G) of this section. 1194

(c) An original or photocopy of a certificate of 1195

completion of a state, county, municipal, or department of 1196
natural resources peace officer training school that is approved 1197
by the executive director of the Ohio peace officer training 1198
commission pursuant to section 109.75 of the Revised Code and 1199
that complies with the requirements set forth in division (G) of 1200
this section, or the applicant has satisfactorily completed and 1201
been issued a certificate of completion of a basic firearms 1202
training program, a firearms requalification training program, 1203
or another basic training program described in section 109.78 or 1204
109.801 of the Revised Code that complies with the requirements 1205
set forth in division (G) of this section; 1206

(d) A document that evidences both of the following: 1207

(i) That the applicant is an active or reserve member of 1208
the armed forces of the United States, was honorably discharged 1209
from military service in the active or reserve armed forces of 1210
the United States, is a retired trooper of the state highway 1211
patrol, or is a retired peace officer or federal law enforcement 1212
officer described in division (B) (1) of this section or a 1213
retired person described in division (B) (1) (b) of section 109.77 1214
of the Revised Code and division (B) (1) of this section; 1215

(ii) That, through participation in the military service 1216
or through the former employment described in division (B) (3) (d) 1217
(i) of this section, the applicant acquired experience with 1218
handling ~~handguns or other~~ firearms, and the experience so 1219
acquired was equivalent to training that the applicant could 1220
have acquired in a course, class, or program described in 1221
division (B) (3) (a), (b), or (c) of this section. 1222

(e) A certificate or another similar document that 1223
evidences satisfactory completion of a firearms training, 1224
safety, or requalification or firearms safety instructor course, 1225

class, or program that is not otherwise described in division 1226
(B) (3) (a), (b), (c), or (d) of this section, that was conducted 1227
by an instructor who was certified by an official or entity of 1228
the government of this or another state or the United States or 1229
by the national rifle association, and that complies with the 1230
requirements set forth in division (G) of this section; 1231

(f) An affidavit that attests to the applicant's 1232
satisfactory completion of a course, class, or program described 1233
in division (B) (3) (a), (b), (c), or (e) of this section and that 1234
is subscribed by the applicant's instructor or an authorized 1235
representative of the entity that offered the course, class, or 1236
program or under whose auspices the course, class, or program 1237
was offered. 1238

(4) A certification by the applicant that the applicant 1239
has read the pamphlet prepared by the Ohio peace officer 1240
training commission pursuant to section 109.731 of the Revised 1241
Code that reviews firearms, dispute resolution, and use of 1242
deadly force matters. 1243

(5) A set of fingerprints of the applicant provided as 1244
described in section 311.41 of the Revised Code through use of 1245
an electronic fingerprint reading device or, if the sheriff to 1246
whom the application is submitted does not possess and does not 1247
have ready access to the use of such a reading device, on a 1248
standard impression sheet prescribed pursuant to division (C) (2) 1249
of section 109.572 of the Revised Code. 1250

(C) Upon receipt of the completed application form, 1251
supporting documentation, and, if not waived, license fee of an 1252
applicant under this section, a sheriff, in the manner specified 1253
in section 311.41 of the Revised Code, shall conduct or cause to 1254
be conducted the criminal records check and the incompetency 1255

records check described in section 311.41 of the Revised Code. 1256

(D) (1) Except as provided in division (D) (3) or (4) of 1257
this section, within forty-five days after a sheriff's receipt 1258
of an applicant's completed application form for a concealed 1259
handgun license under this section, the supporting 1260
documentation, and, if not waived, the license fee, the sheriff 1261
shall make available through the law enforcement automated data 1262
system in accordance with division (H) of this section the 1263
information described in that division and, upon making the 1264
information available through the system, shall issue to the 1265
applicant a concealed handgun license that shall expire as 1266
described in division (D) (2) (a) of this section if all of the 1267
following apply: 1268

(a) The applicant is legally living in the United States, 1269
has been a resident of this state for at least forty-five days, 1270
and has been a resident of the county in which the person seeks 1271
the license or a county adjacent to the county in which the 1272
person seeks the license for at least thirty days. For purposes 1273
of division (D) (1) (a) of this section: 1274

(i) If a person is absent from the United States, from 1275
this state, or from a particular county in this state in 1276
compliance with military or naval orders as an active or reserve 1277
member of the armed forces of the United States and if prior to 1278
leaving this state in compliance with those orders the person 1279
was legally living in the United States and was a resident of 1280
this state, the person, solely by reason of that absence, shall 1281
not be considered to have lost the person's status as living in 1282
the United States or the person's residence in this state or in 1283
the county in which the person was a resident prior to leaving 1284
this state in compliance with those orders, without regard to 1285

whether or not the person intends to return to this state or to 1286
that county, shall not be considered to have acquired a 1287
residence in any other state, and shall not be considered to 1288
have become a resident of any other state. 1289

(ii) If a person is present in this state in compliance 1290
with military or naval orders as an active or reserve member of 1291
the armed forces of the United States for at least forty-five 1292
days, the person shall be considered to have been a resident of 1293
this state for that period of at least forty-five days, and, if 1294
a person is present in a county of this state in compliance with 1295
military or naval orders as an active or reserve member of the 1296
armed forces of the United States for at least thirty days, the 1297
person shall be considered to have been a resident of that 1298
county for that period of at least thirty days. 1299

(b) The applicant is at least twenty-one years of age. 1300

(c) The applicant is not a fugitive from justice. 1301

(d) The applicant is not under indictment for or otherwise 1302
charged with a felony; an offense under Chapter 2925., 3719., or 1303
4729. of the Revised Code that involves the illegal possession, 1304
use, sale, administration, or distribution of or trafficking in 1305
a drug of abuse; a misdemeanor offense of violence; or a 1306
violation of section 2903.14 or 2923.1211 of the Revised Code. 1307

(e) Except as otherwise provided in division (D) (5) of 1308
this section, the applicant has not been convicted of or pleaded 1309
guilty to a felony or an offense under Chapter 2925., 3719., or 1310
4729. of the Revised Code that involves the illegal possession, 1311
use, sale, administration, or distribution of or trafficking in 1312
a drug of abuse; has not been adjudicated a delinquent child for 1313
committing an act that if committed by an adult would be a 1314

felony or would be an offense under Chapter 2925., 3719., or 1315
4729. of the Revised Code that involves the illegal possession, 1316
use, sale, administration, or distribution of or trafficking in 1317
a drug of abuse; and has not been convicted of, pleaded guilty 1318
to, or adjudicated a delinquent child for committing a violation 1319
of section 2903.13 of the Revised Code when the victim of the 1320
violation is a peace officer, regardless of whether the 1321
applicant was sentenced under division (C) (4) of that section. 1322

(f) Except as otherwise provided in division (D) (5) of 1323
this section, the applicant, within three years of the date of 1324
the application, has not been convicted of or pleaded guilty to 1325
a misdemeanor offense of violence other than a misdemeanor 1326
violation of section 2921.33 of the Revised Code or a violation 1327
of section 2903.13 of the Revised Code when the victim of the 1328
violation is a peace officer, or a misdemeanor violation of 1329
section 2923.1211 of the Revised Code; and has not been 1330
adjudicated a delinquent child for committing an act that if 1331
committed by an adult would be a misdemeanor offense of violence 1332
other than a misdemeanor violation of section 2921.33 of the 1333
Revised Code or a violation of section 2903.13 of the Revised 1334
Code when the victim of the violation is a peace officer or for 1335
committing an act that if committed by an adult would be a 1336
misdemeanor violation of section 2923.1211 of the Revised Code. 1337

(g) Except as otherwise provided in division (D) (1) (e) of 1338
this section, the applicant, within five years of the date of 1339
the application, has not been convicted of, pleaded guilty to, 1340
or been adjudicated a delinquent child for committing two or 1341
more violations of section 2903.13 or 2903.14 of the Revised 1342
Code. 1343

(h) Except as otherwise provided in division (D) (5) of 1344

this section, the applicant, within ten years of the date of the application, has not been convicted of, pleaded guilty to, or been adjudicated a delinquent child for committing a violation of section 2921.33 of the Revised Code.

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

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

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

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

(m) The applicant currently is not subject to a suspension imposed under division (A)(2) of section 2923.128 of the Revised Code of a concealed handgun license that previously was issued

to the applicant under this section or section 2923.1213 of the Revised Code. 1374
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(2) (a) A concealed handgun license that a sheriff issues under division (D) (1) of this section shall expire five years after the date of issuance. 1376
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If a sheriff issues a license under this section, the sheriff shall place on the license a unique combination of letters and numbers identifying the license in accordance with the procedure prescribed by the Ohio peace officer training commission pursuant to section 109.731 of the Revised Code. 1379
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(b) If a sheriff denies an application under this section because the applicant does not satisfy the criteria described in division (D) (1) of this section, the sheriff shall specify the grounds for the denial in a written notice to the applicant. The applicant may appeal the denial pursuant to section 119.12 of the Revised Code in the county served by the sheriff who denied the application. If the denial was as a result of the criminal records check conducted pursuant to section 311.41 of the Revised Code and if, pursuant to section 2923.127 of the Revised Code, the applicant challenges the criminal records check results using the appropriate challenge and review procedure specified in that section, the time for filing the appeal pursuant to section 119.12 of the Revised Code and this division is tolled during the pendency of the request or the challenge and review. If the court in an appeal under section 119.12 of the Revised Code and this division enters a judgment sustaining the sheriff's refusal to grant to the applicant a concealed handgun license, the applicant may file a new application beginning one year after the judgment is entered. If the court enters a judgment in favor of the applicant, that judgment shall 1384
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not restrict the authority of a sheriff to suspend or revoke the license pursuant to section 2923.128 or 2923.1213 of the Revised Code or to refuse to renew the license for any proper cause that may occur after the date the judgment is entered. In the appeal, the court shall have full power to dispose of all costs.

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

(4) If the sheriff determines that the applicant is legally living in the United States and is a resident of the county in which the applicant seeks the license or of an adjacent county but does not yet meet the residency requirements described in division (D)(1)(a) of this section, the sheriff shall not deny the license because of the residency requirements but shall not issue the license until the applicant meets those residency requirements.

(5) If an applicant has been convicted of or pleaded guilty to an offense identified in division (D)(1)(e), (f), or (h) of this section or has been adjudicated a delinquent child for committing an act or violation identified in any of those divisions, and if a court has ordered the sealing or expungement of the records of that conviction, guilty plea, or adjudication pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 2953.36, or section 2953.37 of the Revised Code or a court has granted the applicant relief pursuant to section 2923.14 of the Revised Code from the disability imposed pursuant to section

2923.13 of the Revised Code relative to that conviction, guilty plea, or adjudication, the sheriff with whom the application was submitted shall not consider the conviction, guilty plea, or adjudication in making a determination under division (D) (1) or (F) of this section or, in relation to an application for a concealed handgun license on a temporary emergency basis submitted under section 2923.1213 of the Revised Code, in making a determination under division (B) (2) of that section.

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

(F) (1) A licensee who wishes to renew a concealed handgun license issued under this section shall do so not earlier than ninety days before the expiration date of the license or at any time after the expiration date of the license by filing with the sheriff of the county in which the applicant resides or with the sheriff of an adjacent county an application for renewal of the license obtained pursuant to division (D) of this section, a certification by the applicant that, subsequent to the issuance of the license, the applicant has reread the pamphlet prepared by the Ohio peace officer training commission pursuant to section 109.731 of the Revised Code that reviews firearms, dispute resolution, and use of deadly force matters, and a nonrefundable license renewal fee in an amount determined

pursuant to division (F)(4) of this section unless the fee is 1465
waived. 1466

(2) A sheriff shall accept a completed renewal 1467
application, the license renewal fee, and the information 1468
specified in division (F)(1) of this section at the times and in 1469
the manners described in division (I) of this section. Upon 1470
receipt of a completed renewal application, of certification 1471
that the applicant has reread the specified pamphlet prepared by 1472
the Ohio peace officer training commission, and of a license 1473
renewal fee unless the fee is waived, a sheriff, in the manner 1474
specified in section 311.41 of the Revised Code shall conduct or 1475
cause to be conducted the criminal records check and the 1476
incompetency records check described in section 311.41 of the 1477
Revised Code. The sheriff shall renew the license if the sheriff 1478
determines that the applicant continues to satisfy the 1479
requirements described in division (D)(1) of this section, 1480
except that the applicant is not required to meet the 1481
requirements of division (D)(1)(1) of this section. A renewed 1482
license shall expire five years after the date of issuance. A 1483
renewed license is subject to division (E) of this section and 1484
sections 2923.126 and 2923.128 of the Revised Code. A sheriff 1485
shall comply with divisions (D)(2) to (4) of this section when 1486
the circumstances described in those divisions apply to a 1487
requested license renewal. If a sheriff denies the renewal of a 1488
concealed handgun license, the applicant may appeal the denial, 1489
or challenge the criminal record check results that were the 1490
basis of the denial if applicable, in the same manner as 1491
specified in division (D)(2)(b) of this section and in section 1492
2923.127 of the Revised Code, regarding the denial of a license 1493
under this section. 1494

(3) A renewal application submitted pursuant to division 1495

(F) of this section shall only require the licensee to list on 1496
the application form information and matters occurring since the 1497
date of the licensee's last application for a license pursuant 1498
to division (B) or (F) of this section. A sheriff conducting the 1499
criminal records check and the incompetency records check 1500
described in section 311.41 of the Revised Code shall conduct 1501
the check only from the date of the licensee's last application 1502
for a license pursuant to division (B) or (F) of this section 1503
through the date of the renewal application submitted pursuant 1504
to division (F) of this section. 1505

(4) An applicant for a renewal concealed handgun license 1506
under this section shall submit to the sheriff of the county in 1507
which the applicant resides or to the sheriff of any county 1508
adjacent to the county in which the applicant resides a 1509
nonrefundable license fee as described in either of the 1510
following: 1511

(a) For an applicant who has been a resident of this state 1512
for five or more years, a fee of fifty dollars; 1513

(b) For an applicant who has been a resident of this state 1514
for less than five years, a fee of fifty dollars plus the actual 1515
cost of having a background check performed by the federal 1516
bureau of investigation. 1517

(G) (1) Each course, class, or program described in 1518
division (B) (3) (a), (b), (c), or (e) of this section shall 1519
provide to each person who takes the course, class, or program 1520
the web site address at which the pamphlet prepared by the Ohio 1521
peace officer training commission pursuant to section 109.731 of 1522
the Revised Code that reviews firearms, dispute resolution, and 1523
use of deadly force matters may be found. Each such course, 1524
class, or program described in one of those divisions shall 1525

include at least twelve hours of training in the safe handling 1526
and use of a firearm that shall include all of the following: 1527

(a) At least ten hours of training on the following 1528
matters: 1529

(i) The ability to name, explain, and demonstrate the 1530
rules for safe handling of a ~~handgun~~-firearm and proper storage 1531
practices for ~~handguns~~-firearms and ammunition; 1532

(ii) The ability to demonstrate and explain how to handle 1533
ammunition in a safe manner; 1534

(iii) The ability to demonstrate the knowledge, skills, 1535
and attitude necessary to shoot a ~~handgun~~-firearm in a safe 1536
manner; 1537

(iv) Gun handling training. 1538

(b) At least two hours of training that consists of range 1539
time and live-fire training. 1540

(2) To satisfactorily complete the course, class, or 1541
program described in division (B) (3) (a), (b), (c), or (e) of 1542
this section, the applicant shall pass a competency examination 1543
that shall include both of the following: 1544

(a) A written section on the ability to name and explain 1545
the rules for the safe handling of a ~~handgun~~-firearm and proper 1546
storage practices for ~~handguns~~-firearms and ammunition; 1547

(b) A physical demonstration of competence in the use of a 1548
~~handgun~~-firearm and in the rules for safe handling and storage 1549
of a ~~handgun~~-firearm and a physical demonstration of the 1550
attitude necessary to shoot a ~~handgun~~-firearm in a safe manner. 1551

(3) The competency certification described in division (B) 1552

(3) (a), (b), (c), or (e) of this section shall be dated and 1553
shall attest that the course, class, or program the applicant 1554
successfully completed met the requirements described in 1555
division (G) (1) of this section and that the applicant passed 1556
the competency examination described in division (G) (2) of this 1557
section. 1558

(H) Upon deciding to issue a concealed handgun license, 1559
deciding to issue a replacement concealed handgun license, or 1560
deciding to renew a concealed handgun license pursuant to this 1561
section, and before actually issuing or renewing the license, 1562
the sheriff shall make available through the law enforcement 1563
automated data system all information contained on the license. 1564
If the license subsequently is suspended under division (A) (1) 1565
or (2) of section 2923.128 of the Revised Code, revoked pursuant 1566
to division (B) (1) of section 2923.128 of the Revised Code, or 1567
lost or destroyed, the sheriff also shall make available through 1568
the law enforcement automated data system a notation of that 1569
fact. The superintendent of the state highway patrol shall 1570
ensure that the law enforcement automated data system is so 1571
configured as to permit the transmission through the system of 1572
the information specified in this division. 1573

(I) A sheriff shall accept a completed application form or 1574
renewal application, and the fee, items, materials, and 1575
information specified in divisions (B) (1) to (5) or division (F) 1576
of this section, whichever is applicable, and shall provide an 1577
application form or renewal application to any person during at 1578
least fifteen hours a week and shall provide the web site 1579
address at which the pamphlet described in division (B) of 1580
section 109.731 of the Revised Code may be found at any time, 1581
upon request. The sheriff shall post notice of the hours during 1582
which the sheriff is available to accept or provide the 1583

information described in this division. 1584

Sec. 2923.126. (A) A concealed handgun license that is 1585
issued under section 2923.125 of the Revised Code shall expire 1586
five years after the date of issuance. A licensee who has been 1587
issued a license under that section shall be granted a grace 1588
period of thirty days after the licensee's license expires 1589
during which the licensee's license remains valid. Except as 1590
provided in divisions (B) and (C) of this section, a licensee 1591
who has been issued a concealed handgun license under section 1592
2923.125 or 2923.1213 of the Revised Code, regardless of whether 1593
the license was issued prior to, on, or after the effective date 1594
of this amendment, may carry a concealed ~~handgun~~-firearm that is 1595
not a restricted firearm anywhere in this state if the licensee 1596
also carries a valid license and valid identification when the 1597
licensee is in actual possession of ~~a~~-the concealed 1598
~~handgun~~firearm. The-A licensee who has been issued a concealed 1599
handgun license under section 2923.125 or 2923.1213 of the 1600
Revised Code shall give notice of any change in the licensee's 1601
residence address to the sheriff who issued the license within 1602
forty-five days after that change. 1603

If a licensee or a person who is deemed under division (C) 1604
of section 2923.111 of the Revised Code to have been issued a 1605
concealed handgun license under section 2923.125 of the Revised 1606
Code is the driver or an occupant of a motor vehicle that is 1607
stopped as the result of a traffic stop or a stop for another 1608
law enforcement purpose and if the licensee or person is 1609
transporting or has a loaded ~~handgun~~-firearm that is not a 1610
restricted firearm in the motor vehicle at that time, the 1611
licensee or person shall promptly inform any law enforcement 1612
officer who approaches the vehicle while stopped that the 1613
licensee has been issued a concealed handgun license and that 1614

the licensee currently possesses or has a loaded ~~handgun~~firearm; 1615
the licensee or person shall not knowingly disregard or fail to 1616
comply with lawful orders of a law enforcement officer given 1617
while the motor vehicle is stopped, knowingly fail to remain in 1618
the motor vehicle while stopped, or knowingly fail to keep the 1619
licensee's or person's hands in plain sight after any law 1620
enforcement officer begins approaching the licensee or person 1621
while stopped and before the officer leaves, unless directed 1622
otherwise by a law enforcement officer; and the licensee or 1623
person shall not knowingly have contact with the loaded ~~handgun~~- 1624
firearm by touching it with the licensee's or person's hands or 1625
fingers, in any manner in violation of division (E) of section 1626
2923.16 of the Revised Code, after any law enforcement officer 1627
begins approaching the licensee or person while stopped and 1628
before the officer leaves. Additionally, if a licensee or a 1629
person who is deemed under division (C) of section 2923.111 of 1630
the Revised Code to have been issued a concealed handgun license 1631
under section 2923.125 of the Revised Code is the driver or an 1632
occupant of a commercial motor vehicle that is stopped by an 1633
employee of the motor carrier enforcement unit for the purposes 1634
defined in section 5503.04 of the Revised Code and if the 1635
licensee or person is transporting or has a loaded ~~handgun~~- 1636
firearm that is not a restricted firearm in the commercial motor 1637
vehicle at that time, the licensee or person shall promptly 1638
inform the employee of the unit who approaches the vehicle while 1639
stopped that the licensee has been issued a concealed handgun 1640
license and that the licensee or person currently possesses or 1641
has a loaded ~~handgun~~firearm. 1642

If a licensee or a person who is deemed under division (C) 1643
of section 2923.111 of the Revised Code to have been issued a 1644
concealed handgun license under section 2923.125 of the Revised 1645

Code is stopped for a law enforcement purpose and if the 1646
licensee or person is carrying a concealed ~~handgun~~ firearm that 1647
is not a restricted firearm at the time the officer approaches, 1648
the licensee or person shall promptly inform any law enforcement 1649
officer who approaches the licensee while stopped that the 1650
licensee has been issued a concealed handgun license and that 1651
the licensee or person currently is carrying a concealed 1652
~~handgun~~ firearm; the licensee or person shall not knowingly 1653
disregard or fail to comply with lawful orders of a law 1654
enforcement officer given while the licensee or person is 1655
stopped or knowingly fail to keep the licensee's or person's 1656
hands in plain sight after any law enforcement officer begins 1657
approaching the licensee or person while stopped and before the 1658
officer leaves, unless directed otherwise by a law enforcement 1659
officer; and the licensee or person shall not knowingly remove, 1660
attempt to remove, grasp, or hold the loaded ~~handgun~~ firearm or 1661
knowingly have contact with the loaded ~~handgun~~ firearm by 1662
touching it with the licensee's or person's hands or fingers, in 1663
any manner in violation of division (B) of section 2923.12 of 1664
the Revised Code, after any law enforcement officer begins 1665
approaching the licensee or person while stopped and before the 1666
officer leaves. 1667

(B) ~~A valid~~ The right to carry a concealed firearm that is 1668
granted under division (A) of this section to a licensee who has 1669
been issued a concealed handgun license or that is granted under 1670
division (A) of section 2923.111 of the Revised Code to a 1671
licensee who is deemed under division (C) of that section to 1672
have been issued a concealed handgun license under section 1673
2923.125 of the Revised Code does not authorize the licensee to 1674
carry any restricted firearm, does not authorize the licensee to 1675
carry a firearm or a concealed ~~handgun~~ firearm in any manner 1676

prohibited under division (B) of section 2923.12 of the Revised Code or in any manner prohibited under section 1547.69, 2921.36, 2923.12, 2923.121, 2923.122, 2923.123, 2923.13, 2923.131, 2923.15, or 2923.16 of the Revised Code. ~~A valid license and~~ does not authorize the licensee to carry a concealed ~~handgun~~ firearm into any of the following places:

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

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

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

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

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

(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~~ firearm 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~~ firearm 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~~ any firearm.

(C)(1) Nothing in this section or section 2923.111 of the Revised Code 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 1735
employer's premises or property, including motor vehicles owned 1736
by the private employer. Nothing in this section or section 1737
2923.111 of the Revised Code shall require a private employer of 1738
that nature to adopt a rule, policy, or practice concerning or 1739
prohibiting the presence of firearms on the private employer's 1740
premises or property, including motor vehicles owned by the 1741
private employer. 1742

(2) (a) A private employer shall be immune from liability 1743
in a civil action for any injury, death, or loss to person or 1744
property that allegedly was caused by or related to a licensee 1745
bringing a ~~handgun~~ firearm onto the premises or property of the 1746
private employer, including motor vehicles owned by the private 1747
employer, unless the private employer acted with malicious 1748
purpose. A private employer is immune from liability in a civil 1749
action for any injury, death, or loss to person or property that 1750
allegedly was caused by or related to the private employer's 1751
decision to permit a licensee to bring, or prohibit a licensee 1752
from bringing, a ~~handgun~~ firearm onto the premises or property 1753
of the private employer. As used in this division, "private 1754
employer" includes a private college, university, or other 1755
institution of higher education. 1756

(b) A political subdivision shall be immune from liability 1757
in a civil action, to the extent and in the manner provided in 1758
Chapter 2744. of the Revised Code, for any injury, death, or 1759
loss to person or property that allegedly was caused by or 1760
related to a licensee bringing a ~~handgun~~ firearm onto any 1761
premises or property owned, leased, or otherwise under the 1762
control of the political subdivision. As used in this division, 1763
"political subdivision" has the same meaning as in section 1764
2744.01 of the Revised Code. 1765

(3) (a) Except as provided in division (C) (3) (b) of this section, the owner or person in control of private land or premises, and a private person or entity leasing land or premises owned by the state, the United States, or a political subdivision of the state or the United States, may post a sign in a conspicuous location on that land or on those premises prohibiting persons from carrying firearms or concealed firearms on or onto that land or those premises. Except as otherwise provided in this division, a person who knowingly violates a posted prohibition of that nature is guilty of criminal trespass in violation of division (A) (4) of section 2911.21 of the Revised Code and is guilty of a misdemeanor of the fourth degree. If a person knowingly violates a posted prohibition of that nature and the posted land or premises primarily was a parking lot or other parking facility, the person is not guilty of criminal trespass in violation of division (A) (4) of section 2911.21 of the Revised Code and instead is subject only to a civil cause of action for trespass based on the violation.

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

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

(i) "Residential premises" has the same meaning as in 1797
section 5321.01 of the Revised Code, except "residential 1798
premises" does not include a dwelling unit that is owned or 1799
operated by a college or university. 1800

(ii) "Landlord," "tenant," and "rental agreement" have the 1801
same meanings as in section 5321.01 of the Revised Code. 1802

(D) A person who holds a concealed handgun license issued 1803
by another state that is recognized by the attorney general 1804
pursuant to a reciprocity agreement entered into pursuant to 1805
section 109.69 of the Revised Code and a person who is deemed 1806
under division (C) of section 2923.111 of the Revised Code to 1807
have been issued a concealed handgun license under section 1808
2923.125 of the Revised Code has the same right to carry a 1809
concealed ~~handgun~~ firearm that is not a restricted firearm in 1810
this state as a person who was issued a concealed handgun 1811
license under section 2923.125 of the Revised Code and is 1812
subject to the same restrictions that apply to a person who 1813
carries a license issued under that section. 1814

(E) A peace officer has the same right to carry a 1815
concealed ~~handgun~~ firearm that is not a restricted firearm in 1816
this state as a person who was issued a concealed handgun 1817
license under section 2923.125 of the Revised Code. For purposes 1818
of reciprocity with other states, a peace officer shall be 1819
considered to be a licensee in this state who has been issued 1820
such a license under that section. 1821

(F) (1) A qualified retired peace officer who possesses a 1822
retired peace officer identification card issued pursuant to 1823
division (F) (2) of this section and a valid firearms 1824
requalification certification issued pursuant to division (F) (3) 1825
of this section has the same right to carry a concealed ~~handgun~~ 1826

firearm that is not a restricted firearm in this state as a 1827
person who was issued a concealed handgun license under section 1828
2923.125 of the Revised Code and is subject to the same 1829
restrictions that apply to a person who carries a license issued 1830
under that section. For purposes of reciprocity with other 1831
states, a qualified retired peace officer who possesses a 1832
retired peace officer identification card issued pursuant to 1833
division (F) (2) of this section and a valid firearms 1834
requalification certification issued pursuant to division (F) (3) 1835
of this section shall be considered to be a licensee in this 1836
state who has been issued such a license under that section. 1837

(2) (a) Each public agency of this state or of a political 1838
subdivision of this state that is served by one or more peace 1839
officers shall issue a retired peace officer identification card 1840
to any person who retired from service as a peace officer with 1841
that agency, if the issuance is in accordance with the agency's 1842
policies and procedures and if the person, with respect to the 1843
person's service with that agency, satisfies all of the 1844
following: 1845

(i) The person retired in good standing from service as a 1846
peace officer with the public agency, and the retirement was not 1847
for reasons of mental instability. 1848

(ii) Before retiring from service as a peace officer with 1849
that agency, the person was authorized to engage in or supervise 1850
the prevention, detection, investigation, or prosecution of, or 1851
the incarceration of any person for, any violation of law and 1852
the person had statutory powers of arrest. 1853

(iii) At the time of the person's retirement as a peace 1854
officer with that agency, the person was trained and qualified 1855
to carry firearms in the performance of the peace officer's 1856

duties. 1857

(iv) Before retiring from service as a peace officer with 1858
that agency, the person was regularly employed as a peace 1859
officer for an aggregate of fifteen years or more, or, in the 1860
alternative, the person retired from service as a peace officer 1861
with that agency, after completing any applicable probationary 1862
period of that service, due to a service-connected disability, 1863
as determined by the agency. 1864

(b) A retired peace officer identification card issued to 1865
a person under division (F) (2) (a) of this section shall identify 1866
the person by name, contain a photograph of the person, identify 1867
the public agency of this state or of the political subdivision 1868
of this state from which the person retired as a peace officer 1869
and that is issuing the identification card, and specify that 1870
the person retired in good standing from service as a peace 1871
officer with the issuing public agency and satisfies the 1872
criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 1873
section. In addition to the required content specified in this 1874
division, a retired peace officer identification card issued to 1875
a person under division (F) (2) (a) of this section may include 1876
the firearms requalification certification described in division 1877
(F) (3) of this section, and if the identification card includes 1878
that certification, the identification card shall serve as the 1879
firearms requalification certification for the retired peace 1880
officer. If the issuing public agency issues credentials to 1881
active law enforcement officers who serve the agency, the agency 1882
may comply with division (F) (2) (a) of this section by issuing 1883
the same credentials to persons who retired from service as a 1884
peace officer with the agency and who satisfy the criteria set 1885
forth in divisions (F) (2) (a) (i) to (iv) of this section, 1886
provided that the credentials so issued to retired peace 1887

officers are stamped with the word "RETIRED." 1888

(c) A public agency of this state or of a political 1889
subdivision of this state may charge persons who retired from 1890
service as a peace officer with the agency a reasonable fee for 1891
issuing to the person a retired peace officer identification 1892
card pursuant to division (F) (2) (a) of this section. 1893

(3) If a person retired from service as a peace officer 1894
with a public agency of this state or of a political subdivision 1895
of this state and the person satisfies the criteria set forth in 1896
divisions (F) (2) (a) (i) to (iv) of this section, the public 1897
agency may provide the retired peace officer with the 1898
opportunity to attend a firearms requalification program that is 1899
approved for purposes of firearms requalification required under 1900
section 109.801 of the Revised Code. The retired peace officer 1901
may be required to pay the cost of the course. 1902

If a retired peace officer who satisfies the criteria set 1903
forth in divisions (F) (2) (a) (i) to (iv) of this section attends 1904
a firearms requalification program that is approved for purposes 1905
of firearms requalification required under section 109.801 of 1906
the Revised Code, the retired peace officer's successful 1907
completion of the firearms requalification program requalifies 1908
the retired peace officer for purposes of division (F) of this 1909
section for five years from the date on which the program was 1910
successfully completed, and the requalification is valid during 1911
that five-year period. If a retired peace officer who satisfies 1912
the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 1913
section satisfactorily completes such a firearms requalification 1914
program, the retired peace officer shall be issued a firearms 1915
requalification certification that identifies the retired peace 1916
officer by name, identifies the entity that taught the program, 1917

specifies that the retired peace officer successfully completed 1918
the program, specifies the date on which the course was 1919
successfully completed, and specifies that the requalification 1920
is valid for five years from that date of successful completion. 1921
The firearms requalification certification for a retired peace 1922
officer may be included in the retired peace officer 1923
identification card issued to the retired peace officer under 1924
division (F) (2) of this section. 1925

A retired peace officer who attends a firearms 1926
requalification program that is approved for purposes of 1927
firearms requalification required under section 109.801 of the 1928
Revised Code may be required to pay the cost of the program. 1929

(G) As used in this section: 1930

(1) "Qualified retired peace officer" means a person who 1931
satisfies all of the following: 1932

(a) The person satisfies the criteria set forth in 1933
divisions (F) (2) (a) (i) to (v) of this section. 1934

(b) The person is not under the influence of alcohol or 1935
another intoxicating or hallucinatory drug or substance. 1936

(c) The person is not prohibited by federal law from 1937
receiving firearms. 1938

(2) "Retired peace officer identification card" means an 1939
identification card that is issued pursuant to division (F) (2) 1940
of this section to a person who is a retired peace officer. 1941

(3) "Government facility of this state or a political 1942
subdivision of this state" means any of the following: 1943

(a) A building or part of a building that is owned or 1944
leased by the government of this state or a political 1945

subdivision of this state and where employees of the government 1946
of this state or the political subdivision regularly are present 1947
for the purpose of performing their official duties as employees 1948
of the state or political subdivision; 1949

(b) The office of a deputy registrar serving pursuant to 1950
Chapter 4503. of the Revised Code that is used to perform deputy 1951
registrar functions. 1952

Sec. 2923.128. (A) (1) (a) If a licensee holding a valid 1953
concealed handgun license is arrested for or otherwise charged 1954
with an offense described in division (D) (1) (d) of section 1955
2923.125 of the Revised Code or with a violation of section 1956
2923.15 of the Revised Code or becomes subject to a temporary 1957
protection order or to a protection order issued by a court of 1958
another state that is substantially equivalent to a temporary 1959
protection order, the sheriff who issued the license shall 1960
suspend it and shall comply with division (A) (3) of this section 1961
upon becoming aware of the arrest, charge, or protection order. 1962
Upon suspending the license, the sheriff also shall comply with 1963
division (H) of section 2923.125 of the Revised Code. 1964

(b) A suspension under division (A) (1) (a) of this section 1965
shall be considered as beginning on the date that the licensee 1966
is arrested for or otherwise charged with an offense described 1967
in that division or on the date the appropriate court issued the 1968
protection order described in that division, irrespective of 1969
when the sheriff notifies the licensee under division (A) (3) of 1970
this section. The suspension shall end on the date on which the 1971
charges are dismissed or the licensee is found not guilty of the 1972
offense described in division (A) (1) (a) of this section or, 1973
subject to division (B) of this section, on the date the 1974
appropriate court terminates the protection order described in 1975

that division. If the suspension so ends, the sheriff shall 1976
return the license or temporary emergency license to the 1977
licensee. 1978

(2) (a) If a licensee holding a valid concealed handgun 1979
license is convicted of or pleads guilty to a misdemeanor 1980
violation of division (B) (1), (2), or (4) of section 2923.12 of 1981
the Revised Code or of division (E) (1), (2), (3), or (5) of 1982
section 2923.16 of the Revised Code, except as provided in 1983
division (A) (2) (c) of this section and subject to division (C) 1984
of this section, the sheriff who issued the license shall 1985
suspend it and shall comply with division (A) (3) of this section 1986
upon becoming aware of the conviction or guilty plea. Upon 1987
suspending the license, the sheriff also shall comply with 1988
division (H) of section 2923.125 of the Revised Code. 1989

(b) A suspension under division (A) (2) (a) of this section 1990
shall be considered as beginning on the date that the licensee 1991
is convicted of or pleads guilty to the offense described in 1992
that division, irrespective of when the sheriff notifies the 1993
licensee under division (A) (3) of this section. If the 1994
suspension is imposed for a misdemeanor violation of division 1995
(B) (1) or (2) of section 2923.12 of the Revised Code or of 1996
division (E) (1), (2), or (3) of section 2923.16 of the Revised 1997
Code, it shall end on the date that is one year after the date 1998
that the licensee is convicted of or pleads guilty to that 1999
violation. If the suspension is imposed for a misdemeanor 2000
violation of division (B) (4) of section 2923.12 of the Revised 2001
Code or of division (E) (5) of section 2923.16 of the Revised 2002
Code, it shall end on the date that is two years after the date 2003
that the licensee is convicted of or pleads guilty to that 2004
violation. If the licensee's license was issued under section 2005
2923.125 of the Revised Code and the license remains valid after 2006

the suspension ends as described in this division, when the 2007
suspension ends, the sheriff shall return the license to the 2008
licensee. If the licensee's license was issued under section 2009
2923.125 of the Revised Code and the license expires before the 2010
suspension ends as described in this division, or if the 2011
licensee's license was issued under section 2923.1213 of the 2012
Revised Code, the licensee is not eligible to apply for a new 2013
license under section 2923.125 or 2923.1213 of the Revised Code 2014
or to renew the license under section 2923.125 of the Revised 2015
Code until after the suspension ends as described in this 2016
division. 2017

(c) The license of a licensee who is convicted of or 2018
pleads guilty to a violation of division (B)(1) of section 2019
2923.12 or division (E)(1) or (2) of section 2923.16 of the 2020
Revised Code shall not be suspended pursuant to division (A)(2) 2021
(a) of this section if, at the time of the stop of the licensee 2022
for a law enforcement purpose, for a traffic stop, or for a 2023
purpose defined in section 5503.34 of the Revised Code that was 2024
the basis of the violation, any law enforcement officer involved 2025
with the stop or the employee of the motor carrier enforcement 2026
unit who made the stop had actual knowledge of the licensee's 2027
status as a licensee. 2028

(3) Upon becoming aware of an arrest, charge, or 2029
protection order described in division (A)(1)(a) of this section 2030
with respect to a licensee who was issued a concealed handgun 2031
license, or a conviction of or plea of guilty to a misdemeanor 2032
offense described in division (A)(2)(a) of this section with 2033
respect to a licensee who was issued a concealed handgun license 2034
and with respect to which division (A)(2)(c) of this section 2035
does not apply, subject to division (C) of this section, the 2036
sheriff who issued the licensee's license shall notify the 2037

licensee, by certified mail, return receipt requested, at the 2038
licensee's last known residence address that the license has 2039
been suspended and that the licensee is required to surrender 2040
the license at the sheriff's office within ten days of the date 2041
on which the notice was mailed. If the suspension is pursuant to 2042
division (A) (2) of this section, the notice shall identify the 2043
date on which the suspension ends. 2044

(B) (1) A sheriff who issues a concealed handgun license to 2045
a licensee shall revoke the license in accordance with division 2046
(B) (2) of this section upon becoming aware that the licensee 2047
satisfies any of the following: 2048

(a) The licensee is under twenty-one years of age. 2049

(b) Subject to division (C) of this section, at the time 2050
of the issuance of the license, the licensee did not satisfy the 2051
eligibility requirements of division (D) (1) (c), (d), (e), (f), 2052
(g), or (h) of section 2923.125 of the Revised Code. 2053

(c) Subject to division (C) of this section, on or after 2054
the date on which the license was issued, the licensee is 2055
convicted of or pleads guilty to a violation of section 2923.15 2056
of the Revised Code or an offense described in division (D) (1) 2057
(e), (f), (g), or (h) of section 2923.125 of the Revised Code. 2058

(d) On or after the date on which the license was issued, 2059
the licensee becomes subject to a civil protection order or to a 2060
protection order issued by a court of another state that is 2061
substantially equivalent to a civil protection order. 2062

(e) The licensee knowingly carries a concealed ~~handgun~~ 2063
firearm into a place that the licensee knows is an unauthorized 2064
place specified in division (B) of section 2923.126 of the 2065
Revised Code, knowingly carries a concealed firearm in any 2066

prohibited manner listed in that division, or knowingly carries 2067
under alleged authority as a licensee a concealed restricted 2068
firearm. 2069

(f) On or after the date on which the license was issued, 2070
the licensee is adjudicated as a mental defective or is 2071
committed to a mental institution. 2072

(g) At the time of the issuance of the license, the 2073
licensee did not meet the residency requirements described in 2074
division (D) (1) of section 2923.125 of the Revised Code and 2075
currently does not meet the residency requirements described in 2076
that division. 2077

(h) Regarding a license issued under section 2923.125 of 2078
the Revised Code, the competency certificate the licensee 2079
submitted was forged or otherwise was fraudulent. 2080

(2) Upon becoming aware of any circumstance listed in 2081
division (B) (1) of this section that applies to a particular 2082
licensee who was issued a concealed handgun license, subject to 2083
division (C) of this section, the sheriff who issued the license 2084
to the licensee shall notify the licensee, by certified mail, 2085
return receipt requested, at the licensee's last known residence 2086
address that the license is subject to revocation and that the 2087
licensee may come to the sheriff's office and contest the 2088
sheriff's proposed revocation within fourteen days of the date 2089
on which the notice was mailed. After the fourteen-day period 2090
and after consideration of any information that the licensee 2091
provides during that period, if the sheriff determines on the 2092
basis of the information of which the sheriff is aware that the 2093
licensee is described in division (B) (1) of this section and no 2094
longer satisfies the requirements described in division (D) (1) 2095
of section 2923.125 of the Revised Code that are applicable to 2096

the licensee's type of license, the sheriff shall revoke the 2097
license, notify the licensee of that fact, and require the 2098
licensee to surrender the license. Upon revoking the license, 2099
the sheriff also shall comply with division (H) of section 2100
2923.125 of the Revised Code. 2101

(C) If a sheriff who issues a concealed handgun license to 2102
a licensee becomes aware that at the time of the issuance of the 2103
license the licensee had been convicted of or pleaded guilty to 2104
an offense identified in division (D) (1) (e), (f), or (h) of 2105
section 2923.125 of the Revised Code or had been adjudicated a 2106
delinquent child for committing an act or violation identified 2107
in any of those divisions or becomes aware that on or after the 2108
date on which the license was issued the licensee has been 2109
convicted of or pleaded guilty to an offense identified in 2110
division (A) (2) (a) or (B) (1) (c) of this section, the sheriff 2111
shall not consider that conviction, guilty plea, or adjudication 2112
as having occurred for purposes of divisions (A) (2), (A) (3), (B) 2113
(1), and (B) (2) of this section if a court has ordered the 2114
sealing or expungement of the records of that conviction, guilty 2115
plea, or adjudication pursuant to sections 2151.355 to 2151.358 2116
or sections 2953.31 to 2953.36 of the Revised Code or a court 2117
has granted the licensee relief pursuant to section 2923.14 of 2118
the Revised Code from the disability imposed pursuant to section 2119
2923.13 of the Revised Code relative to that conviction, guilty 2120
plea, or adjudication. 2121

(D) As used in this section, "motor carrier enforcement 2122
unit" has the same meaning as in section 2923.16 of the Revised 2123
Code. 2124

Sec. 2923.129. (A) (1) If a sheriff, the superintendent of 2125
the bureau of criminal identification and investigation, the 2126

employees of the bureau, the Ohio peace officer training 2127
commission, or the employees of the commission make a good faith 2128
effort in performing the duties imposed upon the sheriff, the 2129
superintendent, the bureau's employees, the commission, or the 2130
commission's employees by sections 109.731, 311.41, and 2923.124 2131
to 2923.1213 of the Revised Code, in addition to the personal 2132
immunity provided by section 9.86 of the Revised Code or 2133
division (A)(6) of section 2744.03 of the Revised Code and the 2134
governmental immunity of sections 2744.02 and 2744.03 of the 2135
Revised Code and in addition to any other immunity possessed by 2136
the bureau, the commission, and their employees, the sheriff, 2137
the sheriff's office, the county in which the sheriff has 2138
jurisdiction, the bureau, the superintendent of the bureau, the 2139
bureau's employees, the commission, and the commission's 2140
employees are immune from liability in a civil action for 2141
injury, death, or loss to person or property that allegedly was 2142
caused by or related to any of the following: 2143

(a) The issuance, renewal, suspension, or revocation of a 2144
concealed handgun license; 2145

(b) The failure to issue, renew, suspend, or revoke a 2146
concealed handgun license; 2147

(c) Any action or misconduct with a ~~handgun~~ firearm 2148
committed by a licensee. 2149

(2) Any action of a sheriff relating to the issuance, 2150
renewal, suspension, or revocation of a concealed handgun 2151
license shall be considered to be a governmental function for 2152
purposes of Chapter 2744. of the Revised Code. 2153

(3) An entity that or instructor who provides a competency 2154
certification of a type described in division (B)(3) of section 2155

2923.125 of the Revised Code is immune from civil liability that 2156
might otherwise be incurred or imposed for any death or any 2157
injury or loss to person or property that is caused by or 2158
related to a person to whom the entity or instructor has issued 2159
the competency certificate if all of the following apply: 2160

(a) The alleged liability of the entity or instructor 2161
relates to the training provided in the course, class, or 2162
program covered by the competency certificate. 2163

(b) The entity or instructor makes a good faith effort in 2164
determining whether the person has satisfactorily completed the 2165
course, class, or program and makes a good faith effort in 2166
assessing the person in the competency examination conducted 2167
pursuant to division (G) (2) of section 2923.125 of the Revised 2168
Code. 2169

(c) The entity or instructor did not issue the competency 2170
certificate with malicious purpose, in bad faith, or in a wanton 2171
or reckless manner. 2172

(4) An entity that or instructor who, prior to ~~the~~ 2173
~~effective date of this amendment~~ March 27, 2013, provides a 2174
renewed competency certification of a type described in division 2175
(G) (4) of section 2923.125 of the Revised Code as it existed 2176
prior to ~~the effective date of this amendment~~ March 27, 2013, is 2177
immune from civil liability that might otherwise be incurred or 2178
imposed for any death or any injury or loss to person or 2179
property that is caused by or related to a person to whom the 2180
entity or instructor has issued the renewed competency 2181
certificate if all of the following apply: 2182

(a) The entity or instructor makes a good faith effort in 2183
assessing the person in the physical demonstrations or the 2184

competency examination conducted pursuant to division (G)(4) of 2185
section 2923.125 of the Revised Code as it existed prior to ~~the~~ 2186
~~effective date of this amendment~~ March 27, 2013. 2187

(b) The entity or instructor did not issue the renewed 2188
competency certificate with malicious purpose, in bad faith, or 2189
in a wanton or reckless manner. 2190

(5) A law enforcement agency that employs a peace officer 2191
is immune from liability in a civil action to recover damages 2192
for injury, death, or loss to person or property allegedly 2193
caused by any act of that peace officer if the act occurred 2194
while the peace officer carried a concealed ~~handgun~~ firearm and 2195
was off duty and if the act allegedly involved the peace 2196
officer's use of the concealed ~~handgun~~ firearm. Sections 9.86 and 2197
9.87, and Chapter 2744., of the Revised Code apply to any civil 2198
action involving a peace officer's use of a concealed ~~handgun~~ 2199
firearm in the performance of the peace officer's official 2200
duties while the peace officer is off duty. 2201

(B)(1) Notwithstanding section 149.43 of the Revised Code, 2202
except as provided in division (B)(2) of this section, the 2203
records that a sheriff keeps relative to the issuance, renewal, 2204
suspension, or revocation of a concealed handgun license, 2205
including, but not limited to, completed applications for the 2206
issuance or renewal of a license, completed affidavits submitted 2207
regarding an application for a license on a temporary emergency 2208
basis, reports of criminal records checks and incompetency 2209
records checks under section 311.41 of the Revised Code, and 2210
applicants' social security numbers and fingerprints that are 2211
obtained under division (A) of section 311.41 of the Revised 2212
Code, are confidential and are not public records. Except as 2213
provided in division (B)(2) of this section, no person shall 2214

release or otherwise disseminate records that are confidential 2215
under this division unless required to do so pursuant to a court 2216
order. 2217

(2) (a) A journalist, on or after April 8, 2004, may submit 2218
to a sheriff a signed, written request to view the name, county 2219
of residence, and date of birth of each person to whom the 2220
sheriff has issued, renewed, or issued a replacement for a 2221
concealed handgun license, or a signed, written request to view 2222
the name, county of residence, and date of birth of each person 2223
for whom the sheriff has suspended or revoked a concealed 2224
handgun license. The request shall include the journalist's name 2225
and title, shall include the name and address of the 2226
journalist's employer, and shall state that disclosure of the 2227
information sought would be in the public interest. If a 2228
journalist submits a signed, written request to the sheriff to 2229
view the information described in this division, the sheriff 2230
shall grant the journalist's request. The journalist shall not 2231
copy the name, county of residence, or date of birth of each 2232
person to or for whom the sheriff has issued, suspended, or 2233
revoked a license described in this division. 2234

(b) As used in division (B) (2) of this section, 2235
"journalist" means a person engaged in, connected with, or 2236
employed by any news medium, including a newspaper, magazine, 2237
press association, news agency, or wire service, a radio or 2238
television station, or a similar medium, for the purpose of 2239
gathering, processing, transmitting, compiling, editing, or 2240
disseminating information for the general public. 2241

(C) Each sheriff shall report to the Ohio peace officer 2242
training commission the number of concealed handgun licenses 2243
that the sheriff issued, renewed, suspended, revoked, or denied 2244

under section 2923.125 of the Revised Code during the previous 2245
quarter of the calendar year, the number of applications for 2246
those licenses for which processing was suspended in accordance 2247
with division (D) (3) of section 2923.125 of the Revised Code 2248
during the previous quarter of the calendar year, and the number 2249
of concealed handgun licenses on a temporary emergency basis 2250
that the sheriff issued, suspended, revoked, or denied under 2251
section 2923.1213 of the Revised Code during the previous 2252
quarter of the calendar year. The sheriff shall not include in 2253
the report the name or any other identifying information of an 2254
applicant or licensee. The sheriff shall report that information 2255
in a manner that permits the commission to maintain the 2256
statistics described in division (C) of section 109.731 of the 2257
Revised Code and to timely prepare the statistical report 2258
described in that division. The information that is received by 2259
the commission under this division is a public record kept by 2260
the commission for the purposes of section 149.43 of the Revised 2261
Code. 2262

(D) Law enforcement agencies may use the information a 2263
sheriff makes available through the use of the law enforcement 2264
automated data system pursuant to division (H) of section 2265
2923.125 or division (B) (2) or (D) of section 2923.1213 of the 2266
Revised Code for law enforcement purposes only. The information 2267
is confidential and is not a public record. A person who 2268
releases or otherwise disseminates this information obtained 2269
through the law enforcement automated data system in a manner 2270
not described in this division is guilty of a violation of 2271
section 2913.04 of the Revised Code. 2272

(E) Whoever violates division (B) of this section is 2273
guilty of illegal release of confidential concealed handgun 2274
license records, a felony of the fifth degree. In addition to 2275

any penalties imposed under Chapter 2929. of the Revised Code 2276
for a violation of division (B) of this section or a violation 2277
of section 2913.04 of the Revised Code described in division (D) 2278
of this section, if the offender is a sheriff, an employee of a 2279
sheriff, or any other public officer or employee, and if the 2280
violation was willful and deliberate, the offender shall be 2281
subject to a civil fine of one thousand dollars. Any person who 2282
is harmed by a violation of division (B) or (C) of this section 2283
or a violation of section 2913.04 of the Revised Code described 2284
in division (D) of this section has a private cause of action 2285
against the offender for any injury, death, or loss to person or 2286
property that is a proximate result of the violation and may 2287
recover court costs and attorney's fees related to the action. 2288

Sec. 2923.1213. (A) As used in this section: 2289

(1) "Evidence of imminent danger" means any of the 2290
following: 2291

(a) A statement sworn by the person seeking to carry a 2292
concealed ~~handgun~~ firearm other than a restricted firearm that 2293
is made under threat of perjury and that states that the person 2294
has reasonable cause to fear a criminal attack upon the person 2295
or a member of the person's family, such as would justify a 2296
prudent person in going armed; 2297

(b) A written document prepared by a governmental entity 2298
or public official describing the facts that give the person 2299
seeking to carry a concealed ~~handgun~~ firearm other than a 2300
restricted firearm reasonable cause to fear a criminal attack 2301
upon the person or a member of the person's family, such as 2302
would justify a prudent person in going armed. Written documents 2303
of this nature include, but are not limited to, any temporary 2304
protection order, civil protection order, protection order 2305

issued by another state, or other court order, any court report, 2306
and any report filed with or made by a law enforcement agency or 2307
prosecutor. 2308

(2) "Prosecutor" has the same meaning as in section 2309
2935.01 of the Revised Code. 2310

(B) (1) A person seeking a concealed handgun license on a 2311
temporary emergency basis shall submit to the sheriff of the 2312
county in which the person resides all of the following: 2313

(a) Evidence of imminent danger to the person or a member 2314
of the person's family; 2315

(b) A sworn affidavit that contains all of the information 2316
required to be on the license and attesting that the person is 2317
legally living in the United States; is at least twenty-one 2318
years of age; is not a fugitive from justice; is not under 2319
indictment for or otherwise charged with an offense identified 2320
in division (D) (1) (d) of section 2923.125 of the Revised Code; 2321
has not been convicted of or pleaded guilty to an offense, and 2322
has not been adjudicated a delinquent child for committing an 2323
act, identified in division (D) (1) (e) of that section and to 2324
which division (B) (3) of this section does not apply; within 2325
three years of the date of the submission, has not been 2326
convicted of or pleaded guilty to an offense, and has not been 2327
adjudicated a delinquent child for committing an act, identified 2328
in division (D) (1) (f) of that section and to which division (B) 2329
(3) of this section does not apply; within five years of the 2330
date of the submission, has not been convicted of, pleaded 2331
guilty, or adjudicated a delinquent child for committing two or 2332
more violations identified in division (D) (1) (g) of that 2333
section; within ten years of the date of the submission, has not 2334
been convicted of, pleaded guilty, or adjudicated a delinquent 2335

child for committing a violation identified in division (D) (1) 2336
(h) of that section and to which division (B) (3) of this section 2337
does not apply; has not been adjudicated as a mental defective, 2338
has not been committed to any mental institution, is not under 2339
adjudication of mental incompetence, has not been found by a 2340
court to be a mentally ill person subject to court order, and is 2341
not an involuntary patient other than one who is a patient only 2342
for purposes of observation, as described in division (D) (1) (i) 2343
of that section; is not currently subject to a civil protection 2344
order, a temporary protection order, or a protection order 2345
issued by a court of another state, as described in division (D) 2346
(1) (j) of that section; ~~and~~ is not currently subject to a 2347
suspension imposed under division (A) (2) of section 2923.128 of 2348
the Revised Code of a concealed handgun license that previously 2349
was issued to the person; 2350

(c) A nonrefundable temporary emergency license fee as 2351
described in either of the following: 2352

(i) For an applicant who has been a resident of this state 2353
for five or more years, a fee of fifteen dollars plus the actual 2354
cost of having a background check performed by the bureau of 2355
criminal identification and investigation pursuant to section 2356
311.41 of the Revised Code; 2357

(ii) For an applicant who has been a resident of this 2358
state for less than five years, a fee of fifteen dollars plus 2359
the actual cost of having background checks performed by the 2360
federal bureau of investigation and the bureau of criminal 2361
identification and investigation pursuant to section 311.41 of 2362
the Revised Code. 2363

(d) A set of fingerprints of the applicant provided as 2364
described in section 311.41 of the Revised Code through use of 2365

an electronic fingerprint reading device or, if the sheriff to whom the application is submitted does not possess and does not have ready access to the use of an electronic fingerprint reading device, on a standard impression sheet prescribed pursuant to division (C)(2) of section 109.572 of the Revised Code. If the fingerprints are provided on a standard impression sheet, the person also shall provide the person's social security number to the sheriff.

(2) A sheriff shall accept the evidence of imminent danger, the sworn affidavit, the fee, and the set of fingerprints required under division (B)(1) of this section at the times and in the manners described in division (I) of this section. Upon receipt of the evidence of imminent danger, the sworn affidavit, the fee, and the set of fingerprints required under division (B)(1) of this section, the sheriff, in the manner specified in section 311.41 of the Revised Code, immediately shall conduct or cause to be conducted the criminal records check and the incompetency records check described in section 311.41 of the Revised Code. Immediately upon receipt of the results of the records checks, the sheriff shall review the information and shall determine whether the criteria set forth in divisions (D)(1)(a) to (j) and (m) of section 2923.125 of the Revised Code apply regarding the person. If the sheriff determines that all of the criteria set forth in divisions (D)(1)(a) to (j) and (m) of section 2923.125 of the Revised Code apply regarding the person, the sheriff shall immediately make available through the law enforcement automated data system all information that will be contained on the temporary emergency license for the person if one is issued, and the superintendent of the state highway patrol shall ensure that the system is so configured as to permit the transmission through the system of

that information. Upon making that information available through 2397
the law enforcement automated data system, the sheriff shall 2398
immediately issue to the person a concealed handgun license on a 2399
temporary emergency basis. 2400

If the sheriff denies the issuance of a license on a 2401
temporary emergency basis to the person, the sheriff shall 2402
specify the grounds for the denial in a written notice to the 2403
person. The person may appeal the denial, or challenge criminal 2404
records check results that were the basis of the denial if 2405
applicable, in the same manners specified in division (D) (2) of 2406
section 2923.125 and in section 2923.127 of the Revised Code, 2407
regarding the denial of an application for a concealed handgun 2408
license under that section. 2409

The license on a temporary emergency basis issued under 2410
this division shall be in the form, and shall include all of the 2411
information, described in divisions (A) (2) and (5) of section 2412
109.731 of the Revised Code, and also shall include a unique 2413
combination of identifying letters and numbers in accordance 2414
with division (A) (4) of that section. 2415

The license on a temporary emergency basis issued under 2416
this division is valid for ninety days and may not be renewed. A 2417
person who has been issued a license on a temporary emergency 2418
basis under this division shall not be issued another license on 2419
a temporary emergency basis unless at least four years has 2420
expired since the issuance of the prior license on a temporary 2421
emergency basis. 2422

(3) If a person seeking a concealed handgun license on a 2423
temporary emergency basis has been convicted of or pleaded 2424
guilty to an offense identified in division (D) (1) (e), (f), or 2425
(h) of section 2923.125 of the Revised Code or has been 2426

adjudicated a delinquent child for committing an act or 2427
violation identified in any of those divisions, and if a court 2428
has ordered the sealing or expungement of the records of that 2429
conviction, guilty plea, or adjudication pursuant to sections 2430
2151.355 to 2151.358 or sections 2953.31 to 2953.36 of the 2431
Revised Code or a court has granted the applicant relief 2432
pursuant to section 2923.14 of the Revised Code from the 2433
disability imposed pursuant to section 2923.13 of the Revised 2434
Code relative to that conviction, guilty plea, or adjudication, 2435
the conviction, guilty plea, or adjudication shall not be 2436
relevant for purposes of the sworn affidavit described in 2437
division (B) (1) (b) of this section, and the person may complete, 2438
and swear to the truth of, the affidavit as if the conviction, 2439
guilty plea, or adjudication never had occurred. 2440

(4) The sheriff shall waive the payment pursuant to 2441
division (B) (1) (c) of this section of the license fee in 2442
connection with an application that is submitted by an applicant 2443
who is a retired peace officer, a retired person described in 2444
division (B) (1) (b) of section 109.77 of the Revised Code, or a 2445
retired federal law enforcement officer who, prior to 2446
retirement, was authorized under federal law to carry a firearm 2447
in the course of duty, unless the retired peace officer, person, 2448
or federal law enforcement officer retired as the result of a 2449
mental disability. 2450

The sheriff shall deposit all fees paid by an applicant 2451
under division (B) (1) (c) of this section into the sheriff's 2452
concealed handgun license issuance fund established pursuant to 2453
section 311.42 of the Revised Code. 2454

(C) A person who holds a concealed handgun license on a 2455
temporary emergency basis, regardless of whether the license was 2456

issued prior to, on, or after the effective date of this 2457
amendment, has the same right to carry a concealed ~~handgun~~ 2458
firearm that is not a restricted firearm as a person who was 2459
issued a concealed handgun license under section 2923.125 of the 2460
Revised Code, ~~and any exceptions to the prohibitions contained~~ 2461
~~in section 1547.69 and sections 2923.12 to 2923.16 of the~~ 2462
~~Revised Code for a licensee under section 2923.125 of the~~ 2463
~~Revised Code apply to a licensee under this section.~~ The person 2464
is subject to the same restrictions, and to all other 2465
procedures, duties, and sanctions, that apply to a person who 2466
carries a license issued under section 2923.125 of the Revised 2467
Code, other than the license renewal procedures set forth in 2468
that section. 2469

(D) A sheriff who issues a concealed handgun license on a 2470
temporary emergency basis under this section shall not require a 2471
person seeking to carry a concealed ~~handgun~~ firearm that is not 2472
a restricted firearm in accordance with this section to submit a 2473
competency certificate as a prerequisite for issuing the license 2474
and shall comply with division (H) of section 2923.125 of the 2475
Revised Code in regards to the license. The sheriff shall 2476
suspend or revoke the license in accordance with section 2477
2923.128 of the Revised Code. In addition to the suspension or 2478
revocation procedures set forth in section 2923.128 of the 2479
Revised Code, the sheriff may revoke the license upon receiving 2480
information, verifiable by public documents, that the person is 2481
not eligible to possess a firearm under either the laws of this 2482
state or of the United States or that the person committed 2483
perjury in obtaining the license; if the sheriff revokes a 2484
license under this additional authority, the sheriff shall 2485
notify the person, by certified mail, return receipt requested, 2486
at the person's last known residence address that the license 2487

has been revoked and that the person is required to surrender 2488
the license at the sheriff's office within ten days of the date 2489
on which the notice was mailed. Division (H) of section 2923.125 2490
of the Revised Code applies regarding any suspension or 2491
revocation of a concealed handgun license on a temporary 2492
emergency basis. 2493

(E) A sheriff who issues a concealed handgun license on a 2494
temporary emergency basis under this section shall retain, for 2495
the entire period during which the license is in effect, the 2496
evidence of imminent danger that the person submitted to the 2497
sheriff and that was the basis for the license, or a copy of 2498
that evidence, as appropriate. 2499

(F) If a concealed handgun license on a temporary 2500
emergency basis issued under this section is lost or is 2501
destroyed, the licensee may obtain from the sheriff who issued 2502
that license a duplicate license upon the payment of a fee of 2503
fifteen dollars and the submission of an affidavit attesting to 2504
the loss or destruction of the license. The sheriff, in 2505
accordance with the procedures prescribed in section 109.731 of 2506
the Revised Code, shall place on the replacement license a 2507
combination of identifying numbers different from the 2508
combination on the license that is being replaced. 2509

(G) The Ohio peace officer training commission shall 2510
prescribe, and shall make available to sheriffs, a standard form 2511
to be used under division (B) of this section by a person who 2512
applies for a concealed handgun license on a temporary emergency 2513
basis on the basis of imminent danger of a type described in 2514
division (A) (1) (a) of this section. 2515

(H) A sheriff who receives any fees paid by a person under 2516
this section shall deposit all fees so paid into the sheriff's 2517

concealed handgun license issuance expense fund established 2518
under section 311.42 of the Revised Code. 2519

(I) A sheriff shall accept evidence of imminent danger, a 2520
sworn affidavit, the fee, and the set of fingerprints specified 2521
in division (B)(1) of this section at any time during normal 2522
business hours. In no case shall a sheriff require an 2523
appointment, or designate a specific period of time, for the 2524
submission or acceptance of evidence of imminent danger, a sworn 2525
affidavit, the fee, and the set of fingerprints specified in 2526
division (B)(1) of this section, or for the provision to any 2527
person of a standard form to be used for a person to apply for a 2528
concealed handgun license on a temporary emergency basis. 2529

Sec. 2923.16. (A) No person shall knowingly discharge a 2530
firearm while in or on a motor vehicle. 2531

(B) No person shall knowingly transport or have a loaded 2532
firearm in a motor vehicle in such a manner that the firearm is 2533
accessible to the operator or any passenger without leaving the 2534
vehicle. 2535

(C) No person shall knowingly transport or have a firearm 2536
in a motor vehicle, unless the person may lawfully possess that 2537
firearm under applicable law of this state or the United States, 2538
the firearm is unloaded, and the firearm is carried in one of 2539
the following ways: 2540

(1) In a closed package, box, or case; 2541

(2) In a compartment that can be reached only by leaving 2542
the vehicle; 2543

(3) In plain sight and secured in a rack or holder made 2544
for the purpose; 2545

(4) If the firearm is at least twenty-four inches in 2546
overall length as measured from the muzzle to the part of the 2547
stock furthest from the muzzle and if the barrel is at least 2548
eighteen inches in length, either in plain sight with the action 2549
open or the weapon stripped, or, if the firearm is of a type on 2550
which the action will not stay open or which cannot easily be 2551
stripped, in plain sight. 2552

(D) No person shall knowingly transport or have a loaded 2553
handgun in a motor vehicle if, at the time of that 2554
transportation or possession, any of the following applies: 2555

(1) The person is under the influence of alcohol, a drug 2556
of abuse, or a combination of them. 2557

(2) The person's whole blood, blood serum or plasma, 2558
breath, or urine contains a concentration of alcohol, a listed 2559
controlled substance, or a listed metabolite of a controlled 2560
substance prohibited for persons operating a vehicle, as 2561
specified in division (A) of section 4511.19 of the Revised 2562
Code, regardless of whether the person at the time of the 2563
transportation or possession as described in this division is 2564
the operator of or a passenger in the motor vehicle. 2565

(E) No person who has been issued a concealed handgun 2566
license or is deemed under division (C) of section 2923.111 of 2567
the Revised Code to have been issued a concealed handgun license 2568
under section 2923.125 of the Revised Code, who is the driver or 2569
an occupant of a motor vehicle that is stopped as a result of a 2570
traffic stop or a stop for another law enforcement purpose or is 2571
the driver or an occupant of a commercial motor vehicle that is 2572
stopped by an employee of the motor carrier enforcement unit for 2573
the purposes defined in section 5503.34 of the Revised Code, and 2574
who is transporting or has a loaded ~~handgun~~ firearm that is not 2575

- a restricted firearm in the motor vehicle or commercial motor vehicle in any manner, shall do any of the following: 2576
2577
- (1) Fail to promptly inform any law enforcement officer who approaches the vehicle while stopped that the person ~~has been issued a concealed handgun license and that the person then~~ possesses or has a loaded ~~handgun~~-firearm in the motor vehicle and, if the person has been issued a concealed handgun license, that the person has been issued the license; 2578
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- (2) Fail to promptly inform the employee of the unit who approaches the vehicle while stopped that the person ~~has been issued a concealed handgun license and that the person then~~ possesses or has a loaded ~~handgun~~-firearm in the commercial motor vehicle and, if the person has been issued a concealed handgun license, that the person has been issued the license; 2584
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- (3) Knowingly fail to remain in the motor vehicle while stopped or knowingly fail to keep the person's hands in plain sight at any time after any law enforcement officer begins approaching the person while stopped and before the law enforcement officer leaves, unless the failure is pursuant to and in accordance with directions given by a law enforcement officer; 2590
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- (4) Knowingly have contact with the loaded ~~handgun~~-firearm by touching it with the person's hands or fingers in the motor vehicle at any time after the law enforcement officer begins approaching and before the law enforcement officer leaves, unless the person has contact with the loaded ~~handgun~~-firearm pursuant to and in accordance with directions given by the law enforcement officer; 2597
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- (5) Knowingly disregard or fail to comply with any lawful 2604

order of any law enforcement officer given while the motor 2605
vehicle is stopped, including, but not limited to, a specific 2606
order to the person to keep the person's hands in plain sight. 2607

(F) (1) Divisions (A), (B), (C), and (E) of this section do 2608
not apply to any of the following: 2609

(a) An officer, agent, or employee of this or any other 2610
state or the United States, or a law enforcement officer, when 2611
authorized to carry or have loaded or accessible firearms in 2612
motor vehicles and acting within the scope of the officer's, 2613
agent's, or employee's duties; 2614

(b) Any person who is employed in this state, who is 2615
authorized to carry or have loaded or accessible firearms in 2616
motor vehicles, and who is subject to and in compliance with the 2617
requirements of section 109.801 of the Revised Code, unless the 2618
appointing authority of the person has expressly specified that 2619
the exemption provided in division (F) (1) (b) of this section 2620
does not apply to the person. 2621

(2) Division (A) of this section does not apply to a 2622
person if all of the following circumstances apply: 2623

(a) The person discharges a firearm from a motor vehicle 2624
at a coyote or groundhog, the discharge is not during the deer 2625
gun hunting season as set by the chief of the division of 2626
wildlife of the department of natural resources, and the 2627
discharge at the coyote or groundhog, but for the operation of 2628
this section, is lawful. 2629

(b) The motor vehicle from which the person discharges the 2630
firearm is on real property that is located in an unincorporated 2631
area of a township and that either is zoned for agriculture or 2632
is used for agriculture. 2633

(c) The person owns the real property described in 2634
division (F) (2) (b) of this section, is the spouse or a child of 2635
another person who owns that real property, is a tenant of 2636
another person who owns that real property, or is the spouse or 2637
a child of a tenant of another person who owns that real 2638
property. 2639

(d) The person does not discharge the firearm in any of 2640
the following manners: 2641

(i) While under the influence of alcohol, a drug of abuse, 2642
or alcohol and a drug of abuse; 2643

(ii) In the direction of a street, highway, or other 2644
public or private property used by the public for vehicular 2645
traffic or parking; 2646

(iii) At or into an occupied structure that is a permanent 2647
or temporary habitation; 2648

(iv) In the commission of any violation of law, including, 2649
but not limited to, a felony that includes, as an essential 2650
element, purposely or knowingly causing or attempting to cause 2651
the death of or physical harm to another and that was committed 2652
by discharging a firearm from a motor vehicle. 2653

(3) Division (A) of this section does not apply to a 2654
person if all of the following apply: 2655

(a) The person possesses a valid electric-powered all- 2656
purpose vehicle permit issued under section 1533.103 of the 2657
Revised Code by the chief of the division of wildlife. 2658

(b) The person discharges a firearm at a wild quadruped or 2659
game bird as defined in section 1531.01 of the Revised Code 2660
during the open hunting season for the applicable wild quadruped 2661

or game bird. 2662

(c) The person discharges a firearm from a stationary 2663
electric-powered all-purpose vehicle as defined in section 2664
1531.01 of the Revised Code or a motor vehicle that is parked on 2665
a road that is owned or administered by the division of 2666
wildlife, provided that the road is identified by an electric- 2667
powered all-purpose vehicle sign. 2668

(d) The person does not discharge the firearm in any of 2669
the following manners: 2670

(i) While under the influence of alcohol, a drug of abuse, 2671
or alcohol and a drug of abuse; 2672

(ii) In the direction of a street, a highway, or other 2673
public or private property that is used by the public for 2674
vehicular traffic or parking; 2675

(iii) At or into an occupied structure that is a permanent 2676
or temporary habitation; 2677

(iv) In the commission of any violation of law, including, 2678
but not limited to, a felony that includes, as an essential 2679
element, purposely or knowingly causing or attempting to cause 2680
the death of or physical harm to another and that was committed 2681
by discharging a firearm from a motor vehicle. 2682

(4) Divisions (B) and (C) of this section do not apply to 2683
a person if all of the following circumstances apply: 2684

(a) At the time of the alleged violation of either of 2685
those divisions, the person is the operator of or a passenger in 2686
a motor vehicle. 2687

(b) The motor vehicle is on real property that is located 2688
in an unincorporated area of a township and that either is zoned 2689

for agriculture or is used for agriculture. 2690

(c) The person owns the real property described in 2691
division (D) (4) (b) of this section, is the spouse or a child of 2692
another person who owns that real property, is a tenant of 2693
another person who owns that real property, or is the spouse or 2694
a child of a tenant of another person who owns that real 2695
property. 2696

(d) The person, prior to arriving at the real property 2697
described in division (D) (4) (b) of this section, did not 2698
transport or possess a firearm in the motor vehicle in a manner 2699
prohibited by division (B) or (C) of this section while the 2700
motor vehicle was being operated on a street, highway, or other 2701
public or private property used by the public for vehicular 2702
traffic or parking. 2703

(5) Divisions (B) and (C) of this section do not apply to 2704
a person who transports or possesses a ~~handgun~~ firearm that is 2705
not a restricted firearm in a motor vehicle if, at the time of 2706
that transportation or possession, both of the following apply: 2707

(a) The person transporting or possessing the ~~handgun~~ 2708
firearm is carrying a valid concealed handgun license or is 2709
deemed under division (C) of section 2923.111 of the Revised 2710
Code to have been issued a concealed handgun license under 2711
section 2923.125 of the Revised Code. 2712

(b) The person transporting or possessing the ~~handgun~~ 2713
firearm is not knowingly in ~~a~~ an unauthorized place described 2714
specified in division (B) of section 2923.126 of the Revised 2715
Code and is not knowingly transporting or possessing the firearm 2716
in any prohibited manner listed in that division. 2717

(6) Divisions (B) and (C) of this section do not apply to 2718

a person if all of the following apply: 2719

(a) The person possesses a valid electric-powered all- 2720
purpose vehicle permit issued under section 1533.103 of the 2721
Revised Code by the chief of the division of wildlife. 2722

(b) The person is on or in an electric-powered all-purpose 2723
vehicle as defined in section 1531.01 of the Revised Code or a 2724
motor vehicle during the open hunting season for a wild 2725
quadruped or game bird. 2726

(c) The person is on or in an electric-powered all-purpose 2727
vehicle as defined in section 1531.01 of the Revised Code or a 2728
motor vehicle that is parked on a road that is owned or 2729
administered by the division of wildlife, provided that the road 2730
is identified by an electric-powered all-purpose vehicle sign. 2731

(7) Nothing in this section prohibits or restricts a 2732
person from possessing, storing, or leaving a firearm in a 2733
locked motor vehicle that is parked in the state underground 2734
parking garage at the state capitol building or in the parking 2735
garage at the Riffe center for government and the arts in 2736
Columbus, if the person's transportation and possession of the 2737
firearm in the motor vehicle while traveling to the premises or 2738
facility was not in violation of division (A), (B), (C), (D), or 2739
(E) of this section or any other provision of the Revised Code. 2740

(G) (1) The affirmative defenses authorized in divisions 2741
(D) (1) and (2) of section 2923.12 of the Revised Code are 2742
affirmative defenses to a charge under division (B) or (C) of 2743
this section that involves a firearm other than a handgun if 2744
division (E) (5) of this section does not apply to the person 2745
charged. 2746

(2) It is an affirmative defense to a charge under 2747

division (B) or (C) of this section of improperly handling 2748
firearms in a motor vehicle that the actor transported or had 2749
the firearm in the motor vehicle for any lawful purpose and 2750
while the motor vehicle was on the actor's own property, 2751
provided that this affirmative defense is not available unless 2752
the person, immediately prior to arriving at the actor's own 2753
property, did not transport or possess the firearm in a motor 2754
vehicle in a manner prohibited by division (B) or (C) of this 2755
section while the motor vehicle was being operated on a street, 2756
highway, or other public or private property used by the public 2757
for vehicular traffic. 2758

(H) (1) No person who is charged with a violation of 2759
division (B), (C), or (D) of this section shall be required to 2760
obtain a concealed handgun license as a condition for the 2761
dismissal of the charge. 2762

(2) (a) If a person is convicted of, was convicted of, 2763
pleads guilty to, or has pleaded guilty to a violation of 2764
division (E) of this section as it existed prior to September 2765
30, 2011, and if the conduct that was the basis of the violation 2766
no longer would be a violation of division (E) of this section 2767
on or after September 30, 2011, the person may file an 2768
application under section 2953.37 of the Revised Code requesting 2769
the expungement of the record of conviction. 2770

If a person is convicted of, was convicted of, pleads 2771
guilty to, or has pleaded guilty to a violation of division (B) 2772
or (C) of this section as the division existed prior to 2773
September 30, 2011, and if the conduct that was the basis of the 2774
violation no longer would be a violation of division (B) or (C) 2775
of this section on or after September 30, 2011, due to the 2776
application of division (F) (5) of this section as it exists on 2777

and after September 30, 2011, the person may file an application 2778
under section 2953.37 of the Revised Code requesting the 2779
expungement of the record of conviction. 2780

(b) The attorney general shall develop a public media 2781
advisory that summarizes the expungement procedure established 2782
under section 2953.37 of the Revised Code and the offenders 2783
identified in division (H) (2) (a) of this section who are 2784
authorized to apply for the expungement. Within thirty days 2785
after September 30, 2011, the attorney general shall provide a 2786
copy of the advisory to each daily newspaper published in this 2787
state and each television station that broadcasts in this state. 2788
The attorney general may provide the advisory in a tangible 2789
form, an electronic form, or in both tangible and electronic 2790
forms. 2791

(I) Whoever violates this section is guilty of improperly 2792
handling firearms in a motor vehicle. Violation of division (A) 2793
of this section is a felony of the fourth degree. Violation of 2794
division (C) of this section is a misdemeanor of the fourth 2795
degree. A violation of division (D) of this section is a felony 2796
of the fifth degree or, if the loaded handgun is concealed on 2797
the person's person, a felony of the fourth degree. Except as 2798
otherwise provided in this division, a violation of division (E) 2799
(1) or (2) of this section is a misdemeanor of the first degree, 2800
and, in addition to any other penalty or sanction imposed for 2801
the violation, if the offender has been issued a concealed 2802
handgun license, the offender's ~~concealed handgun~~ license shall 2803
be suspended pursuant to division (A) (2) of section 2923.128 of 2804
the Revised Code. If at the time of the stop of the offender for 2805
a traffic stop, for another law enforcement purpose, or for a 2806
purpose defined in section 5503.34 of the Revised Code that was 2807
the basis of the violation any law enforcement officer involved 2808

with the stop or the employee of the motor carrier enforcement 2809
unit who made the stop had actual knowledge ~~of that the~~ 2810
~~offender's status as a licensee~~ offender has been issued a 2811
concealed handgun license or that the offender is deemed under 2812
division (C) of section 2923.111 of the Revised Code to have 2813
been issued a concealed handgun license under section 2923.125 2814
of the Revised Code, a violation of division (E) (1) or (2) of 2815
this section is a minor misdemeanor, and if the offender has 2816
been issued a concealed handgun license, the offender's 2817
~~concealed handgun~~ license shall not be suspended pursuant to 2818
division (A) (2) of section 2923.128 of the Revised Code. A 2819
violation of division (E) (4) of this section is a felony of the 2820
fifth degree. A violation of division (E) (3) or (5) of this 2821
section is a misdemeanor of the first degree or, if the offender 2822
previously has been convicted of or pleaded guilty to a 2823
violation of division (E) (3) or (5) of this section, a felony of 2824
the fifth degree. In addition to any other penalty or sanction 2825
imposed for a misdemeanor violation of division (E) (3) or (5) of 2826
this section, if the offender has been issued a concealed 2827
handgun license, the offender's ~~concealed handgun~~ license shall 2828
be suspended pursuant to division (A) (2) of section 2923.128 of 2829
the Revised Code. A violation of division (B) of this section is 2830
a felony of the fourth degree. 2831

(J) If a law enforcement officer stops a motor vehicle for 2832
a traffic stop or any other purpose, if any person in the motor 2833
vehicle surrenders a firearm to the officer, either voluntarily 2834
or pursuant to a request or demand of the officer, and if the 2835
officer does not charge the person with a violation of this 2836
section or arrest the person for any offense, the person is not 2837
otherwise prohibited by law from possessing the firearm, and the 2838
firearm is not contraband, the officer shall return the firearm 2839

to the person at the termination of the stop. If a court orders 2840
a law enforcement officer to return a firearm to a person 2841
pursuant to the requirement set forth in this division, division 2842
(B) of section 2923.163 of the Revised Code applies. 2843

(K) As used in this section: 2844

(1) "Motor vehicle," "street," and "highway" have the same 2845
meanings as in section 4511.01 of the Revised Code. 2846

(2) "Occupied structure" has the same meaning as in 2847
section 2909.01 of the Revised Code. 2848

(3) "Agriculture" has the same meaning as in section 2849
519.01 of the Revised Code. 2850

(4) "Tenant" has the same meaning as in section 1531.01 of 2851
the Revised Code. 2852

(5) (a) "Unloaded" means, with respect to a firearm other 2853
than a firearm described in division (K) (6) of this section, 2854
that no ammunition is in the firearm in question, no magazine or 2855
speed loader containing ammunition is inserted into the firearm 2856
in question, and one of the following applies: 2857

(i) There is no ammunition in a magazine or speed loader 2858
that is in the vehicle in question and that may be used with the 2859
firearm in question. 2860

(ii) Any magazine or speed loader that contains ammunition 2861
and that may be used with the firearm in question is stored in a 2862
compartment within the vehicle in question that cannot be 2863
accessed without leaving the vehicle or is stored in a container 2864
that provides complete and separate enclosure. 2865

(b) For the purposes of division (K) (5) (a) (ii) of this 2866
section, a "container that provides complete and separate 2867

enclosure" includes, but is not limited to, any of the 2868
following: 2869

(i) A package, box, or case with multiple compartments, as 2870
long as the loaded magazine or speed loader and the firearm in 2871
question either are in separate compartments within the package, 2872
box, or case, or, if they are in the same compartment, the 2873
magazine or speed loader is contained within a separate 2874
enclosure in that compartment that does not contain the firearm 2875
and that closes using a snap, button, buckle, zipper, hook and 2876
loop closing mechanism, or other fastener that must be opened to 2877
access the contents or the firearm is contained within a 2878
separate enclosure of that nature in that compartment that does 2879
not contain the magazine or speed loader; 2880

(ii) A pocket or other enclosure on the person of the 2881
person in question that closes using a snap, button, buckle, 2882
zipper, hook and loop closing mechanism, or other fastener that 2883
must be opened to access the contents. 2884

(c) For the purposes of divisions (K) (5) (a) and (b) of 2885
this section, ammunition held in stripper-clips or in en-bloc 2886
clips is not considered ammunition that is loaded into a 2887
magazine or speed loader. 2888

(6) "Unloaded" means, with respect to a firearm employing 2889
a percussion cap, flintlock, or other obsolete ignition system, 2890
when the weapon is uncapped or when the priming charge is 2891
removed from the pan. 2892

(7) "Commercial motor vehicle" has the same meaning as in 2893
division (A) of section 4506.25 of the Revised Code. 2894

(8) "Motor carrier enforcement unit" means the motor 2895
carrier enforcement unit in the department of public safety, 2896

division of state highway patrol, that is created by section 2897
5503.34 of the Revised Code. 2898

(L) Divisions (K) (5) (a) and (b) of this section do not 2899
affect the authority of a person who is carrying a valid 2900
concealed handgun license or who is deemed under division (C) of 2901
section 2923.111 of the Revised Code to have been issued a 2902
concealed handgun license under section 2923.125 of the Revised 2903
Code to have one or more magazines or speed loaders containing 2904
ammunition anywhere in a vehicle, without being transported as 2905
described in those divisions, as long as no ammunition is in a 2906
firearm, other than a handgun, in the vehicle other than as 2907
permitted under any other provision of this chapter. A person 2908
who is carrying a valid concealed handgun license or who is 2909
deemed under division (C) of section 2923.111 of the Revised 2910
Code to have been issued a concealed handgun license under 2911
section 2923.125 of the Revised Code may have one or more 2912
magazines or speed loaders containing ammunition anywhere in a 2913
vehicle without further restriction, as long as no ammunition is 2914
in a firearm, other than a handgun, in the vehicle other than as 2915
permitted under any provision of this chapter. 2916

Sec. 4749.10. (A) No class A, B, or C licensee and no 2917
registered employee of a class A, B, or C licensee shall carry a 2918
firearm, as defined in section 2923.11 of the Revised Code, in 2919
the course of engaging in the business of private investigation, 2920
the business of security services, or both businesses, unless 2921
all of the following apply: 2922

(1) The licensee or employee either has successfully 2923
completed a basic firearm training program at a training school 2924
approved by the Ohio peace officer training commission, which 2925
program includes twenty hours of training in handgun use and, if 2926

any firearm other than a handgun is to be used, five hours of 2927
training in the use of other firearms, and has received a 2928
certificate of satisfactory completion of that program from the 2929
executive director of the commission; the licensee or employee 2930
has, within three years prior to November 27, 1985, 2931
satisfactorily completed firearms training that has been 2932
approved by the commission as being equivalent to such a program 2933
and has received written evidence of approval of that training 2934
from the executive director of the commission; or the licensee 2935
or employee is a former peace officer, as defined in section 2936
109.71 of the Revised Code, who previously had successfully 2937
completed a firearms training course at a training school 2938
approved by the Ohio peace officer training commission and has 2939
received a certificate or other evidence of satisfactory 2940
completion of that course from the executive director of the 2941
commission. 2942

(2) The licensee or employee submits an application to the 2943
director of public safety, on a form prescribed by the director, 2944
in which the licensee or employee requests registration as a 2945
class A, B, or C licensee or employee who may carry a firearm. 2946
The application shall be accompanied by a copy of the 2947
certificate or the written evidence or other evidence described 2948
in division (A)(1) of this section, the identification card 2949
issued pursuant to section 4749.03 or 4749.06 of the Revised 2950
Code if one has previously been issued, a statement of the 2951
duties that will be performed while the licensee or employee is 2952
armed, and a fee the director determines, not to exceed fifteen 2953
dollars. In the case of a registered employee, the statement 2954
shall be prepared by the employing class A, B, or C licensee. 2955

(3) The licensee or employee receives a notation on the 2956
licensee's or employee's identification card that the licensee 2957

or employee is a firearm-bearer and carries the identification 2958
card whenever the licensee or employee carries a firearm in the 2959
course of engaging in the business of private investigation, the 2960
business of security services, or both businesses. 2961

(4) At any time within the immediately preceding twelve- 2962
month period, the licensee or employee has requalified in 2963
firearms use on a firearms training range at a firearms 2964
requalification program certified by the Ohio peace officer 2965
training commission or on a firearms training range under the 2966
supervision of an instructor certified by the commission and has 2967
received a certificate of satisfactory requalification from the 2968
certified program or certified instructor, provided that this 2969
division does not apply to any licensee or employee prior to the 2970
expiration of eighteen months after the licensee's or employee's 2971
completion of the program described in division (A) (1) of this 2972
section. A certificate of satisfactory requalification is valid 2973
and remains in effect for twelve months from the date of the 2974
requalification. 2975

(5) If division (A) (4) of this section applies to the 2976
licensee or employee, the licensee or employee carries the 2977
certificate of satisfactory requalification that then is in 2978
effect or any other evidence of requalification issued or 2979
provided by the director. 2980

(B) (1) The director of public safety shall register an 2981
applicant under division (A) of this section who satisfies 2982
divisions (A) (1) and (2) of this section, and place a notation 2983
on the applicant's identification card indicating that the 2984
applicant is a firearm-bearer and the date on which the 2985
applicant completed the program described in division (A) (1) of 2986
this section. 2987

(2) A firearms requalification training program or 2988
instructor certified by the commission for the annual 2989
requalification of class A, B, or C licensees or employees who 2990
are authorized to carry a firearm under section 4749.10 of the 2991
Revised Code shall award a certificate of satisfactory 2992
requalification to each class A, B, or C licensee or registered 2993
employee of a class A, B, or C licensee who satisfactorily 2994
requalifies in firearms training. The certificate shall identify 2995
the licensee or employee and indicate the date of the 2996
requalification. A licensee or employee who receives such a 2997
certificate shall submit a copy of it to the director of public 2998
safety. A licensee shall submit the copy of the requalification 2999
certificate at the same time that the licensee makes application 3000
for renewal of the licensee's class A, B, or C license. The 3001
director shall keep a record of all copies of requalification 3002
certificates the director receives under this division and shall 3003
establish a procedure for the updating of identification cards 3004
to provide evidence of compliance with the annual 3005
requalification requirement. The procedure for the updating of 3006
identification cards may provide for the issuance of a new card 3007
containing the evidence, the entry of a new notation containing 3008
the evidence on the existing card, the issuance of a separate 3009
card or paper containing the evidence, or any other procedure 3010
determined by the director to be reasonable. Each person who is 3011
issued a requalification certificate under this division 3012
promptly shall pay to the Ohio peace officer training commission 3013
established by section 109.71 of the Revised Code a fee the 3014
director determines, not to exceed fifteen dollars, which fee 3015
shall be transmitted to the treasurer of state for deposit in 3016
the peace officer private security fund established by section 3017
109.78 of the Revised Code. 3018

(C) Nothing in this section prohibits a private 3019
investigator or a security guard provider from carrying a 3020
concealed ~~handgun~~ firearm that is not a restricted firearm if 3021
the private investigator or security guard provider complies 3022
with sections 2923.124 to 2923.1213 of the Revised Code. 3023

Section 2. That existing sections 109.69, 109.731, 3024
1547.69, 2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 3025
2923.124, 2923.125, 2923.126, 2923.128, 2923.129, 2923.1213, 3026
2923.16, and 4749.10 of the Revised Code are hereby repealed. 3027

Section 3. The amendments to sections 109.69, 109.731, 3028
1547.69, 2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 3029
2923.124, 2923.125, 2923.126, 2923.128, 2923.129, 2923.1213, 3030
2923.16, and 4749.10 of the Revised Code apply with respect to 3031
any concealed handgun license, as defined in section 2923.11 of 3032
the Revised Code, regardless of whether the license was issued 3033
prior to, on, or after the effective date of this act. 3034

Section 4. (A) Section 2923.124 of the Revised Code is 3035
presented in this act as a composite of the section as amended 3036
by both Am. Sub. H.B. 495 and Am. Sub. S.B. 316 of the 129th 3037
General Assembly. The General Assembly, applying the principle 3038
stated in division (B) of section 1.52 of the Revised Code that 3039
amendments are to be harmonized if reasonably capable of 3040
simultaneous operation, finds that the composite is the 3041
resulting version of the section in effect prior to the 3042
effective date of the section as presented in this act. 3043

(B) Section 2923.122 of the Revised Code is presented in 3044
this act as a composite of the section as amended by both Am. 3045
Sub. H.B. 495 and Am. Sub. S.B. 337 of the 129th General 3046
Assembly. The General Assembly, applying the principle stated in 3047
division (B) of section 1.52 of the Revised Code that amendments 3048

are to be harmonized if reasonably capable of simultaneous	3049
operation, finds that the composite is the resulting version of	3050
the section in effect prior to the effective date of the section	3051
as presented in this act.	3052