

**As Introduced**

**131st General Assembly**

**Regular Session**

**2015-2016**

**H. B. No. 152**

**Representatives Hood, Brinkman**

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

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**A BILL**

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

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

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

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

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

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

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

(3) The attorney general shall not negotiate any agreement 48  
with any other license-issuing state under which a concealed 49  
handgun license issued by the other state is recognized in this 50  
state other than as provided in divisions (A) (1) and (2) of this 51  
section. 52

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

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

a resident of this state. After that six-month period, if the  
person wishes to obtain a concealed handgun license, the person  
shall apply for a concealed handgun license pursuant to section  
2923.125 of the Revised Code.

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

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

(D) As used in this section:

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

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

**Sec. 109.731.** (A) (1) The attorney general shall prescribe, 108  
and shall make available to sheriffs an application form that is 109  
to be used under section 2923.125 of the Revised Code by a 110  
person who applies for a concealed handgun license and an 111  
application form that is to be used under section 2923.125 of 112  
the Revised Code by a person who applies for the renewal of a 113  
license of that nature. The attorney general shall design the 114  
form to enable applicants to provide the information that is 115  
required by law to be collected, and shall update the form as 116  
necessary. Burdens or restrictions to obtaining a concealed 117  
handgun license that are not expressly prescribed in law shall 118  
not be incorporated into the form. The attorney general shall 119  
post a printable version of the form on the web site of the 120  
attorney general and shall provide the address of the web site 121  
to any person who requests the form. 122

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

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

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

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

division (A) (2) (c) of this section. 138

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

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

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

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

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

issuance. 167

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

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

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

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

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

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

pursuant to division (C) of section 2923.129 of the Revised Code. Not later than the first day of March in each year, the commission shall submit a statistical report to the governor, the president of the senate, and the speaker of the house of representatives indicating the number of concealed handgun licenses that were issued, renewed, suspended, revoked, and denied under section 2923.125 of the Revised Code in the previous calendar year, the number of applications for those licenses for which processing was suspended in accordance with division (D)(3) of that section in the previous calendar year, and the number of concealed handgun licenses on a temporary emergency basis that were issued, suspended, revoked, or denied under section 2923.1213 of the Revised Code in the previous calendar year. Nothing in the statistics or the statistical report shall identify, or enable the identification of, any individual who was issued or denied a license, for whom a license was renewed, whose license was suspended or revoked, or for whom application processing was suspended. The statistics and the statistical report are public records for the purpose of section 149.43 of the Revised Code.

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

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

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

(2) "Unloaded" has the same meanings as in divisions (K)(5) and (6) of section 2923.16 of the Revised Code, except that all references in the definition in division (K)(5) of that



section to "vehicle" shall be construed for purposes of this 226  
section to be references to "vessel." 227

(B) No person shall knowingly discharge a firearm while in 228  
or on a vessel. 229

(C) No person shall knowingly transport or have a loaded 230  
firearm in a vessel in a manner that the firearm is accessible 231  
to the operator or any passenger. 232

(D) No person shall knowingly transport or have a firearm 233  
in a vessel unless it is unloaded and is carried in one of the 234  
following ways: 235

(1) In a closed package, box, or case; 236

(2) In plain sight with the action opened or the weapon 237  
stripped, or, if the firearm is of a type on which the action 238  
will not stay open or that cannot easily be stripped, in plain 239  
sight. 240

(E) (1) The affirmative defenses authorized in divisions 241  
(D) (1) and (2) of section 2923.12 of the Revised Code are 242  
affirmative defenses to a charge under division (C) or (D) of 243  
this section that involves a firearm other than a handgun if 244  
division (H) (2) of this section does not apply to the person 245  
charged. It is an affirmative defense to a charge under division 246  
(C) or (D) of this section of transporting or having a firearm 247  
of any type, including a handgun, in a vessel that the actor 248  
transported or had the firearm in the vessel for any lawful 249  
purpose and while the vessel was on the actor's own property, 250  
provided that this affirmative defense is not available unless 251  
the actor, prior to arriving at the vessel on the actor's own 252  
property, did not transport or possess the firearm in the vessel 253  
or in a motor vehicle in a manner prohibited by this section or 254

division (B) or (C) of section 2923.16 of the Revised Code while 255  
the vessel was being operated on a waterway that was not on the 256  
actor's own property or while the motor vehicle was being 257  
operated on a street, highway, or other public or private 258  
property used by the public for vehicular traffic. 259

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

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

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

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

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

(b) Any person who is employed in this state, who is 284  
authorized to carry or have loaded or accessible firearms in a 285  
vessel, and who is subject to and in compliance with the 286  
requirements of section 109.801 of the Revised Code, unless the 287  
appointing authority of the person has expressly specified that 288  
the exemption provided in division (H)(1)(b) of this section 289  
does not apply to the person; 290

(c) Any person legally engaged in hunting. 291

(2) Divisions (C) and (D) of this section do not apply to 292  
a person who transports or possesses ~~a handgun~~ in a vessel a 293  
firearm that is not a restricted firearm and who, at the time of 294  
that transportation or possession, is carrying a valid concealed 295  
handgun license or is deemed under division (C) of section 296  
2923.111 of the Revised Code to have been issued a concealed 297  
handgun license under section 2923.125 of the Revised Code, 298  
unless the person at that time knowingly is in a ~~an unauthorized~~ 299  
~~place on the vessel described~~ specified in division (B) of 300  
section 2923.126 of the Revised Code or knowingly is 301  
transporting or possessing the firearm in any prohibited manner 302  
listed in that division. 303

(I) If a law enforcement officer stops a vessel for a 304  
violation of this section or any other law enforcement purpose, 305  
if any person on the vessel surrenders a firearm to the officer, 306  
either voluntarily or pursuant to a request or demand of the 307  
officer, and if the officer does not charge the person with a 308  
violation of this section or arrest the person for any offense, 309  
the person is not otherwise prohibited by law from possessing 310  
the firearm, and the firearm is not contraband, the officer 311  
shall return the firearm to the person at the termination of the 312  
stop. 313

(J) Division (L) of section 2923.16 of the Revised Code 314  
applies with respect to division (A) (2) of this section, except 315  
that all references in division (L) of section 2923.16 of the 316  
Revised Code to "vehicle," to "this chapter," or to "division 317  
(K) (5) (a) or (b) of this section" shall be construed for 318  
purposes of this section to be, respectively, references to 319  
"vessel," to "section 1547.69 of the Revised Code," and to 320  
"divisions (K) (5) (a) and (b) of section 2923.16 of the Revised 321  
Code as incorporated under the definition of firearm adopted 322  
under division (A) (2) of this section." 323

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

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

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

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

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

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

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

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

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

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

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

(1) Any firearm of crude and extemporized manufacture;

(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;

(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 371  
explosive charge, and any pressure vessel that has been 372  
knowingly tampered with or arranged so as to explode. 373

(I) "Incendiary device" means any firebomb, and any device 374  
designed or specially adapted to cause physical harm to persons 375  
or property by means of fire, and consisting of an incendiary 376  
substance or agency and a means to ignite it. 377

(J) "Ballistic knife" means a knife with a detachable 378  
blade that is propelled by a spring-operated mechanism. 379

(K) "Dangerous ordnance" means any of the following, 380  
except as provided in division (L) of this section: 381

(1) Any automatic or sawed-off firearm, zip-gun, or 382  
ballistic knife; 383

(2) Any explosive device or incendiary device; 384

(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, 385  
cyclonite, TNT, picric acid, and other high explosives; amatol, 386  
tritonite, tetrytol, pentolite, pecretol, cyclitol, and other 387  
high explosive compositions; plastic explosives; dynamite, 388  
blasting gelatin, gelatin dynamite, sensitized ammonium nitrate, 389  
liquid-oxygen blasting explosives, blasting powder, and other 390  
blasting agents; and any other explosive substance having 391  
sufficient brisance or power to be particularly suitable for use 392  
as a military explosive, or for use in mining, quarrying, 393  
excavating, or demolitions; 394

(4) Any firearm, rocket launcher, mortar, artillery piece, 395  
grenade, mine, bomb, torpedo, or similar weapon, designed and 396  
manufactured for military purposes, and the ammunition for that 397  
weapon; 398

|  |   |
|--|---|
| (5) Any firearm muffler or suppressor;   | 399   |
| (6) Any combination of parts that is intended by the owner for use in converting any firearm or other device into a dangerous ordnance.  | 400<br>401<br>402                             |
| (L) "Dangerous ordnance" does not include any of the following:  | 403<br>404                                    |
| (1) Any firearm, including a military weapon and the ammunition for that weapon, and regardless of its actual age, that employs a percussion cap or other obsolete ignition system, or that is designed and safe for use only with black powder;   | 405<br>406<br>407<br>408                      |
| (2) Any pistol, rifle, or shotgun, designed or suitable for sporting purposes, including a military weapon as issued or as modified, and the ammunition for that weapon, unless the firearm is an automatic or sawed-off firearm;  | 409<br>410<br>411<br>412                      |
| (3) Any cannon or other artillery piece that, regardless of its actual age, is of a type in accepted use prior to 1887, has no mechanical, hydraulic, pneumatic, or other system for absorbing recoil and returning the tube into battery without displacing the carriage, and is designed and safe for use only with black powder;  | 413<br>414<br>415<br>416<br>417<br>418        |
| (4) Black powder, priming quills, and percussion caps possessed and lawfully used to fire a cannon of a type defined in division (L)(3) of this section during displays, celebrations, organized matches or shoots, and target practice, and smokeless and black powder, primers, and percussion caps possessed and lawfully used as a propellant or ignition device in small-arms or small-arms ammunition; | 419<br>420<br>421<br>422<br>423<br>424<br>425 |
| (5) Dangerous ordnance that is inoperable or inert and cannot readily be rendered operable or activated, and that is   | 426<br>427                                    |

kept as a trophy, souvenir, curio, or museum piece. 428

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

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

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



to carry a concealed firearm other than a restricted firearm or 458  
a license to carry a concealed handgun issued by another state 459  
with which the attorney general has entered into a reciprocity 460  
agreement under section 109.69 of the Revised Code that 461  
authorizes the person to whom it is issued either to carry a 462  
concealed handgun or to carry a concealed firearm other than a 463  
restricted firearm. 464

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

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

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

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

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

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

(R) "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 518  
this division and to division (C) (2) of this section, a person 519  
who is twenty-one years of age or older and is not legally 520  
prohibited from possessing or receiving a firearm under 18 521  
U.S.C. 922(g) (1) to (9) shall not be required to obtain a 522  
concealed handgun license under section 2923.125 or 2923.1213 of 523  
the Revised Code in order to carry in this state a concealed 524  
firearm that is not a restricted firearm. 525

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

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

temporary in duration, of an otherwise law-abiding person. 549

(C) (1) For purposes of sections 1547.69 and 2923.12 to 2923.1213 of the Revised Code and any other provision of law that refers to a concealed handgun license or a concealed handgun licensee, except when the context clearly indicates otherwise, a person who is described in division (A) of this section and is carrying or has, concealed on the person's person or ready at hand, a firearm that is not a restricted firearm shall be deemed to have been issued a concealed handgun license under section 2923.125 of the Revised Code. 550  
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(2) The concealed handgun license expiration provisions of section 2923.125 of the Revised Code and the concealed handgun license suspension and revocation provisions of section 2923.128 of the Revised Code do not apply with respect to a person who is described in division (A) of this section unless the person has been issued a concealed handgun license. If a person is described in division (A) of this section and the person thereafter comes within any category of persons specified in 18 U.S.C. 922(g) (1) to (9) so that the person as a result is legally prohibited under the applicable provision from possessing or receiving a firearm, both of the following apply automatically and immediately upon the person coming within that category: 559  
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(a) Division (A) of this section and the authority and right to carry a concealed firearm that are described in that division do not apply to the person. 572  
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(b) Division (C) (1) of this section does not apply to the person, and the person no longer is deemed to have been issued a concealed handgun license under section 2923.125 of the Revised Code as described in that division. 575  
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**Sec. 2923.12.** (A) No person shall knowingly carry or have, 579  
concealed on the person's person or concealed ready at hand, any 580  
of the following: 581

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

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

(3) A dangerous ordnance. 584

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

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

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

(3) If the person is stopped for a law enforcement 607

purpose, ~~if the person is carrying a concealed handgun,~~ and if 608  
the person is approached by any law enforcement officer while 609  
stopped, knowingly remove or attempt to remove the loaded 610  
~~handgun~~ firearm from the holster, pocket, or other place in 611  
which the person is carrying it, knowingly grasp or hold the 612  
loaded ~~handgun~~ firearm, or knowingly have contact with the 613  
loaded ~~handgun~~ firearm by touching it with the person's hands or 614  
fingers at any time after the law enforcement officer begins 615  
approaching and before the law enforcement officer leaves, 616  
unless the person removes, attempts to remove, grasps, holds, or 617  
has contact with the loaded ~~handgun~~ firearm pursuant to and in 618  
accordance with directions given by the law enforcement officer; 619

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

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

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

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

expressly specified that the exemption provided in division (C) 638  
(1) (b) of this section does not apply to the person; 639

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

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

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

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

(1) The weapon was carried or kept ready at hand by the 666

actor for defensive purposes while the actor was engaged in or 667  
was going to or from the actor's lawful business or occupation, 668  
which business or occupation was of a character or was 669  
necessarily carried on in a manner or at a time or place as to 670  
render the actor particularly susceptible to criminal attack, 671  
such as would justify a prudent person in going armed. 672

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

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

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

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



committed aboard an aircraft, or with purpose to carry a  
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.

~~(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:~~

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

~~(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.~~

~~(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.~~

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

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

~~(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 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.~~ 726  
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~~(iii) At the time of the commission of the offense, the offender was not knowingly in a place described in division (B) of section 2923.126 of the Revised Code.~~ 732  
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~~(c) If neither division (F) (2) (a) nor (b) of this section applies, the offender shall be punished under division (F) (1) of this section.~~ 735  
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~~(3) Except as otherwise provided in this division, carrying concealed weapons in violation of division (B) (1) of this section is a misdemeanor of the first degree, and, in addition to any other penalty or sanction imposed for a violation of division (B) (1) of this section, if the offender has been issued a concealed handgun license, the offender's ~~concealed handgun~~ license shall be suspended pursuant to division (A) (2) of section 2923.128 of the Revised Code. If, at the time of the stop of the offender for a law enforcement purpose that was the basis of the violation, any law enforcement officer involved with the stop had actual knowledge that the offender has been issued a concealed handgun license or that the offender is deemed under division (C) of section 2923.111 of the Revised Code to have been issued a concealed handgun license under section 2923.125 of the Revised Code, carrying concealed weapons in violation of division (B) (1) of this section is a minor misdemeanor, and if the offender has been issued a concealed handgun license, the offender's ~~concealed handgun~~~~

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license shall not be suspended pursuant to division (A) (2) of 756  
section 2923.128 of the Revised Code. 757

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

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

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

**Sec. 2923.121.** (A) No person shall possess a firearm in 784  
any room in which any person is consuming beer or intoxicating 785

liquor in a premises for which a D permit has been issued under 786  
Chapter 4303. of the Revised Code or in an open air arena for 787  
which a permit of that nature has been issued. 788

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

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

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

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

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

Revised Code, who is off duty, and who otherwise is authorized 815  
to carry firearms while in the course of the officer's official 816  
duties and while in the premises or open air arena for which the 817  
permit was issued and as long as the firearm is not a restricted 818  
firearm and the agent or employee of that holder is not 819  
consuming beer or intoxicating liquor or under the influence of 820  
alcohol or a drug of abuse. 821

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

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

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

(C) It is an affirmative defense to a charge under this 844

section of illegal possession of a firearm in a liquor permit 845  
premises ~~that involves~~ involving the possession of a firearm 846  
other than a handgun, that divisions (B) (1) (d) and (e) of this 847  
section do not apply, that the actor was not otherwise 848  
prohibited by law from having the firearm, and that any of the 849  
following apply: 850

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

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

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

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

third degree. 875

(F) As used in this section, "beer" and "intoxicating 876  
liquor" have the same meanings as in section 4301.01 of the 877  
Revised Code. 878

**Sec. 2923.122.** (A) No person shall knowingly convey, or 879  
attempt to convey, a deadly weapon or dangerous ordnance into a 880  
school safety zone. 881

(B) No person shall knowingly possess a deadly weapon or 882  
dangerous ordnance in a school safety zone. 883

(C) No person shall knowingly possess an object in a 884  
school safety zone if both of the following apply: 885

(1) The object is indistinguishable from a firearm, 886  
whether or not the object is capable of being fired. 887

(2) The person indicates that the person possesses the 888  
object and that it is a firearm, or the person knowingly 889  
displays or brandishes the object and indicates that it is a 890  
firearm. 891

(D) (1) This section does not apply to any of the 892  
following: 893

(a) An officer, agent, or employee of this or any other 894  
state or the United States, or a law enforcement officer, who is 895  
authorized to carry deadly weapons or dangerous ordnance and is 896  
acting within the scope of the officer's, agent's, or employee's 897  
duties, a security officer employed by a board of education or 898  
governing body of a school during the time that the security 899  
officer is on duty pursuant to that contract of employment, or 900  
any other person who has written authorization from the board of 901  
education or governing body of a school to convey deadly weapons 902

or dangerous ordnance into a school safety zone or to possess a 903  
deadly weapon or dangerous ordnance in a school safety zone and 904  
who conveys or possesses the deadly weapon or dangerous ordnance 905  
in accordance with that authorization; 906

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

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

(3) This section does not apply to a person who conveys or 928  
attempts to convey a ~~handgun~~firearm that is not a restricted 929  
firearm into, or possesses a ~~handgun~~firearm that is not a 930  
restricted firearm in, a school safety zone if, at the time of 931  
that conveyance, attempted conveyance, or possession of the 932



~~handgun firearm that is not a restricted firearm, all the person~~ 933  
~~is carrying a valid concealed handgun license or is deemed under~~ 934  
~~division (C) of section 2923.111 of the Revised Code to have~~ 935  
~~been issued a concealed handgun license under section 2923.125~~ 936  
~~of the Revised Code and either of the following apply applies:~~ 937

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

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

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

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

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

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

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

~~(c) The and the person is not in violation of section~~ 960

2923.16 of the Revised Code. 961

(E) (1) Whoever violates division (A) or (B) of this 962  
section is guilty of illegal conveyance or possession of a 963  
deadly weapon or dangerous ordnance in a school safety zone. 964  
Except as otherwise provided in this division, illegal 965  
conveyance or possession of a deadly weapon or dangerous 966  
ordnance in a school safety zone is a felony of the fifth 967  
degree. If the offender previously has been convicted of a 968  
violation of this section, illegal conveyance or possession of a 969  
deadly weapon or dangerous ordnance in a school safety zone is a 970  
felony of the fourth degree. 971

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

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

driver's license, temporary instruction permit, or probationary 991  
commercial driver's license that then is in effect from the 992  
range specified in division (A) (4) of section 4510.02 of the 993  
Revised Code and shall deny the offender the issuance of any 994  
permit or license of that type during the period of the 995  
suspension. 996

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

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

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

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

(B) No person shall knowingly possess or have under the 1019

person's control a deadly weapon or dangerous ordnance in a 1020  
courthouse or in another building or structure in which a 1021  
courtroom is located. 1022

(C) This section does not apply to any of the following: 1023

(1) Except as provided in division (E) of this section, a 1024  
judge of a court of record of this state or a magistrate; 1025

(2) A peace officer, officer of a law enforcement agency, 1026  
or person who is in either of the following categories: 1027

(a) Except as provided in division (E) of this section, a 1028  
peace officer, or an officer of a law enforcement agency of 1029  
another state, a political subdivision of another state, or the 1030  
United States, who is authorized to carry a deadly weapon or 1031  
dangerous ordnance, who possesses or has under that individual's 1032  
control a deadly weapon or dangerous ordnance as a requirement 1033  
of that individual's duties, and who is acting within the scope 1034  
of that individual's duties at the time of that possession or 1035  
control; 1036

(b) Except as provided in division (E) of this section, a 1037  
person who is employed in this state, who is authorized to carry 1038  
a deadly weapon or dangerous ordnance, who possesses or has 1039  
under that individual's control a deadly weapon or dangerous 1040  
ordnance as a requirement of that person's duties, and who is 1041  
subject to and in compliance with the requirements of section 1042  
109.801 of the Revised Code, unless the appointing authority of 1043  
the person has expressly specified that the exemption provided 1044  
in division (C) (2) (b) of this section does not apply to the 1045  
person. 1046

(3) A person who conveys, attempts to convey, possesses, 1047  
or has under the person's control a deadly weapon or dangerous 1048

ordnance that is to be used as evidence in a pending criminal or 1049  
civil action or proceeding; 1050

(4) Except as provided in division (E) of this section, a 1051  
bailiff or deputy bailiff of a court of record of this state who 1052  
is authorized to carry a firearm pursuant to section 109.77 of 1053  
the Revised Code, who possesses or has under that individual's 1054  
control a firearm as a requirement of that individual's duties, 1055  
and who is acting within the scope of that individual's duties 1056  
at the time of that possession or control; 1057

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

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

courthouse or building. The officer shall secure the ~~handgun~~ 1079  
firearm until the ~~licensee person~~ is prepared to leave the 1080  
premises. The exemption described in this division applies only 1081  
if the officer who has charge of the courthouse or building 1082  
provides services of the nature described in this division. An 1083  
officer who has charge of the courthouse or building is not 1084  
required to offer services of the nature described in this 1085  
division. 1086

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

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

(E) The exemptions described in divisions (C) (1), (2) (a), 1105  
(2) (b), (4), (5), and (6) of this section do not apply to any 1106  
judge, magistrate, peace officer, officer of a law enforcement 1107  
agency, bailiff, deputy bailiff, prosecutor, secret service 1108

officer, or other person described in any of those divisions if 1109  
a rule of superintendence or another type of rule adopted by the 1110  
supreme court pursuant to Article IV, Ohio Constitution, or an 1111  
applicable local rule of court prohibits all persons from 1112  
conveying or attempting to convey a deadly weapon or dangerous 1113  
ordnance into a courthouse or into another building or structure 1114  
in which a courtroom is located or from possessing or having 1115  
under one's control a deadly weapon or dangerous ordnance in a 1116  
courthouse or in another building or structure in which a 1117  
courtroom is located. 1118

(F) As used in this section: 1119

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

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

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

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

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

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

(D) "Licensee" means a person to whom a concealed handgun 1136

license has been issued under section 2923.125 of the Revised 1137  
Code and, except when the context clearly indicates otherwise, 1138  
includes a person to whom a concealed handgun license on a 1139  
temporary emergency basis has been issued under section 1140  
2923.1213 of the Revised Code ~~and, a person to whom a concealed~~ 1141  
handgun license has been issued by another state, and a person 1142  
who is deemed under division (C) of section 2923.111 of the 1143  
Revised Code to have been issued a concealed handgun license 1144  
under section 2923.125 of the Revised Code. 1145

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

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

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

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

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

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

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

(L) "Foreign air transportation," "interstate air 1163  
transportation," and "intrastate air transportation" have the 1164



same meanings as in 49 U.S.C. 40102, as now or hereafter 1165  
amended. 1166

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

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

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

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

information specified in divisions (B) (1) to (5) of this section 1195  
at the times and in the manners described in division (I) of 1196  
this section. 1197

(B) An applicant for a concealed handgun license who is a 1198  
resident of this state shall submit a completed application form 1199  
and all of the material and information described in divisions 1200  
(B) (1) to (6) of this section to the sheriff of the county in 1201  
which the applicant resides or to the sheriff of any county 1202  
adjacent to the county in which the applicant resides. An 1203  
applicant for a license who resides in another state shall 1204  
submit a completed application form and all of the material and 1205  
information described in divisions (B) (1) to (7) of this section 1206  
to the sheriff of the county in which the applicant is employed 1207  
or to the sheriff of any county adjacent to the county in which 1208  
the applicant is employed: 1209

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

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

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

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

(c) A sheriff shall waive the payment of the license fee 1222  
described in division (B) (1) (a) of this section in connection 1223

with an initial or renewal application for a license that is 1224  
submitted by an applicant who is a retired peace officer, a 1225  
retired person described in division (B) (1) (b) of section 109.77 1226  
of the Revised Code, or a retired federal law enforcement 1227  
officer who, prior to retirement, was authorized under federal 1228  
law to carry a firearm in the course of duty, unless the retired 1229  
peace officer, person, or federal law enforcement officer 1230  
retired as the result of a mental disability. 1231

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

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

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

(a) An original or photocopy of a certificate of 1252  
completion of a firearms safety, training, or requalification or 1253

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

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

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

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

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

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

(c) An original or photocopy of a certificate of 1277  
completion of a state, county, municipal, or department of 1278  
natural resources peace officer training school that is approved 1279  
by the executive director of the Ohio peace officer training 1280  
commission pursuant to section 109.75 of the Revised Code and 1281  
that complies with the requirements set forth in division (G) of 1282

this section, or the applicant has satisfactorily completed and 1283  
been issued a certificate of completion of a basic firearms 1284  
training program, a firearms requalification training program, 1285  
or another basic training program described in section 109.78 or 1286  
109.801 of the Revised Code that complies with the requirements 1287  
set forth in division (G) of this section; 1288

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

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

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

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

by a national gun advocacy organization, and that complies with 1313  
the requirements set forth in division (G) of this section; 1314

(f) An affidavit that attests to the applicant's 1315  
satisfactory completion of a course, class, or program described 1316  
in division (B)(3)(a), (b), (c), or (e) of this section and that 1317  
is subscribed by the applicant's instructor or an authorized 1318  
representative of the entity that offered the course, class, or 1319  
program or under whose auspices the course, class, or program 1320  
was offered; 1321

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

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

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

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

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

(C) Upon receipt of the completed application form, 1344  
supporting documentation, and, if not waived, license fee of an 1345  
applicant under this section, a sheriff, in the manner specified 1346  
in section 311.41 of the Revised Code, shall conduct or cause to 1347  
be conducted the criminal records check and the incompetency 1348  
records check described in section 311.41 of the Revised Code. 1349

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

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

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

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

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

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

(f) Except as otherwise provided in division (D) (4) or (5) of this section, the applicant, within three years of the date of the application, has not been convicted of or pleaded guilty to a misdemeanor offense of violence other than a misdemeanor violation of section 2921.33 of the Revised Code or a violation



of section 2903.13 of the Revised Code when the victim of the 1402  
violation is a peace officer, or a misdemeanor violation of 1403  
section 2923.1211 of the Revised Code; and has not been 1404  
adjudicated a delinquent child for committing an act that if 1405  
committed by an adult would be a misdemeanor offense of violence 1406  
other than a misdemeanor violation of section 2921.33 of the 1407  
Revised Code or a violation of section 2903.13 of the Revised 1408  
Code when the victim of the violation is a peace officer or for 1409  
committing an act that if committed by an adult would be a 1410  
misdemeanor violation of section 2923.1211 of the Revised Code. 1411

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

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

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

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

(k) The applicant certifies that the applicant desires a 1435  
legal means to carry a concealed ~~handgun~~ firearm for defense of 1436  
the applicant or a member of the applicant's family while 1437  
engaged in lawful activity. 1438

(l) The applicant submits a competency certification of 1439  
the type described in division (B) (3) of this section and 1440  
submits a certification of the type described in division (B) (4) 1441  
of this section regarding the applicant's reading of the 1442  
pamphlet prepared by the Ohio peace officer training commission 1443  
pursuant to section 109.731 of the Revised Code. 1444

(m) The applicant currently is not subject to a suspension 1445  
imposed under division (A) (2) of section 2923.128 of the Revised 1446  
Code of a concealed handgun license that previously was issued 1447  
to the applicant under this section or section 2923.1213 of the 1448  
Revised Code or a similar suspension imposed by another state 1449  
regarding a concealed handgun license issued by that state. 1450

(n) If the applicant resides in another state, the 1451  
applicant is employed in this state. 1452

(o) The applicant certifies that the applicant is not an 1453  
unlawful user of or addicted to any controlled substance as 1454  
defined in 21 U.S.C. 802. 1455

(p) If the applicant is not a United States citizen, the 1456  
applicant is an alien and has not been admitted to the United 1457  
States under a nonimmigrant visa, as defined in the "Immigration 1458  
and Nationality Act," 8 U.S.C. 1101(a) (26) . 1459

(q) The applicant has not been discharged from the armed 1460

forces of the United States under dishonorable conditions. 1461

(r) The applicant certifies that the applicant has not 1462  
renounced the applicant's United States citizenship, if 1463  
applicable. 1464

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

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

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

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

is tolled during the pendency of the request or the challenge 1490  
and review. 1491

(c) If the court in an appeal under section 119.12 of the 1492  
Revised Code and division (D) (2) (b) of this section enters a 1493  
judgment sustaining the sheriff's refusal to grant to the 1494  
applicant a concealed handgun license, the applicant may file a 1495  
new application beginning one year after the judgment is 1496  
entered. If the court enters a judgment in favor of the 1497  
applicant, that judgment shall not restrict the authority of a 1498  
sheriff to suspend or revoke the license pursuant to section 1499  
2923.128 or 2923.1213 of the Revised Code or to refuse to renew 1500  
the license for any proper cause that may occur after the date 1501  
the judgment is entered. In the appeal, the court shall have 1502  
full power to dispose of all costs. 1503

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

(4) If an applicant has been convicted of or pleaded 1511  
guilty to an offense identified in division (D) (1) (e), (f), or 1512  
(h) of this section or has been adjudicated a delinquent child 1513  
for committing an act or violation identified in any of those 1514  
divisions, and if a court has ordered the sealing or expungement 1515  
of the records of that conviction, guilty plea, or adjudication 1516  
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 1517  
2953.36, or section 2953.37 of the Revised Code or the applicant 1518  
has been relieved under operation of law or legal process from 1519

the disability imposed pursuant to section 2923.13 of the 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.

(5) If an applicant has been convicted of or pleaded guilty to a minor misdemeanor offense or has been adjudicated a delinquent child for committing an act or violation that is a minor misdemeanor offense, 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 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) Except as provided in division (F) (1) (b) of this

section, a licensee who wishes to renew a concealed handgun 1550  
license issued under this section shall do so not earlier than 1551  
ninety days before the expiration date of the license or at any 1552  
time after the expiration date of the license by filing with the 1553  
sheriff of the county in which the applicant resides or with the 1554  
sheriff of an adjacent county, or in the case of ~~a~~ an applicant 1555  
who resides in another state with the sheriff of the county that 1556  
issued the applicant's previous concealed handgun license an 1557  
application for renewal of the license obtained pursuant to 1558  
division (D) of this section, a certification by the applicant 1559  
that, subsequent to the issuance of the license, the applicant 1560  
has reread the pamphlet prepared by the Ohio peace officer 1561  
training commission pursuant to section 109.731 of the Revised 1562  
Code that reviews firearms, dispute resolution, and use of 1563  
deadly force matters, and a nonrefundable license renewal fee in 1564  
an amount determined pursuant to division (F) (4) of this section 1565  
unless the fee is waived. 1566

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

obtained a license while the person was on active duty or 1581  
service, and provided further that the person's active duty or 1582  
service resulted in the spouse or dependent relocating outside 1583  
of this state during the period of the active duty or service. 1584  
This division does not prevent such a person or the person's 1585  
spouse or dependent from making an application for the renewal 1586  
of a concealed handgun license during the period of the person's 1587  
active duty or service. 1588

(2) A sheriff shall accept a completed renewal 1589  
application, the license renewal fee, and the information 1590  
specified in division (F)(1) of this section at the times and in 1591  
the manners described in division (I) of this section. Upon 1592  
receipt of a completed renewal application, of certification 1593  
that the applicant has reread the specified pamphlet prepared by 1594  
the Ohio peace officer training commission, and of a license 1595  
renewal fee unless the fee is waived, a sheriff, in the manner 1596  
specified in section 311.41 of the Revised Code shall conduct or 1597  
cause to be conducted the criminal records check and the 1598  
incompetency records check described in section 311.41 of the 1599  
Revised Code. The sheriff shall renew the license if the sheriff 1600  
determines that the applicant continues to satisfy the 1601  
requirements described in division (D)(1) of this section, 1602  
except that the applicant is not required to meet the 1603  
requirements of division (D)(1)(1) of this section. A renewed 1604  
license shall expire five years after the date of issuance. A 1605  
renewed license is subject to division (E) of this section and 1606  
sections 2923.126 and 2923.128 of the Revised Code. A sheriff 1607  
shall comply with divisions (D)(2) and (3) of this section when 1608  
the circumstances described in those divisions apply to a 1609  
requested license renewal. If a sheriff denies the renewal of a 1610  
concealed handgun license, the applicant may appeal the denial, 1611

or challenge the criminal record check results that were the 1612  
basis of the denial if applicable, in the same manner as 1613  
specified in division (D) (2) (b) of this section and in section 1614  
2923.127 of the Revised Code, regarding the denial of a license 1615  
under this section. 1616

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

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

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

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



federal bureau of investigation. 1642

(5) The concealed handgun license of a licensee who is no 1643  
longer a resident of this state or no longer employed in this 1644  
state, as applicable, is valid until the date of expiration on 1645  
the license, and the licensee is prohibited from renewing the 1646  
concealed handgun license. 1647

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

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

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

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

(d) Gun handling training; 1667

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

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

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

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

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

(b) Except as otherwise provided in this division, the 1698  
written section of the competency examination specified in 1699

division (G) (2) (a) of this section shall be administered to the 1700  
person taking the competency examination in person by an 1701  
instructor. If the training specified in division (G) (1) (a) of 1702  
this section is provided to the person receiving the training by 1703  
a course, class, or program described in division (B) (3) (a) of 1704  
this section, or it is provided by a course, class, or program 1705  
described in division (B) (3) (b), (c), or (e) of this section and 1706  
the instructor is a qualified instructor certified by a national 1707  
gun advocacy organization, the written section of the competency 1708  
examination specified in division (G) (2) (a) of this section may 1709  
be administered online, as long as the online training includes 1710  
an interactive component that regularly engages the person. 1711

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

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

ensure that the law enforcement automated data system is so 1731  
configured as to permit the transmission through the system of 1732  
the information specified in this division. 1733

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

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

Revised Code shall give notice of any change in the licensee's residence address to the sheriff who issued the license within forty-five days after that change.

If a licensee or 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 is the driver or an occupant of a motor vehicle that is stopped as the result of a traffic stop or a stop for another law enforcement purpose and if the licensee or person is transporting or has a loaded ~~handgun~~ firearm that is not a restricted firearm in the motor vehicle at that time, the licensee or person shall promptly inform any law enforcement officer who approaches the vehicle while stopped that the licensee has been issued a concealed handgun license and that the licensee currently possesses or has a loaded ~~handgun~~ firearm; the licensee or person shall not knowingly disregard or fail to comply with lawful orders of a law enforcement officer given while the motor vehicle is stopped, knowingly fail to remain in the motor vehicle while stopped, or knowingly fail to keep the licensee's or person's hands in plain sight after any law enforcement officer begins approaching the licensee or person while stopped and before the officer leaves, unless directed otherwise by a law enforcement officer; and the licensee or person shall not knowingly have contact with the loaded ~~handgun~~ firearm by touching it with the licensee's or person's hands or fingers, in any manner in violation of division (E) of section 2923.16 of the Revised Code, after any law enforcement officer begins approaching the licensee or person while stopped and before the officer leaves. Additionally, if a licensee or 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 is the driver or an 1793  
occupant of a commercial motor vehicle that is stopped by an 1794  
employee of the motor carrier enforcement unit for the purposes 1795  
defined in section ~~5503.04~~ 5503.34 of the Revised Code and if 1796  
the licensee or person is transporting or has a loaded ~~handgun-~~ 1797  
firearm that is not a restricted firearm in the commercial motor 1798  
vehicle at that time, the licensee shall promptly inform the 1799  
employee of the unit who approaches the vehicle while stopped 1800  
that the licensee or person has been issued a concealed handgun 1801  
license and that the licensee or person currently possesses or 1802  
has a loaded ~~handgun~~ firearm. 1803

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

touching it with the licensee's or person's hands or fingers, in 1824  
any manner in violation of division (B) of section 2923.12 of 1825  
the Revised Code, after any law enforcement officer begins 1826  
approaching the licensee or person while stopped and before the 1827  
officer leaves. 1828

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

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

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

- the Revised Code; 1854
- (3) A courthouse or another building or structure in which 1855  
a courtroom is located, if the licensee's carrying the concealed 1856  
firearm is in violation of section 2923.123 of the Revised Code; 1857
- (4) Any premises or open air arena for which a D permit 1858  
has been issued under Chapter 4303. of the Revised Code if the 1859  
licensee's carrying the concealed ~~handgun~~-firearm is in 1860  
violation of section 2923.121 of the Revised Code; 1861
- (5) Any premises owned or leased by any public or private 1862  
college, university, or other institution of higher education, 1863  
unless the ~~handgun~~-firearm is in a locked motor vehicle or the 1864  
licensee is in the immediate process of placing the ~~handgun~~- 1865  
firearm in a locked motor vehicle; 1866
- (6) Any church, synagogue, mosque, or other place of 1867  
worship, unless the church, synagogue, mosque, or other place of 1868  
worship posts or permits otherwise; 1869
- (7) A child day-care center, a type A family day-care 1870  
home, or a type B family day-care home, except that this 1871  
division does not prohibit a licensee who resides in a type A 1872  
family day-care home or a type B family day-care home from 1873  
carrying a concealed ~~handgun~~-firearm at any time in any part of 1874  
the home that is not dedicated or used for day-care purposes, or 1875  
from carrying a concealed ~~handgun~~-firearm in a part of the home 1876  
that is dedicated or used for day-care purposes at any time 1877  
during which no children, other than children of that licensee, 1878  
are in the home; 1879
- (8) An aircraft that is in, or intended for operation in, 1880  
foreign air transportation, interstate air transportation, 1881  
intrastate air transportation, or the transportation of mail by 1882



aircraft; 1883

(9) Any building that is a government facility of this 1884  
state or a political subdivision of this state and that is not a 1885  
building that is used primarily as a shelter, restroom, parking 1886  
facility for motor vehicles, or rest facility and is not a 1887  
courthouse or other building or structure in which a courtroom 1888  
is located that is subject to division (B) (3) of this section; 1889

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

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

(2) (a) A private employer shall be immune from liability 1904  
in a civil action for any injury, death, or loss to person or 1905  
property that allegedly was caused by or related to a licensee 1906  
bringing a ~~handgun~~firearm onto the premises or property of the 1907  
private employer, including motor vehicles owned by the private 1908  
employer, unless the private employer acted with malicious 1909  
purpose. A private employer is immune from liability in a civil 1910  
action for any injury, death, or loss to person or property that 1911  
allegedly was caused by or related to the private employer's 1912

decision to permit a licensee to bring, or prohibit a licensee  
from bringing, a ~~handgun~~-firearm onto the premises or property  
of the private employer. As used in this division, "private  
employer" includes a private college, university, or other  
institution of higher education.

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

(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 under section 2911.21 of the Revised Code  
or under any other criminal law of this state or criminal law,

ordinance, or resolution of a political subdivision of this 1944  
state, and instead is subject only to a civil cause of action 1945  
for trespass based on the violation. 1946

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

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

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

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

(D) A person who holds a valid concealed handgun license 1966  
issued by another state that is recognized by the attorney 1967  
general pursuant to a reciprocity agreement entered into 1968  
pursuant to section 109.69 of the Revised Code ~~or,~~ a person who 1969  
holds a valid concealed handgun license under the circumstances 1970  
described in division (B) of section 109.69 of the Revised Code, and 1971  
any person who is deemed under division (C) of section 1972

2923.111 of the Revised Code to have been issued a concealed handgun license under section 2923.125 of the Revised Code, has the same right to carry a concealed ~~handgun~~ firearm that is not a restricted firearm in this state as a person who was issued a concealed handgun license under section 2923.125 of the Revised Code and is subject to the same restrictions that apply to a person who carries a license issued under that section.

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

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

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

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

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

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

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

(b) A retired peace officer identification card issued to a person under division (F) (2) (a) of this section shall identify

the person by name, contain a photograph of the person, identify 2032  
the public agency of this state or of the political subdivision 2033  
of this state from which the person retired as a peace officer 2034  
and that is issuing the identification card, and specify that 2035  
the person retired in good standing from service as a peace 2036  
officer with the issuing public agency and satisfies the 2037  
criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 2038  
section. In addition to the required content specified in this 2039  
division, a retired peace officer identification card issued to 2040  
a person under division (F) (2) (a) of this section may include 2041  
the firearms requalification certification described in division 2042  
(F) (3) of this section, and if the identification card includes 2043  
that certification, the identification card shall serve as the 2044  
firearms requalification certification for the retired peace 2045  
officer. If the issuing public agency issues credentials to 2046  
active law enforcement officers who serve the agency, the agency 2047  
may comply with division (F) (2) (a) of this section by issuing 2048  
the same credentials to persons who retired from service as a 2049  
peace officer with the agency and who satisfy the criteria set 2050  
forth in divisions (F) (2) (a) (i) to (iv) of this section, 2051  
provided that the credentials so issued to retired peace 2052  
officers are stamped with the word "RETIRED." 2053

(c) A public agency of this state or of a political 2054  
subdivision of this state may charge persons who retired from 2055  
service as a peace officer with the agency a reasonable fee for 2056  
issuing to the person a retired peace officer identification 2057  
card pursuant to division (F) (2) (a) of this section. 2058

(3) If a person retired from service as a peace officer 2059  
with a public agency of this state or of a political subdivision 2060  
of this state and the person satisfies the criteria set forth in 2061  
divisions (F) (2) (a) (i) to (iv) of this section, the public 2062

agency may provide the retired peace officer with the 2063  
opportunity to attend a firearms requalification program that is 2064  
approved for purposes of firearms requalification required under 2065  
section 109.801 of the Revised Code. The retired peace officer 2066  
may be required to pay the cost of the course. 2067

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

A retired peace officer who attends a firearms 2091  
requalification program that is approved for purposes of 2092  
firearms requalification required under section 109.801 of the 2093

|  |  |
|--|--|
| Revised Code may be required to pay the cost of the program.   | 2094   |
| (G) As used in this section:   | 2095   |
| (1) "Qualified retired peace officer" means a person who satisfies all of the following:   | 2096<br>2097                                 |
| (a) The person satisfies the criteria set forth in divisions (F) (2) (a) (i) to (v) of this section.   | 2098<br>2099                                 |
| (b) The person is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.   | 2100<br>2101                                 |
| (c) The person is not prohibited by federal law from receiving firearms.   | 2102<br>2103                                 |
| (2) "Retired peace officer identification card" means an identification card that is issued pursuant to division (F) (2) of this section to a person who is a retired peace officer.   | 2104<br>2105<br>2106                         |
| (3) "Government facility of this state or a political subdivision of this state" means any of the following:   | 2107<br>2108                                 |
| (a) A building or part of a building that is owned or leased by the government of this state or a political subdivision of this state and where employees of the government of this state or the political subdivision regularly are present for the purpose of performing their official duties as employees of the state or political subdivision; | 2109<br>2110<br>2111<br>2112<br>2113<br>2114 |
| (b) The office of a deputy registrar serving pursuant to Chapter 4503. of the Revised Code that is used to perform deputy registrar functions.   | 2115<br>2116<br>2117                         |
| <b>Sec. 2923.128.</b> (A) (1) (a) If a licensee holding a valid concealed handgun license is arrested for or otherwise charged with an offense described in division (D) (1) (d) of section  | 2118<br>2119<br>2120                         |



2923.125 of the Revised Code or with a violation of section 2121  
2923.15 of the Revised Code or becomes subject to a temporary 2122  
protection order or to a protection order issued by a court of 2123  
another state that is substantially equivalent to a temporary 2124  
protection order, the sheriff who issued the license shall 2125  
suspend it and shall comply with division (A) (3) of this section 2126  
upon becoming aware of the arrest, charge, or protection order. 2127  
Upon suspending the license, the sheriff also shall comply with 2128  
division (H) of section 2923.125 of the Revised Code. 2129

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

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

upon becoming aware of the conviction or guilty plea. Upon 2152  
suspending the license, the sheriff also shall comply with 2153  
division (H) of section 2923.125 of the Revised Code. 2154

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

(c) The license of a licensee who is convicted of or 2183  
pleads guilty to a violation of division (B) (1) of section 2184  
2923.12 or division (E) (1) or (2) of section 2923.16 of the 2185  
Revised Code shall not be suspended pursuant to division (A) (2) 2186  
(a) of this section if, at the time of the stop of the licensee 2187  
for a law enforcement purpose, for a traffic stop, or for a 2188  
purpose defined in section 5503.34 of the Revised Code that was 2189  
the basis of the violation, any law enforcement officer involved 2190  
with the stop or the employee of the motor carrier enforcement 2191  
unit who made the stop had actual knowledge of the licensee's 2192  
status as a licensee. 2193

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

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

- (a) The licensee is under twenty-one years of age. 2214
- (b) Subject to division (C) of this section, at the time 2215  
of the issuance of the license, the licensee did not satisfy the 2216  
eligibility requirements of division (D)(1)(c), (d), (e), (f), 2217  
(g), or (h) of section 2923.125 of the Revised Code. 2218
- (c) Subject to division (C) of this section, on or after 2219  
the date on which the license was issued, the licensee is 2220  
convicted of or pleads guilty to a violation of section 2923.15 2221  
of the Revised Code or an offense described in division (D)(1) 2222  
(e), (f), (g), or (h) of section 2923.125 of the Revised Code. 2223
- (d) On or after the date on which the license was issued, 2224  
the licensee becomes subject to a civil protection order or to a 2225  
protection order issued by a court of another state that is 2226  
substantially equivalent to a civil protection order. 2227
- (e) The licensee knowingly carries a concealed ~~handgun~~ 2228  
firearm into a place that the licensee knows is an unauthorized 2229  
place specified in division (B) of section 2923.126 of the 2230  
Revised Code, knowingly carries a concealed firearm in any 2231  
prohibited manner listed in that division, or knowingly carries 2232  
under alleged authority as a licensee a concealed restricted 2233  
firearm. 2234
- (f) On or after the date on which the license was issued, 2235  
the licensee is adjudicated as a mental defective or is 2236  
committed to a mental institution. 2237
- (g) At the time of the issuance of the license, the 2238  
licensee did not meet the residency requirements described in 2239  
division (D)(1) of section 2923.125 of the Revised Code and 2240  
currently does not meet the residency requirements described in 2241  
that division. 2242

(h) Regarding a license issued under section 2923.125 of 2243  
the Revised Code, the competency certificate the licensee 2244  
submitted was forged or otherwise was fraudulent. 2245

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

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

date on which the license was issued the licensee has been 2274  
convicted of or pleaded guilty to an offense identified in 2275  
division (A) (2) (a) or (B) (1) (c) of this section, the sheriff 2276  
shall not consider that conviction, guilty plea, or adjudication 2277  
as having occurred for purposes of divisions (A) (2), (A) (3), (B) 2278  
(1), and (B) (2) of this section if a court has ordered the 2279  
sealing or expungement of the records of that conviction, guilty 2280  
plea, or adjudication pursuant to sections 2151.355 to 2151.358 2281  
or sections 2953.31 to 2953.36 of the Revised Code or the 2282  
licensee has been relieved under operation of law or legal 2283  
process from the disability imposed pursuant to section 2923.13 2284  
of the Revised Code relative to that conviction, guilty plea, or 2285  
adjudication. 2286

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

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

bureau's employees, the commission, and the commission's 2305  
employees are immune from liability in a civil action for 2306  
injury, death, or loss to person or property that allegedly was 2307  
caused by or related to any of the following: 2308

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

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

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

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

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

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

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

Code. 2334

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

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

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

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

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



9.87, and Chapter 2744., of the Revised Code apply to any civil 2363  
action involving a peace officer's use of a concealed ~~handgun~~ 2364  
firearm in the performance of the peace officer's official 2365  
duties while the peace officer is off duty. 2366

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

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

journalist submits a signed, written request to the sheriff to 2394  
view the information described in this division, the sheriff 2395  
shall grant the journalist's request. The journalist shall not 2396  
copy the name, county of residence, or date of birth of each 2397  
person to or for whom the sheriff has issued, suspended, or 2398  
revoked a license described in this division. 2399

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

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

the commission under this division is a public record kept by 2425  
the commission for the purposes of section 149.43 of the Revised 2426  
Code. 2427

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

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

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

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

(a) A statement sworn by the person seeking to carry a 2457  
concealed ~~handgun~~ firearm other than a restricted firearm that 2458  
is made under threat of perjury and that states that the person 2459  
has reasonable cause to fear a criminal attack upon the person 2460  
or a member of the person's family, such as would justify a 2461  
prudent person in going armed; 2462

(b) A written document prepared by a governmental entity 2463  
or public official describing the facts that give the person 2464  
seeking to carry a concealed ~~handgun~~ firearm other than a 2465  
restricted firearm reasonable cause to fear a criminal attack 2466  
upon the person or a member of the person's family, such as 2467  
would justify a prudent person in going armed. Written documents 2468  
of this nature include, but are not limited to, any temporary 2469  
protection order, civil protection order, protection order 2470  
issued by another state, or other court order, any court report, 2471  
and any report filed with or made by a law enforcement agency or 2472  
prosecutor. 2473

(2) "Prosecutor" has the same meaning as in section 2474  
2935.01 of the Revised Code. 2475

(B) (1) A person seeking a concealed handgun license on a 2476  
temporary emergency basis shall submit to the sheriff of the 2477  
county in which the person resides or, if the person usually 2478  
resides in another state, to the sheriff of the county in which 2479  
the person is temporarily staying, all of the following: 2480

(a) Evidence of imminent danger to the person or a member 2481  
of the person's family; 2482

(b) A sworn affidavit that contains all of the information 2483

required to be on the license and attesting that the person is 2484  
legally living in the United States; is at least twenty-one 2485  
years of age; is not a fugitive from justice; is not under 2486  
indictment for or otherwise charged with an offense identified 2487  
in division (D) (1) (d) of section 2923.125 of the Revised Code; 2488  
has not been convicted of or pleaded guilty to an offense, and 2489  
has not been adjudicated a delinquent child for committing an 2490  
act, identified in division (D) (1) (e) of that section and to 2491  
which division (B) (3) of this section does not apply; within 2492  
three years of the date of the submission, has not been 2493  
convicted of or pleaded guilty to an offense, and has not been 2494  
adjudicated a delinquent child for committing an act, identified 2495  
in division (D) (1) (f) of that section and to which division (B) 2496  
(3) of this section does not apply; within five years of the 2497  
date of the submission, has not been convicted of, pleaded 2498  
guilty, or adjudicated a delinquent child for committing two or 2499  
more violations identified in division (D) (1) (g) of that 2500  
section; within ten years of the date of the submission, has not 2501  
been convicted of, pleaded guilty, or adjudicated a delinquent 2502  
child for committing a violation identified in division (D) (1) 2503  
(h) of that section and to which division (B) (3) of this section 2504  
does not apply; has not been adjudicated as a mental defective, 2505  
has not been committed to any mental institution, is not under 2506  
adjudication of mental incompetence, has not been found by a 2507  
court to be a mentally ill person subject to court order, and is 2508  
not an involuntary patient other than one who is a patient only 2509  
for purposes of observation, as described in division (D) (1) (i) 2510  
of that section; is not currently subject to a civil protection 2511  
order, a temporary protection order, or a protection order 2512  
issued by a court of another state, as described in division (D) 2513  
(1) (j) of that section; is not currently subject to a suspension 2514  
imposed under division (A) (2) of section 2923.128 of the Revised 2515

Code of a concealed handgun license that previously was issued 2516  
to the person or a similar suspension imposed by another state 2517  
regarding a concealed handgun license issued by that state; is 2518  
not an unlawful user of or addicted to any controlled substance 2519  
as defined in 21 U.S.C. 802; if applicable, is an alien and has 2520  
not been admitted to the United States under a nonimmigrant 2521  
visa, as defined in the "Immigration and Nationality Act," 8 2522  
U.S.C. 1101(a)(26); has not been discharged from the armed 2523  
forces of the United States under dishonorable conditions; if 2524  
applicable, has not renounced the applicant's United States 2525  
citizenship; and has not been convicted of, pleaded guilty to, 2526  
or been adjudicated a delinquent child for committing a 2527  
violation identified in division (D)(1)(s) of section 2923.125 2528  
of the Revised Code; 2529

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

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

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

(d) A set of fingerprints of the applicant provided as 2544  
described in section 311.41 of the Revised Code through use of 2545

an electronic fingerprint reading device or, if the sheriff to 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) to (s) 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) to (s) 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 2577  
available through the law enforcement automated data system, the 2578  
sheriff shall immediately issue to the person a concealed 2579  
handgun license on a temporary emergency basis. 2580

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

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

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

(3) If a person seeking a concealed handgun license on a 2603  
temporary emergency basis has been convicted of or pleaded 2604  
guilty to an offense identified in division (D) (1) (e), (f), or 2605  
(h) of section 2923.125 of the Revised Code or has been 2606



adjudicated a delinquent child for committing an act or 2607  
violation identified in any of those divisions, and if a court 2608  
has ordered the sealing or expungement of the records of that 2609  
conviction, guilty plea, or adjudication pursuant to sections 2610  
2151.355 to 2151.358 or sections 2953.31 to 2953.36 of the 2611  
Revised Code or the applicant has been relieved under operation 2612  
of law or legal process from the disability imposed pursuant to 2613  
section 2923.13 of the Revised Code relative to that conviction, 2614  
guilty plea, or adjudication, the conviction, guilty plea, or 2615  
adjudication shall not be relevant for purposes of the sworn 2616  
affidavit described in division (B) (1) (b) of this section, and 2617  
the person may complete, and swear to the truth of, the 2618  
affidavit as if the conviction, guilty plea, or adjudication 2619  
never had occurred. 2620

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

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

(C) A person who holds a concealed handgun license on a 2635  
temporary emergency basis, regardless of whether the license was 2636

issued prior to, on, or after the effective date of this 2637  
amendment, has the same right to carry a concealed ~~handgun~~ 2638  
firearm that is not a restricted firearm as a person who was 2639  
issued a concealed handgun license under section 2923.125 of the 2640  
Revised Code, ~~and any exceptions to the prohibitions contained~~ 2641  
~~in section 1547.69 and sections 2923.12 to 2923.16 of the~~ 2642  
~~Revised Code for a licensee under section 2923.125 of the~~ 2643  
~~Revised Code apply to a licensee under this section.~~ The person 2644  
is subject to the same restrictions, and to all other 2645  
procedures, duties, and sanctions, that apply to a person who 2646  
carries a license issued under section 2923.125 of the Revised 2647  
Code, other than the license renewal procedures set forth in 2648  
that section. 2649

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

has been revoked and that the person is required to surrender 2668  
the license at the sheriff's office within ten days of the date 2669  
on which the notice was mailed. Division (H) of section 2923.125 2670  
of the Revised Code applies regarding any suspension or 2671  
revocation of a concealed handgun license on a temporary 2672  
emergency basis. 2673

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

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

(G) The attorney general shall prescribe, and shall make 2690  
available to sheriffs, a standard form to be used under division 2691  
(B) of this section by a person who applies for a concealed 2692  
handgun license on a temporary emergency basis on the basis of 2693  
imminent danger of a type described in division (A) (1) (a) of 2694  
this section. The attorney general shall design the form to 2695  
enable applicants to provide the information that is required by 2696  
law to be collected, and shall update the form as necessary. 2697

Burdens or restrictions to obtaining a concealed handgun license 2698  
that are not expressly prescribed in law shall not be 2699  
incorporated into the form. The attorney general shall post a 2700  
printable version of the form on the web site of the attorney 2701  
general and shall provide the address of the web site to any 2702  
person who requests the form. 2703

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

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

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

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

(C) No person shall knowingly transport or have a firearm 2724  
in a motor vehicle, unless the person may lawfully possess that 2725  
firearm under applicable law of this state or the United States, 2726

the firearm is unloaded, and the firearm is carried in one of 2727  
the following ways: 2728

(1) In a closed package, box, or case; 2729

(2) In a compartment that can be reached only by leaving 2730  
the vehicle; 2731

(3) In plain sight and secured in a rack or holder made 2732  
for the purpose; 2733

(4) If the firearm is at least twenty-four inches in 2734  
overall length as measured from the muzzle to the part of the 2735  
stock furthest from the muzzle and if the barrel is at least 2736  
eighteen inches in length, either in plain sight with the action 2737  
open or the weapon stripped, or, if the firearm is of a type on 2738  
which the action will not stay open or which cannot easily be 2739  
stripped, in plain sight. 2740

(D) No person shall knowingly transport or have a loaded 2741  
handgun in a motor vehicle if, at the time of that 2742  
transportation or possession, any of the following applies: 2743

(1) The person is under the influence of alcohol, a drug 2744  
of abuse, or a combination of them. 2745

(2) The person's wholeblood, blood serum or plasma, 2746  
breath, or urine contains a concentration of alcohol, a listed 2747  
controlled substance, or a listed metabolite of a controlled 2748  
substance prohibited for persons operating a vehicle, as 2749  
specified in division (A) of section 4511.19 of the Revised 2750  
Code, regardless of whether the person at the time of the 2751  
transportation or possession as described in this division is 2752  
the operator of or a passenger in the motor vehicle. 2753

(E) No person who has been issued a concealed handgun 2754

license or is deemed under division (C) of section 2923.111 of 2755  
the Revised Code to have been issued a concealed handgun license 2756  
under section 2923.125 of the Revised Code, who is the driver or 2757  
an occupant of a motor vehicle that is stopped as a result of a 2758  
traffic stop or a stop for another law enforcement purpose or is 2759  
the driver or an occupant of a commercial motor vehicle that is 2760  
stopped by an employee of the motor carrier enforcement unit for 2761  
the purposes defined in section 5503.34 of the Revised Code, and 2762  
who is transporting or has a loaded ~~handgun~~-firearm that is not 2763  
a restricted firearm in the motor vehicle or commercial motor 2764  
vehicle in any manner, shall do any of the following: 2765

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

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

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

(4) Knowingly have contact with the loaded ~~handgun~~-firearm 2785  
by touching it with the person's hands or fingers in the motor 2786  
vehicle at any time after the law enforcement officer begins 2787  
approaching and before the law enforcement officer leaves, 2788  
unless the person has contact with the loaded ~~handgun~~-firearm 2789  
pursuant to and in accordance with directions given by the law 2790  
enforcement officer; 2791

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

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

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

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

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

(a) The person discharges a firearm from a motor vehicle 2812  
at a coyote or groundhog, the discharge is not during the deer 2813

gun hunting season as set by the chief of the division of 2814  
wildlife of the department of natural resources, and the 2815  
discharge at the coyote or groundhog, but for the operation of 2816  
this section, is lawful. 2817

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

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

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

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

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

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

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



|   |  |
|---|--|
| (3) Division (A) of this section does not apply to a person if all of the following apply:  | 2842<br>2843                                 |
| (a) The person possesses a valid electric-powered all-purpose vehicle permit issued under section 1533.103 of the Revised Code by the chief of the division of wildlife.  | 2844<br>2845<br>2846                         |
| (b) The person discharges a firearm at a wild quadruped or game bird as defined in section 1531.01 of the Revised Code during the open hunting season for the applicable wild quadruped or game bird.   | 2847<br>2848<br>2849<br>2850                 |
| (c) The person discharges a firearm from a stationary electric-powered all-purpose vehicle as defined in section 1531.01 of the Revised Code or a motor vehicle that is parked on a road that is owned or administered by the division of wildlife, provided that the road is identified by an electric-powered all-purpose vehicle sign. | 2851<br>2852<br>2853<br>2854<br>2855<br>2856 |
| (d) The person does not discharge the firearm in any of the following manners:  | 2857<br>2858                                 |
| (i) While under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse;  | 2859<br>2860                                 |
| (ii) In the direction of a street, a highway, or other public or private property that is used by the public for vehicular traffic or parking;  | 2861<br>2862<br>2863                         |
| (iii) At or into an occupied structure that is a permanent or temporary habitation;   | 2864<br>2865                                 |
| (iv) In the commission of any violation of law, including, but not limited to, a felony that includes, as an essential element, purposely or knowingly causing or attempting to cause the death of or physical harm to another and that was committed   | 2866<br>2867<br>2868<br>2869                 |

by discharging a firearm from a motor vehicle. 2870

(4) Divisions (B) and (C) of this section do not apply to 2871  
a person if all of the following circumstances apply: 2872

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

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

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

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

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

(a) The person transporting or possessing the ~~handgun~~ 2896  
firearm is carrying a valid concealed handgun license or is 2897  
deemed under division (C) of section 2923.111 of the Revised 2898

|  |      |
|--|------|
| <u>Code to have been issued a concealed handgun license under</u>                          | 2899 |
| <u>section 2923.125 of the Revised Code.</u>   | 2900 |
| (b) The person transporting or possessing the <del>handgun</del>                           | 2901 |
| <del>firearm</del> is not knowingly in <del>a</del> <u>an unauthorized place described</u> | 2902 |
| <u>specified</u> in division (B) of section 2923.126 of the Revised                        | 2903 |
| <u>Code and is not knowingly transporting or possessing the firearm</u>                    | 2904 |
| <u>in any prohibited manner listed in that division.</u>                                   | 2905 |
| (6) Divisions (B) and (C) of this section do not apply to                                  | 2906 |
| a person if all of the following apply:  | 2907 |
| (a) The person possesses a valid electric-powered all-                                     | 2908 |
| purpose vehicle permit issued under section 1533.103 of the                                | 2909 |
| Revised Code by the chief of the division of wildlife.                                     | 2910 |
| (b) The person is on or in an electric-powered all-purpose                                 | 2911 |
| vehicle as defined in section 1531.01 of the Revised Code or a                             | 2912 |
| motor vehicle during the open hunting season for a wild                                    | 2913 |
| quadruped or game bird.  | 2914 |
| (c) The person is on or in an electric-powered all-purpose                                 | 2915 |
| vehicle as defined in section 1531.01 of the Revised Code or a                             | 2916 |
| motor vehicle that is parked on a road that is owned or                                    | 2917 |
| administered by the division of wildlife, provided that the road                           | 2918 |
| is identified by an electric-powered all-purpose vehicle sign.                             | 2919 |
| (7) Nothing in this section prohibits or restricts a                                       | 2920 |
| person from possessing, storing, or leaving a firearm in a                                 | 2921 |
| locked motor vehicle that is parked in the state underground                               | 2922 |
| parking garage at the state capitol building or in the parking                             | 2923 |
| garage at the Riffe center for government and the arts in                                  | 2924 |
| Columbus, if the person's transportation and possession of the                             | 2925 |
| firearm in the motor vehicle while traveling to the premises or                            | 2926 |
| facility was not in violation of division (A), (B), (C), (D), or                           | 2927 |

(E) of this section or any other provision of the Revised Code. 2928

(G) (1) The affirmative defenses authorized in divisions 2929  
(D) (1) and (2) of section 2923.12 of the Revised Code are 2930  
affirmative defenses to a charge under division (B) or (C) of 2931  
this section that involves a firearm other than a handgun if 2932  
division (E) (5) of this section does not apply to the person 2933  
charged. 2934

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

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

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

the expungement of the record of conviction. 2958

If a person is convicted of, was convicted of, pleads 2959  
guilty to, or has pleaded guilty to a violation of division (B) 2960  
or (C) of this section as the division existed prior to 2961  
September 30, 2011, and if the conduct that was the basis of the 2962  
violation no longer would be a violation of division (B) or (C) 2963  
of this section on or after September 30, 2011, due to the 2964  
application of division (F)(5) of this section as it exists on 2965  
and after September 30, 2011, the person may file an application 2966  
under section 2953.37 of the Revised Code requesting the 2967  
expungement of the record of conviction. 2968

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

(I) Whoever violates this section is guilty of improperly 2980  
handling firearms in a motor vehicle. Violation of division (A) 2981  
of this section is a felony of the fourth degree. Violation of 2982  
division (C) of this section is a misdemeanor of the fourth 2983  
degree. A violation of division (D) of this section is a felony 2984  
of the fifth degree or, if the loaded handgun is concealed on 2985  
the person's person, a felony of the fourth degree. Except as 2986  
otherwise provided in this division, a violation of division (E) 2987

(1) or (2) of this section is a misdemeanor of the first degree, 2988  
and, in addition to any other penalty or sanction imposed for 2989  
the violation, if the offender has been issued a concealed 2990  
handgun license, the offender's ~~concealed handgun~~ license shall 2991  
be suspended pursuant to division (A) (2) of section 2923.128 of 2992  
the Revised Code. If at the time of the stop of the offender for 2993  
a traffic stop, for another law enforcement purpose, or for a 2994  
purpose defined in section 5503.34 of the Revised Code that was 2995  
the basis of the violation any law enforcement officer involved 2996  
with the stop or the employee of the motor carrier enforcement 2997  
unit who made the stop had actual knowledge ~~of that the~~ 2998  
~~offender's status as a licensee~~ offender has been issued a 2999  
concealed handgun license or that the offender is deemed under 3000  
division (C) of section 2923.111 of the Revised Code to have 3001  
been issued a concealed handgun license under section 2923.125 3002  
of the Revised Code, a violation of division (E) (1) or (2) of 3003  
this section is a minor misdemeanor, and if the offender has 3004  
been issued a concealed handgun license, the offender's 3005  
~~concealed handgun~~ license shall not be suspended pursuant to 3006  
division (A) (2) of section 2923.128 of the Revised Code. A 3007  
violation of division (E) (4) of this section is a felony of the 3008  
fifth degree. A violation of division (E) (3) or (5) of this 3009  
section is a misdemeanor of the first degree or, if the offender 3010  
previously has been convicted of or pleaded guilty to a 3011  
violation of division (E) (3) or (5) of this section, a felony of 3012  
the fifth degree. In addition to any other penalty or sanction 3013  
imposed for a misdemeanor violation of division (E) (3) or (5) of 3014  
this section, if the offender has been issued a concealed 3015  
handgun license, the offender's ~~concealed handgun~~ license shall 3016  
be suspended pursuant to division (A) (2) of section 2923.128 of 3017  
the Revised Code. A violation of division (B) of this section is 3018  
a felony of the fourth degree. 3019

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

(K) As used in this section:

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

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

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

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

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

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

(ii) Any magazine or speed loader that contains ammunition 3049  
and that may be used with the firearm in question is stored in a 3050  
compartment within the vehicle in question that cannot be 3051  
accessed without leaving the vehicle or is stored in a container 3052  
that provides complete and separate enclosure. 3053

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

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

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

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

(6) "Unloaded" means, with respect to a firearm employing 3077



a percussion cap, flintlock, or other obsolete ignition system, 3078  
when the weapon is uncapped or when the priming charge is 3079  
removed from the pan. 3080

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

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

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

**Sec. 4749.10.** (A) No class A, B, or C licensee and no 3105  
registered employee of a class A, B, or C licensee shall carry a 3106  
firearm, as defined in section 2923.11 of the Revised Code, in 3107

the course of engaging in the business of private investigation, 3108  
the business of security services, or both businesses, unless 3109  
all of the following apply: 3110

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

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

Code if one has previously been issued, a statement of the 3139  
duties that will be performed while the licensee or employee is 3140  
armed, and a fee the director determines, not to exceed fifteen 3141  
dollars. In the case of a registered employee, the statement 3142  
shall be prepared by the employing class A, B, or C licensee. 3143

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

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

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

(B) (1) The director of public safety shall register an 3169  
applicant under division (A) of this section who satisfies 3170  
divisions (A) (1) and (2) of this section, and place a notation 3171  
on the applicant's identification card indicating that the 3172  
applicant is a firearm-bearer and the date on which the 3173  
applicant completed the program described in division (A) (1) of 3174  
this section. 3175

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

issued a requalification certificate under this division 3200  
promptly shall pay to the Ohio peace officer training commission 3201  
established by section 109.71 of the Revised Code a fee the 3202  
director determines, not to exceed fifteen dollars, which fee 3203  
shall be transmitted to the treasurer of state for deposit in 3204  
the peace officer private security fund established by section 3205  
109.78 of the Revised Code. 3206

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

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

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

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

|   |      |
|---|------|
| presented in this act as a composite of the section as amended  | 3230 |
| by both Am. Sub. H.B. 234 and Am. Sub. S.B. 43 of the 130th     | 3231 |
| General Assembly. The General Assembly, applying the principle  | 3232 |
| stated in division (B) of section 1.52 of the Revised Code that | 3233 |
| amendments are to be harmonized if reasonably capable of        | 3234 |
| simultaneous operation, finds that the composites are the       | 3235 |
| resulting versions of the sections in effect prior to the       | 3236 |
| effective date of the sections as presented in this act.        | 3237 |