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Senators Uecker, Gardner

Cosponsors: Senators Coley, Bacon, Obhof, Eklund, Beagle, Burke, Faber, Hackett, Hite, Hottinger, Hughes, Jones, Jordan, LaRose, Manning, Oelslager, Patton, Seitz Representatives Perales, Amstutz, Anielski, Antani, Becker, Blessing, Brenner, Burkley, Cera, Conditt, Dean, Dovilla, Ginter, Goodman, Hagan, Hambley, Henne, Hill, Huffman, Koehler, Landis, LaTourette, Maag, Manning, McColley, Merrin, O'Brien, S., Retherford, Rezabek, Ruhl, Schaffer, Smith, R., Sprague, Terhar, Thompson, Young, Speaker Rosenberger

A BILL

To amend sections 109.731, 311.42, 1547.69, 1
2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 2
2923.126, 2923.16, and 2923.21 and to enact 3
sections 2923.1210 and 5103.132 of the Revised 4
Code to specify that an active duty member of 5
the U.S. Armed Forces: (1) does not need a 6
concealed handgun license to carry a handgun 7
concealed if the member is carrying valid 8
military identification and documentation of 9
successful completion of specified firearms 10
training; and (2) may be sold or furnished a 11
handgun if the member has received specified 12
firearms training; to prohibit a business entity 13
from having a policy that prohibits a concealed 14
handgun licensee from transporting or storing a 15
firearm in the person's motor vehicle; to modify 16
the prohibition against carrying a concealed 17
handgun onto institutions of higher education, 18
day-care facilities, aircraft, certain 19

government facilities, public areas of airport 20
terminals, and school safety zones; to allow a 21
sheriff to use concealed handgun license fee 22
revenue to purchase ammunition and firearms; and 23
to authorize certain children's crisis care 24
facilities to maintain firearms. 25

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

Section 1. That sections 109.731, 311.42, 1547.69, 26
2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 2923.126, 27
2923.16, and 2923.21 be amended and sections 2923.1210 and 28
5103.132 of the Revised Code be enacted to read as follows: 29

Sec. 109.731. (A) (1) The attorney general shall prescribe, 30
and shall make available to sheriffs an application form that is 31
to be used under section 2923.125 of the Revised Code by a 32
person who applies for a concealed handgun license and an 33
application form that is to be used under section 2923.125 of 34
the Revised Code by a person who applies for the renewal of a 35
license of that nature. The attorney general shall design the 36
form to enable applicants to provide the information that is 37
required by law to be collected, and shall update the form as 38
necessary. Burdens or restrictions to obtaining a concealed 39
handgun license that are not expressly prescribed in law shall 40
not be incorporated into the form. The attorney general shall 41
post a printable version of the form on the web site of the 42
attorney general and shall provide the address of the web site 43
to any person who requests the form. 44

(2) The Ohio peace officer training commission shall 45

prescribe, and shall make available to sheriffs, all of the 46
following: 47

(a) A form for the concealed handgun license that is to be 48
issued by sheriffs to persons who qualify for a concealed 49
handgun license under section 2923.125 of the Revised Code and 50
that conforms to the following requirements: 51

(i) It has space for the licensee's full name, residence 52
address, and date of birth and for a color photograph of the 53
licensee. 54

(ii) It has space for the date of issuance of the license, 55
its expiration date, its county of issuance, the name of the 56
sheriff who issues the license, and the unique combination of 57
letters and numbers that identify the county of issuance and the 58
license given to the licensee by the sheriff in accordance with 59
division (A)(2)(c) of this section. 60

(iii) It has space for the signature of the licensee and 61
the signature or a facsimile signature of the sheriff who issues 62
the license. 63

(iv) It does not require the licensee to include serial 64
numbers of handguns, other identification related to handguns, 65
or similar data that is not pertinent or relevant to obtaining 66
the license and that could be used as a de facto means of 67
registration of handguns owned by the licensee. 68

(b) A series of three-letter county codes that identify 69
each county in this state; 70

(c) A procedure by which a sheriff shall give each 71
concealed handgun license, replacement concealed handgun 72
license, or renewal concealed handgun license and each concealed 73
handgun license on a temporary emergency basis or replacement 74

license on a temporary emergency basis the sheriff issues under 75
section 2923.125 or 2923.1213 of the Revised Code a unique 76
combination of letters and numbers that identifies the county in 77
which the license was issued and that uses the county code and a 78
unique number for each license the sheriff of that county 79
issues; 80

(d) A form for a concealed handgun license on a temporary 81
emergency basis that is to be issued by sheriffs to persons who 82
qualify for such a license under section 2923.1213 of the 83
Revised Code, which form shall conform to all the requirements 84
set forth in divisions (A) (2) (a) (i) to (iv) of this section and 85
shall additionally conspicuously specify that the license is 86
issued on a temporary emergency basis and the date of its 87
issuance. 88

(B) (1) The Ohio peace officer training commission, in 89
consultation with the attorney general, shall prepare a pamphlet 90
that does all of the following, in everyday language: 91

(a) Explains the firearms laws of this state; 92

(b) Instructs the reader in dispute resolution and 93
explains the laws of this state related to that matter; 94

(c) Provides information to the reader regarding all 95
aspects of the use of deadly force with a firearm, including, 96
but not limited to, the steps that should be taken before 97
contemplating the use of, or using, deadly force with a firearm, 98
possible alternatives to using deadly force with a firearm, and 99
the law governing the use of deadly force with a firearm. 100

(2) The attorney general shall consult with and assist the 101
commission in the preparation of the pamphlet described in 102
division (B) (1) of this section and, as necessary, shall 103

recommend to the commission changes in the pamphlet to reflect 104
changes in the law that are relevant to it. The attorney general 105
shall publish the pamphlet on the web site of the attorney 106
general and shall provide the address of the web site to any 107
person who requests the pamphlet. 108

(3) The attorney general shall create and maintain a 109
section on the attorney general's web site that provides 110
information on firearms laws of this state specifically 111
applicable to members of the armed forces of the United States 112
and a link to the pamphlet described in division (B) (1) of this 113
section. 114

(C) The Ohio peace officer training commission shall 115
maintain statistics with respect to the issuance, renewal, 116
suspension, revocation, and denial of concealed handgun licenses 117
under section 2923.125 of the Revised Code and the suspension of 118
processing of applications for those licenses, and with respect 119
to the issuance, suspension, revocation, and denial of concealed 120
handgun licenses on a temporary emergency basis under section 121
2923.1213 of the Revised Code, as reported by the sheriffs 122
pursuant to division (C) of section 2923.129 of the Revised 123
Code. Not later than the first day of March in each year, the 124
commission shall submit a statistical report to the governor, 125
the president of the senate, and the speaker of the house of 126
representatives indicating the number of concealed handgun 127
licenses that were issued, renewed, suspended, revoked, and 128
denied under section 2923.125 of the Revised Code in the 129
previous calendar year, the number of applications for those 130
licenses for which processing was suspended in accordance with 131
division (D) (3) of that section in the previous calendar year, 132
and the number of concealed handgun licenses on a temporary 133
emergency basis that were issued, suspended, revoked, or denied 134

under section 2923.1213 of the Revised Code in the previous 135
calendar year. Nothing in the statistics or the statistical 136
report shall identify, or enable the identification of, any 137
individual who was issued or denied a license, for whom a 138
license was renewed, whose license was suspended or revoked, or 139
for whom application processing was suspended. The statistics 140
and the statistical report are public records for the purpose of 141
section 149.43 of the Revised Code. 142

(D) As used in this section, "concealed handgun license" 143
and "handgun" have the same meanings as in section 2923.11 of 144
the Revised Code. 145

Sec. 311.42. (A) Each county shall establish in the county 146
treasury a sheriff's concealed handgun license issuance expense 147
fund. The sheriff of that county shall deposit into that fund 148
all fees paid by applicants for the issuance or renewal of a 149
concealed handgun license or duplicate concealed handgun license 150
under section 2923.125 of the Revised Code and all fees paid by 151
the person seeking a concealed handgun license on a temporary 152
emergency basis under section 2923.1213 of the Revised Code. The 153
county shall distribute all fees deposited into the fund except 154
forty dollars of each fee paid by an applicant under division 155
(B) of section 2923.125 of the Revised Code, fifteen dollars of 156
each fee paid under section 2923.1213 of the Revised Code, and 157
thirty-five dollars of each fee paid under division (F) of 158
section 2923.125 of the Revised Code to the attorney general to 159
be used to pay the cost of background checks performed by the 160
bureau of criminal identification and investigation and the 161
federal bureau of investigation and to cover administrative 162
costs associated with issuing the license. 163

(B) The sheriff, with the approval of the board of county 164

commissioners, may expend any county portion of the fees 165
deposited into the sheriff's concealed handgun license issuance 166
expense fund for any of the following: 167

(1) Any costs incurred by the sheriff in connection with 168
performing any administrative functions related to the issuance 169
of concealed handgun licenses under section 2923.125 or 170
2923.1213 of the Revised Code, including, but not limited to, 171
personnel expenses and any costs associated with a firearm 172
safety education program, or a firearm training or qualification 173
program that the sheriff chooses to fund; 174

(2) Ammunition and firearms to be used by the sheriff and 175
the sheriff's employees. 176

Sec. 1547.69. (A) As used in this section: 177

(1) "Firearm," "concealed handgun license," "handgun," ~~and~~ 178
"valid concealed handgun license," and "active duty" have the 179
same meanings as in section 2923.11 of the Revised Code. 180

(2) "Unloaded" has the same meanings as in divisions (K) 181
(5) and (6) of section 2923.16 of the Revised Code, except that 182
all references in the definition in division (K) (5) of that 183
section to "vehicle" shall be construed for purposes of this 184
section to be references to "vessel." 185

(B) No person shall knowingly discharge a firearm while in 186
or on a vessel. 187

(C) No person shall knowingly transport or have a loaded 188
firearm in a vessel in a manner that the firearm is accessible 189
to the operator or any passenger. 190

(D) No person shall knowingly transport or have a firearm 191
in a vessel unless it is unloaded and is carried in one of the 192

following ways:	193
(1) In a closed package, box, or case;	194
(2) In plain sight with the action opened or the weapon stripped, or, if the firearm is of a type on which the action will not stay open or that cannot easily be stripped, in plain sight.	195 196 197 198
(E) (1) The affirmative defenses authorized in divisions (D) (1) and (2) of section 2923.12 of the Revised Code are affirmative defenses to a charge under division (C) or (D) of this section that involves a firearm other than a handgun. It is an affirmative defense to a charge under division (C) or (D) of this section of transporting or having a firearm of any type, including a handgun, in a vessel that the actor transported or had the firearm in the vessel for any lawful purpose and while the vessel was on the actor's own property, provided that this affirmative defense is not available unless the actor, prior to arriving at the vessel on the actor's own property, did not transport or possess the firearm in the vessel or in a motor vehicle in a manner prohibited by this section or division (B) or (C) of section 2923.16 of the Revised Code while the vessel was being operated on a waterway that was not on the actor's own property or while the motor vehicle was being operated on a street, highway, or other public or private property used by the public for vehicular traffic.	199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216
(2) No person who is charged with a violation of division (C) or (D) of this section shall be required to obtain a license or temporary emergency license to carry a concealed handgun under section 2923.125 or 2923.1213 of the Revised Code as a condition for the dismissal of the charge.	217 218 219 220 221

(F) Divisions (B), (C), and (D) of this section do not 222
apply to the possession or discharge of a United States coast 223
guard approved signaling device required to be carried aboard a 224
vessel under section 1547.251 of the Revised Code when the 225
signaling device is possessed or used for the purpose of giving 226
a visual distress signal. No person shall knowingly transport or 227
possess any signaling device of that nature in or on a vessel in 228
a loaded condition at any time other than immediately prior to 229
the discharge of the signaling device for the purpose of giving 230
a visual distress signal. 231

(G) No person shall operate or permit to be operated any 232
vessel on the waters in this state in violation of this section. 233

(H) (1) This section does not apply to any of the 234
following: 235

(a) An officer, agent, or employee of this or any other 236
state or of the United States, or to a law enforcement officer, 237
when authorized to carry or have loaded or accessible firearms 238
in a vessel and acting within the scope of the officer's, 239
agent's, or employee's duties; 240

(b) Any person who is employed in this state, who is 241
authorized to carry or have loaded or accessible firearms in a 242
vessel, and who is subject to and in compliance with the 243
requirements of section 109.801 of the Revised Code, unless the 244
appointing authority of the person has expressly specified that 245
the exemption provided in division (H) (1) (b) of this section 246
does not apply to the person; 247

(c) Any person legally engaged in hunting. 248

(2) Divisions (C) and (D) of this section do not apply to 249
a person who transports or possesses a handgun in a vessel and 250

who, at the time of that transportation or possession, either is 251
carrying a valid concealed handgun license or is an active duty 252
member of the armed forces of the United States and is carrying 253
a valid military identification card and documentation of 254
successful completion of firearms training that meets or exceeds 255
the training requirements described in division (G) (1) of 256
section 2923.125 of the Revised Code, unless the person 257
knowingly is in a place on the vessel described in division (B) 258
of section 2923.126 of the Revised Code. 259

(I) If a law enforcement officer stops a vessel for a 260
violation of this section or any other law enforcement purpose, 261
if any person on the vessel surrenders a firearm to the officer, 262
either voluntarily or pursuant to a request or demand of the 263
officer, and if the officer does not charge the person with a 264
violation of this section or arrest the person for any offense, 265
the person is not otherwise prohibited by law from possessing 266
the firearm, and the firearm is not contraband, the officer 267
shall return the firearm to the person at the termination of the 268
stop. 269

(J) Division (L) of section 2923.16 of the Revised Code 270
applies with respect to division (A) (2) of this section, except 271
that all references in division (L) of section 2923.16 of the 272
Revised Code to "vehicle," to "this chapter," or to "division 273
(K) (5) (a) or (b) of this section" shall be construed for 274
purposes of this section to be, respectively, references to 275
"vessel," to "section 1547.69 of the Revised Code," and to 276
divisions (K) (5) (a) and (b) of section 2923.16 of the Revised 277
Code as incorporated under the definition of firearm adopted 278
under division (A) (2) of this section. 279

Sec. 2923.11. As used in sections 2923.11 to 2923.24 of 280

the Revised Code:	281
(A) "Deadly weapon" means any instrument, device, or thing	282
capable of inflicting death, and designed or specially adapted	283
for use as a weapon, or possessed, carried, or used as a weapon.	284
(B) (1) "Firearm" means any deadly weapon capable of	285
expelling or propelling one or more projectiles by the action of	286
an explosive or combustible propellant. "Firearm" includes an	287
unloaded firearm, and any firearm that is inoperable but that	288
can readily be rendered operable.	289
(2) When determining whether a firearm is capable of	290
expelling or propelling one or more projectiles by the action of	291
an explosive or combustible propellant, the trier of fact may	292
rely upon circumstantial evidence, including, but not limited	293
to, the representations and actions of the individual exercising	294
control over the firearm.	295
(C) "Handgun" means any of the following:	296
(1) Any firearm that has a short stock and is designed to	297
be held and fired by the use of a single hand;	298
(2) Any combination of parts from which a firearm of a	299
type described in division (C) (1) of this section can be	300
assembled.	301
(D) "Semi-automatic firearm" means any firearm designed or	302
specially adapted to fire a single cartridge and automatically	303
chamber a succeeding cartridge ready to fire, with a single	304
function of the trigger.	305
(E) "Automatic firearm" means any firearm designed or	306
specially adapted to fire a succession of cartridges with a	307
single function of the trigger.	308

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

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

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

(K) "Dangerous ordnance" means any of the following,

except as provided in division (L) of this section:	337
(1) Any automatic or sawed-off firearm, zip-gun, or ballistic knife;	338 339
(2) Any explosive device or incendiary device;	340
(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, cyclonite, TNT, picric acid, and other high explosives; amatol, tritonite, tetrytol, pentolite, pecretol, cyclotol, and other high explosive compositions; plastic explosives; dynamite, blasting gelatin, gelatin dynamite, sensitized ammonium nitrate, liquid-oxygen blasting explosives, blasting powder, and other blasting agents; and any other explosive substance having sufficient brisance or power to be particularly suitable for use as a military explosive, or for use in mining, quarrying, excavating, or demolitions;	341 342 343 344 345 346 347 348 349 350
(4) Any firearm, rocket launcher, mortar, artillery piece, grenade, mine, bomb, torpedo, or similar weapon, designed and manufactured for military purposes, and the ammunition for that weapon;	351 352 353 354
(5) Any firearm muffler or suppressor;	355
(6) Any combination of parts that is intended by the owner for use in converting any firearm or other device into a dangerous ordnance.	356 357 358
(L) "Dangerous ordnance" does not include any of the following:	359 360
(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;	361 362 363 364

(2) Any pistol, rifle, or shotgun, designed or suitable 365
for sporting purposes, including a military weapon as issued or 366
as modified, and the ammunition for that weapon, unless the 367
firearm is an automatic or sawed-off firearm; 368

(3) Any cannon or other artillery piece that, regardless 369
of its actual age, is of a type in accepted use prior to 1887, 370
has no mechanical, hydraulic, pneumatic, or other system for 371
absorbing recoil and returning the tube into battery without 372
displacing the carriage, and is designed and safe for use only 373
with black powder; 374

(4) Black powder, priming quills, and percussion caps 375
possessed and lawfully used to fire a cannon of a type defined 376
in division (L) (3) of this section during displays, 377
celebrations, organized matches or shoots, and target practice, 378
and smokeless and black powder, primers, and percussion caps 379
possessed and lawfully used as a propellant or ignition device 380
in small-arms or small-arms ammunition; 381

(5) Dangerous ordnance that is inoperable or inert and 382
cannot readily be rendered operable or activated, and that is 383
kept as a trophy, souvenir, curio, or museum piece. 384

(6) Any device that is expressly excepted from the 385
definition of a destructive device pursuant to the "Gun Control 386
Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a) (4), as amended, 387
and regulations issued under that act. 388

(M) "Explosive" means any chemical compound, mixture, or 389
device, the primary or common purpose of which is to function by 390
explosion. "Explosive" includes all materials that have been 391
classified as division 1.1, division 1.2, division 1.3, or 392
division 1.4 explosives by the United States department of 393

transportation in its regulations and includes, but is not 394
limited to, dynamite, black powder, pellet powders, initiating 395
explosives, blasting caps, electric blasting caps, safety fuses, 396
fuse igniters, squibs, cordeau detonant fuses, instantaneous 397
fuses, and igniter cords and igniters. "Explosive" does not 398
include "fireworks," as defined in section 3743.01 of the 399
Revised Code, or any substance or material otherwise meeting the 400
definition of explosive set forth in this section that is 401
manufactured, sold, possessed, transported, stored, or used in 402
any activity described in section 3743.80 of the Revised Code, 403
provided the activity is conducted in accordance with all 404
applicable laws, rules, and regulations, including, but not 405
limited to, the provisions of section 3743.80 of the Revised 406
Code and the rules of the fire marshal adopted pursuant to 407
section 3737.82 of the Revised Code. 408

(N) (1) "Concealed handgun license" or "license to carry a 409
concealed handgun" means, subject to division (N) (2) of this 410
section, a license or temporary emergency license to carry a 411
concealed handgun issued under section 2923.125 or 2923.1213 of 412
the Revised Code or a license to carry a concealed handgun 413
issued by another state with which the attorney general has 414
entered into a reciprocity agreement under section 109.69 of the 415
Revised Code. 416

(2) A reference in any provision of the Revised Code to a 417
concealed handgun license issued under section 2923.125 of the 418
Revised Code or a license to carry a concealed handgun issued 419
under section 2923.125 of the Revised Code means only a license 420
of the type that is specified in that section. A reference in 421
any provision of the Revised Code to a concealed handgun license 422
issued under section 2923.1213 of the Revised Code, a license to 423
carry a concealed handgun issued under section 2923.1213 of the 424

Revised Code, or a license to carry a concealed handgun on a 425
temporary emergency basis means only a license of the type that 426
is specified in section 2923.1213 of the Revised Code. A 427
reference in any provision of the Revised Code to a concealed 428
handgun license issued by another state or a license to carry a 429
concealed handgun issued by another state means only a license 430
issued by another state with which the attorney general has 431
entered into a reciprocity agreement under section 109.69 of the 432
Revised Code. 433

(O) "Valid concealed handgun license" or "valid license to 434
carry a concealed handgun" means a concealed handgun license 435
that is currently valid, that is not under a suspension under 436
division (A) (1) of section 2923.128 of the Revised Code, under 437
section 2923.1213 of the Revised Code, or under a suspension 438
provision of the state other than this state in which the 439
license was issued, and that has not been revoked under division 440
(B) (1) of section 2923.128 of the Revised Code, under section 441
2923.1213 of the Revised Code, or under a revocation provision 442
of the state other than this state in which the license was 443
issued. 444

(P) "Misdemeanor punishable by imprisonment for a term 445
exceeding one year" does not include any of the following: 446

(1) Any federal or state offense pertaining to antitrust 447
violations, unfair trade practices, restraints of trade, or 448
other similar offenses relating to the regulation of business 449
practices; 450

(2) Any misdemeanor offense punishable by a term of 451
imprisonment of two years or less. 452

(Q) "Alien registration number" means the number issued by 453

the United States citizenship and immigration services agency 454
that is located on the alien's permanent resident card and may 455
also be commonly referred to as the "USCIS number" or the "alien 456
number." 457

(R) "Active duty" has the same meaning as defined in 10 458
U.S.C. 101. 459

Sec. 2923.12. (A) No person shall knowingly carry or have, 460
concealed on the person's person or concealed ready at hand, any 461
of the following: 462

(1) A deadly weapon other than a handgun; 463

(2) A handgun other than a dangerous ordnance; 464

(3) A dangerous ordnance. 465

(B) No person who has been issued a concealed handgun 466
license shall do any of the following: 467

(1) If the person is stopped for a law enforcement purpose 468
and is carrying a concealed handgun, fail to promptly inform any 469
law enforcement officer who approaches the person after the 470
person has been stopped that the person has been issued a 471
concealed handgun license and that the person then is carrying a 472
concealed handgun; 473

(2) If the person is stopped for a law enforcement purpose 474
and is carrying a concealed handgun, knowingly fail to keep the 475
person's hands in plain sight at any time after any law 476
enforcement officer begins approaching the person while stopped 477
and before the law enforcement officer leaves, unless the 478
failure is pursuant to and in accordance with directions given 479
by a law enforcement officer; 480

(3) If the person is stopped for a law enforcement 481

purpose, if the person is carrying a concealed handgun, and if 482
the person is approached by any law enforcement officer while 483
stopped, knowingly remove or attempt to remove the loaded 484
handgun from the holster, pocket, or other place in which the 485
person is carrying it, knowingly grasp or hold the loaded 486
handgun, or knowingly have contact with the loaded handgun by 487
touching it with the person's hands or fingers at any time after 488
the law enforcement officer begins approaching and before the 489
law enforcement officer leaves, unless the person removes, 490
attempts to remove, grasps, holds, or has contact with the 491
loaded handgun pursuant to and in accordance with directions 492
given by the law enforcement officer; 493

(4) If the person is stopped for a law enforcement purpose 494
and is carrying a concealed handgun, knowingly disregard or fail 495
to comply with any lawful order of any law enforcement officer 496
given while the person is stopped, including, but not limited 497
to, a specific order to the person to keep the person's hands in 498
plain sight. 499

(C) (1) This section does not apply to any of the 500
following: 501

(a) An officer, agent, or employee of this or any other 502
state or the United States, or to a law enforcement officer, who 503
is authorized to carry concealed weapons or dangerous ordnance 504
or is authorized to carry handguns and is acting within the 505
scope of the officer's, agent's, or employee's duties; 506

(b) Any person who is employed in this state, who is 507
authorized to carry concealed weapons or dangerous ordnance or 508
is authorized to carry handguns, and who is subject to and in 509
compliance with the requirements of section 109.801 of the 510
Revised Code, unless the appointing authority of the person has 511

expressly specified that the exemption provided in division (C) 512
(1) (b) of this section does not apply to the person; 513

(c) A person's transportation or storage of a firearm, 514
other than a firearm described in divisions (G) to (M) of 515
section 2923.11 of the Revised Code, in a motor vehicle for any 516
lawful purpose if the firearm is not on the actor's person; 517

(d) A person's storage or possession of a firearm, other 518
than a firearm described in divisions (G) to (M) of section 519
2923.11 of the Revised Code, in the actor's own home for any 520
lawful purpose. 521

(2) Division (A) (2) of this section does not apply to any 522
person who, at the time of the alleged carrying or possession of 523
a handgun, either is carrying a valid concealed handgun license 524
or is an active duty member of the armed forces of the United 525
States and is carrying a valid military identification card and 526
documentation of successful completion of firearms training that 527
meets or exceeds the training requirements described in division 528
(G) (1) of section 2923.125 of the Revised Code, unless the 529
person knowingly is in a place described in division (B) of 530
section 2923.126 of the Revised Code. 531

(D) It is an affirmative defense to a charge under 532
division (A) (1) of this section of carrying or having control of 533
a weapon other than a handgun and other than a dangerous 534
ordnance that the actor was not otherwise prohibited by law from 535
having the weapon and that any of the following applies: 536

(1) The weapon was carried or kept ready at hand by the 537
actor for defensive purposes while the actor was engaged in or 538
was going to or from the actor's lawful business or occupation, 539
which business or occupation was of a character or was 540

necessarily carried on in a manner or at a time or place as to 541
render the actor particularly susceptible to criminal attack, 542
such as would justify a prudent person in going armed. 543

(2) The weapon was carried or kept ready at hand by the 544
actor for defensive purposes while the actor was engaged in a 545
lawful activity and had reasonable cause to fear a criminal 546
attack upon the actor, a member of the actor's family, or the 547
actor's home, such as would justify a prudent person in going 548
armed. 549

(3) The weapon was carried or kept ready at hand by the 550
actor for any lawful purpose and while in the actor's own home. 551

(E) No person who is charged with a violation of this 552
section shall be required to obtain a concealed handgun license 553
as a condition for the dismissal of the charge. 554

(F) (1) Whoever violates this section is guilty of carrying 555
concealed weapons. Except as otherwise provided in this division 556
or ~~division~~ divisions (F) (2), (6), and (7) of this section, 557
carrying concealed weapons in violation of division (A) of this 558
section is a misdemeanor of the first degree. Except as 559
otherwise provided in this division or ~~division~~ divisions (F) 560
(2), (6), and (7) of this section, if the offender previously 561
has been convicted of a violation of this section or of any 562
offense of violence, if the weapon involved is a firearm that is 563
either loaded or for which the offender has ammunition ready at 564
hand, or if the weapon involved is dangerous ordnance, carrying 565
concealed weapons in violation of division (A) of this section 566
is a felony of the fourth degree. Except as otherwise provided 567
in ~~division~~ divisions (F) (2) and (6) of this section, if the 568
offense is committed aboard an aircraft, or with purpose to 569
carry a concealed weapon aboard an aircraft, regardless of the 570

weapon involved, carrying concealed weapons in violation of 571
division (A) of this section is a felony of the third degree. 572

(2) ~~If~~ Except as provided in division (F)(6) of this 573
section, if a person being arrested for a violation of division 574
(A)(2) of this section promptly produces a valid concealed 575
handgun license, and if at the time of the violation the person 576
was not knowingly in a place described in division (B) of 577
section 2923.126 of the Revised Code, the officer shall not 578
arrest the person for a violation of that division. If the 579
person is not able to promptly produce any concealed handgun 580
license and if the person is not in a place described in that 581
section, the officer may arrest the person for a violation of 582
that division, and the offender shall be punished as follows: 583

(a) The offender shall be guilty of a minor misdemeanor if 584
both of the following apply: 585

(i) Within ten days after the arrest, the offender 586
presents a concealed handgun license, which license was valid at 587
the time of the arrest to the law enforcement agency that 588
employs the arresting officer. 589

(ii) At the time of the arrest, the offender was not 590
knowingly in a place described in division (B) of section 591
2923.126 of the Revised Code. 592

(b) The offender shall be guilty of a misdemeanor and 593
shall be fined five hundred dollars if all of the following 594
apply: 595

(i) The offender previously had been issued a concealed 596
handgun license, and that license expired within the two years 597
immediately preceding the arrest. 598

(ii) Within forty-five days after the arrest, the offender 599

presents a concealed handgun license to the law enforcement 600
agency that employed the arresting officer, and the offender 601
waives in writing the offender's right to a speedy trial on the 602
charge of the violation that is provided in section 2945.71 of 603
the Revised Code. 604

(iii) At the time of the commission of the offense, the 605
offender was not knowingly in a place described in division (B) 606
of section 2923.126 of the Revised Code. 607

(c) If ~~neither division divisions~~ (F) (2) (a) ~~nor and~~ (b) 608
and (F) (6) of this section ~~applies~~ do not apply, the offender 609
shall be punished under division (F) (1) or (7) of this section. 610

(3) Except as otherwise provided in this division, 611
carrying concealed weapons in violation of division (B) (1) of 612
this section is a misdemeanor of the first degree, and, in 613
addition to any other penalty or sanction imposed for a 614
violation of division (B) (1) of this section, the offender's 615
concealed handgun license shall be suspended pursuant to 616
division (A) (2) of section 2923.128 of the Revised Code. If, at 617
the time of the stop of the offender for a law enforcement 618
purpose that was the basis of the violation, any law enforcement 619
officer involved with the stop had actual knowledge that the 620
offender has been issued a concealed handgun license, carrying 621
concealed weapons in violation of division (B) (1) of this 622
section is a minor misdemeanor, and the offender's concealed 623
handgun license shall not be suspended pursuant to division (A) 624
(2) of section 2923.128 of the Revised Code. 625

(4) Carrying concealed weapons in violation of division 626
(B) (2) or (4) of this section is a misdemeanor of the first 627
degree or, if the offender previously has been convicted of or 628
pleaded guilty to a violation of division (B) (2) or (4) of this 629

section, a felony of the fifth degree. In addition to any other 630
penalty or sanction imposed for a misdemeanor violation of 631
division (B) (2) or (4) of this section, the offender's concealed 632
handgun license shall be suspended pursuant to division (A) (2) 633
of section 2923.128 of the Revised Code. 634

(5) Carrying concealed weapons in violation of division 635
(B) (3) of this section is a felony of the fifth degree. 636

(6) If a person being arrested for a violation of division 637
(A) (2) of this section is an active duty member of the armed 638
forces of the United States and is carrying a valid military 639
identification card and documentation of successful completion 640
of firearms training that meets or exceeds the training 641
requirements described in division (G) (1) of section 2923.125 of 642
the Revised Code, and if at the time of the violation the person 643
was not knowingly in a place described in division (B) of 644
section 2923.126 of the Revised Code, the officer shall not 645
arrest the person for a violation of that division. If the 646
person is not able to promptly produce a valid military 647
identification card and documentation of successful completion 648
of firearms training that meets or exceeds the training 649
requirements described in division (G) (1) of section 2923.125 of 650
the Revised Code and if the person is not in a place described 651
in division (B) of section 2923.126 of the Revised Code, the 652
officer shall issue a citation and the offender shall be 653
assessed a civil penalty of not more than five hundred dollars. 654
The citation shall be automatically dismissed and the civil 655
penalty shall not be assessed if both of the following apply: 656

(a) Within ten days after the issuance of the citation, 657
the offender presents a valid military identification card and 658
documentation of successful completion of firearms training that 659

meets or exceeds the training requirements described in division 660
(G) (1) of section 2923.125 of the Revised Code, which were both 661
valid at the time of the issuance of the citation to the law 662
enforcement agency that employs the citing officer. 663

(b) At the time of the citation, the offender was not 664
knowingly in a place described in division (B) of section 665
2923.126 of the Revised Code. 666

(7) If a person being arrested for a violation of division 667
(A) (2) of this section is knowingly in a place described in 668
division (B) (5) of section 2923.126 of the Revised Code and is 669
not authorized to carry a handgun or have a handgun concealed on 670
the person's person or concealed ready at hand under that 671
division, the penalty shall be as follows: 672

(a) Except as otherwise provided in this division, if the 673
person produces a valid concealed handgun license within ten 674
days after the arrest and has not previously been convicted or 675
pleaded guilty to a violation of division (A) (2) of this 676
section, the person is guilty of a minor misdemeanor; 677

(b) Except as otherwise provided in this division, if the 678
person has previously been convicted of or pleaded guilty to a 679
violation of division (A) (2) of this section, the person is 680
guilty of a misdemeanor of the fourth degree; 681

(c) Except as otherwise provided in this division, if the 682
person has previously been convicted of or pleaded guilty to two 683
violations of division (A) (2) of this section, the person is 684
guilty of a misdemeanor of the third degree; 685

(d) Except as otherwise provided in this division, if the 686
person has previously been convicted of or pleaded guilty to 687
three or more violations of division (A) (2) of this section, or 688

convicted of or pleaded guilty to any offense of violence, if 689
the weapon involved is a firearm that is either loaded or for 690
which the offender has ammunition ready at hand, or if the 691
weapon involved is a dangerous ordnance, the person is guilty of 692
a misdemeanor of the second degree. 693

(G) If a law enforcement officer stops a person to 694
question the person regarding a possible violation of this 695
section, for a traffic stop, or for any other law enforcement 696
purpose, if the person surrenders a firearm to the officer, 697
either voluntarily or pursuant to a request or demand of the 698
officer, and if the officer does not charge the person with a 699
violation of this section or arrest the person for any offense, 700
the person is not otherwise prohibited by law from possessing 701
the firearm, and the firearm is not contraband, the officer 702
shall return the firearm to the person at the termination of the 703
stop. If a court orders a law enforcement officer to return a 704
firearm to a person pursuant to the requirement set forth in 705
this division, division (B) of section 2923.163 of the Revised 706
Code applies. 707

Sec. 2923.121. (A) No person shall possess a firearm in 708
any room in which any person is consuming beer or intoxicating 709
liquor in a premises for which a D permit has been issued under 710
Chapter 4303. of the Revised Code or in an open air arena for 711
which a permit of that nature has been issued. 712

(B) (1) This section does not apply to any of the 713
following: 714

(a) An officer, agent, or employee of this or any other 715
state or the United States, or to a law enforcement officer, who 716
is authorized to carry firearms and is acting within the scope 717
of the officer's, agent's, or employee's duties; 718

(b) Any person who is employed in this state, who is 719
authorized to carry firearms, and who is subject to and in 720
compliance with the requirements of section 109.801 of the 721
Revised Code, unless the appointing authority of the person has 722
expressly specified that the exemption provided in division (B) 723
(1)(b) of this section does not apply to the person; 724

(c) Any room used for the accommodation of guests of a 725
hotel, as defined in section 4301.01 of the Revised Code; 726

(d) The principal holder of a D permit issued for a 727
premises or an open air arena under Chapter 4303. of the Revised 728
Code while in the premises or open air arena for which the 729
permit was issued if the principal holder of the D permit also 730
possesses a valid concealed handgun license and as long as the 731
principal holder is not consuming beer or intoxicating liquor or 732
under the influence of alcohol or a drug of abuse, or any agent 733
or employee of that holder who also is a peace officer, as 734
defined in section 2151.3515 of the Revised Code, who is off 735
duty, and who otherwise is authorized to carry firearms while in 736
the course of the officer's official duties and while in the 737
premises or open air arena for which the permit was issued and 738
as long as the agent or employee of that holder is not consuming 739
beer or intoxicating liquor or under the influence of alcohol or 740
a drug of abuse. 741

(e) Any person who is carrying a valid concealed handgun 742
license or any person who is an active duty member of the armed 743
forces of the United States and is carrying a valid military 744
identification card and documentation of successful completion 745
of firearms training that meets or exceeds the training 746
requirements described in division (G)(1) of section 2923.125 of 747
the Revised Code, as long as the person is not consuming beer or 748

intoxicating liquor or under the influence of alcohol or a drug 749
of abuse. 750

(2) This section does not prohibit any person who is a 751
member of a veteran's organization, as defined in section 752
2915.01 of the Revised Code, from possessing a rifle in any room 753
in any premises owned, leased, or otherwise under the control of 754
the veteran's organization, if the rifle is not loaded with live 755
ammunition and if the person otherwise is not prohibited by law 756
from having the rifle. 757

(3) This section does not apply to any person possessing 758
or displaying firearms in any room used to exhibit unloaded 759
firearms for sale or trade in a soldiers' memorial established 760
pursuant to Chapter 345. of the Revised Code, in a convention 761
center, or in any other public meeting place, if the person is 762
an exhibitor, trader, purchaser, or seller of firearms and is 763
not otherwise prohibited by law from possessing, trading, 764
purchasing, or selling the firearms. 765

(C) It is an affirmative defense to a charge under this 766
section of illegal possession of a firearm in a liquor permit 767
premises that involves the possession of a firearm other than a 768
handgun, that the actor was not otherwise prohibited by law from 769
having the firearm, and that any of the following apply: 770

(1) The firearm was carried or kept ready at hand by the 771
actor for defensive purposes, while the actor was engaged in or 772
was going to or from the actor's lawful business or occupation, 773
which business or occupation was of such character or was 774
necessarily carried on in such manner or at such a time or place 775
as to render the actor particularly susceptible to criminal 776
attack, such as would justify a prudent person in going armed. 777

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

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

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

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

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

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

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

(1) The object is indistinguishable from a firearm,

whether or not the object is capable of being fired. 807

(2) The person indicates that the person possesses the 808
object and that it is a firearm, or the person knowingly 809
displays or brandishes the object and indicates that it is a 810
firearm. 811

(D) (1) This section does not apply to any of the 812
following: 813

(a) An officer, agent, or employee of this or any other 814
state or the United States, ~~or a law enforcement officer,~~ who is 815
authorized to carry deadly weapons or dangerous ordnance and is 816
acting within the scope of the officer's, agent's, or employee's 817
duties, a law enforcement officer who is authorized to carry 818
deadly weapons or dangerous ordnance, a security officer 819
employed by a board of education or governing body of a school 820
during the time that the security officer is on duty pursuant to 821
that contract of employment, or any other person who has written 822
authorization from the board of education or governing body of a 823
school to convey deadly weapons or dangerous ordnance into a 824
school safety zone or to possess a deadly weapon or dangerous 825
ordnance in a school safety zone and who conveys or possesses 826
the deadly weapon or dangerous ordnance in accordance with that 827
authorization; 828

(b) Any person who is employed in this state, who is 829
authorized to carry deadly weapons or dangerous ordnance, and 830
who is subject to and in compliance with the requirements of 831
section 109.801 of the Revised Code, unless the appointing 832
authority of the person has expressly specified that the 833
exemption provided in division (D) (1) (b) of this section does 834
not apply to the person. 835

(2) Division (C) of this section does not apply to 836
premises upon which home schooling is conducted. Division (C) of 837
this section also does not apply to a school administrator, 838
teacher, or employee who possesses an object that is 839
indistinguishable from a firearm for legitimate school purposes 840
during the course of employment, a student who uses an object 841
that is indistinguishable from a firearm under the direction of 842
a school administrator, teacher, or employee, or any other 843
person who with the express prior approval of a school 844
administrator possesses an object that is indistinguishable from 845
a firearm for a legitimate purpose, including the use of the 846
object in a ceremonial activity, a play, reenactment, or other 847
dramatic presentation, school safety training, or a ROTC 848
activity or another similar use of the object. 849

(3) This section does not apply to a person who conveys or 850
attempts to convey a handgun into, or possesses a handgun in, a 851
school safety zone if, at the time of that conveyance, attempted 852
conveyance, or possession of the handgun, all of the following 853
apply: 854

(a) The person does not enter into a school building or 855
onto school premises and is not at a school activity. 856

(b) The person is carrying a valid concealed handgun 857
license or the person is an active duty member of the armed 858
forces of the United States and is carrying a valid military 859
identification card and documentation of successful completion 860
of firearms training that meets or exceeds the training 861
requirements described in division (G) (1) of section 2923.125 of 862
the Revised Code. 863

(c) The person is in the school safety zone in accordance 864
with 18 U.S.C. 922(q) (2) (B). 865

(d) The person is not knowingly in a place described in 866
division (B) (1) or (B) (3) to ~~(10)~~(8) of section 2923.126 of the 867
Revised Code. 868

(4) This section does not apply to a person who conveys or 869
attempts to convey a handgun into, or possesses a handgun in, a 870
school safety zone if at the time of that conveyance, attempted 871
conveyance, or possession of the handgun all of the following 872
apply: 873

(a) The person is carrying a valid concealed handgun 874
license or the person is an active duty member of the armed 875
forces of the United States and is carrying a valid military 876
identification card and documentation of successful completion 877
of firearms training that meets or exceeds the training 878
requirements described in division (G) (1) of section 2923.125 of 879
the Revised Code. 880

(b) ~~The person is the driver or passenger leaves the~~ 881
~~handgun in a motor vehicle and is in the school safety zone~~ 882
~~while immediately in the process of picking up or dropping off a~~ 883
~~child.~~ 884

(c) ~~The person is not in violation of section 2923.16 of~~ 885
~~the Revised Code~~handgun does not leave the motor vehicle. 886

(d) If the person exits the motor vehicle, the person 887
locks the motor vehicle. 888

(E) (1) Whoever violates division (A) or (B) of this 889
section is guilty of illegal conveyance or possession of a 890
deadly weapon or dangerous ordnance in a school safety zone. 891
Except as otherwise provided in this division, illegal 892
conveyance or possession of a deadly weapon or dangerous 893
ordnance in a school safety zone is a felony of the fifth 894

degree. If the offender previously has been convicted of a 895
violation of this section, illegal conveyance or possession of a 896
deadly weapon or dangerous ordnance in a school safety zone is a 897
felony of the fourth degree. 898

(2) Whoever violates division (C) of this section is 899
guilty of illegal possession of an object indistinguishable from 900
a firearm in a school safety zone. Except as otherwise provided 901
in this division, illegal possession of an object 902
indistinguishable from a firearm in a school safety zone is a 903
misdemeanor of the first degree. If the offender previously has 904
been convicted of a violation of this section, illegal 905
possession of an object indistinguishable from a firearm in a 906
school safety zone is a felony of the fifth degree. 907

(F) (1) In addition to any other penalty imposed upon a 908
person who is convicted of or pleads guilty to a violation of 909
this section and subject to division (F) (2) of this section, if 910
the offender has not attained nineteen years of age, regardless 911
of whether the offender is attending or is enrolled in a school 912
operated by a board of education or for which the state board of 913
education prescribes minimum standards under section 3301.07 of 914
the Revised Code, the court shall impose upon the offender a 915
class four suspension of the offender's probationary driver's 916
license, restricted license, driver's license, commercial 917
driver's license, temporary instruction permit, or probationary 918
commercial driver's license that then is in effect from the 919
range specified in division (A) (4) of section 4510.02 of the 920
Revised Code and shall deny the offender the issuance of any 921
permit or license of that type during the period of the 922
suspension. 923

If the offender is not a resident of this state, the court 924

shall impose a class four suspension of the nonresident 925
operating privilege of the offender from the range specified in 926
division (A) (4) of section 4510.02 of the Revised Code. 927

(2) If the offender shows good cause why the court should 928
not suspend one of the types of licenses, permits, or privileges 929
specified in division (F) (1) of this section or deny the 930
issuance of one of the temporary instruction permits specified 931
in that division, the court in its discretion may choose not to 932
impose the suspension, revocation, or denial required in that 933
division, but the court, in its discretion, instead may require 934
the offender to perform community service for a number of hours 935
determined by the court. 936

(G) As used in this section, "object that is 937
indistinguishable from a firearm" means an object made, 938
constructed, or altered so that, to a reasonable person without 939
specialized training in firearms, the object appears to be a 940
firearm. 941

Sec. 2923.123. (A) No person shall knowingly convey or 942
attempt to convey a deadly weapon or dangerous ordnance into a 943
courthouse or into another building or structure in which a 944
courtroom is located. 945

(B) No person shall knowingly possess or have under the 946
person's control a deadly weapon or dangerous ordnance in a 947
courthouse or in another building or structure in which a 948
courtroom is located. 949

(C) This section does not apply to any of the following: 950

(1) Except as provided in division (E) of this section, a 951
judge of a court of record of this state or a magistrate; 952

(2) A peace officer, officer of a law enforcement agency, 953

or person who is in either of the following categories: 954

(a) Except as provided in division (E) of this section, a 955
peace officer, or an officer of a law enforcement agency of 956
another state, a political subdivision of another state, or the 957
United States, who is authorized to carry a deadly weapon or 958
dangerous ordnance, who possesses or has under that individual's 959
control a deadly weapon or dangerous ordnance as a requirement 960
of that individual's duties, and who is acting within the scope 961
of that individual's duties at the time of that possession or 962
control; 963

(b) Except as provided in division (E) of this section, a 964
person who is employed in this state, who is authorized to carry 965
a deadly weapon or dangerous ordnance, who possesses or has 966
under that individual's control a deadly weapon or dangerous 967
ordnance as a requirement of that person's duties, and who is 968
subject to and in compliance with the requirements of section 969
109.801 of the Revised Code, unless the appointing authority of 970
the person has expressly specified that the exemption provided 971
in division (C) (2) (b) of this section does not apply to the 972
person. 973

(3) A person who conveys, attempts to convey, possesses, 974
or has under the person's control a deadly weapon or dangerous 975
ordnance that is to be used as evidence in a pending criminal or 976
civil action or proceeding; 977

(4) Except as provided in division (E) of this section, a 978
bailiff or deputy bailiff of a court of record of this state who 979
is authorized to carry a firearm pursuant to section 109.77 of 980
the Revised Code, who possesses or has under that individual's 981
control a firearm as a requirement of that individual's duties, 982
and who is acting within the scope of that individual's duties 983

at the time of that possession or control; 984

(5) Except as provided in division (E) of this section, a 985
prosecutor, or a secret service officer appointed by a county 986
prosecuting attorney, who is authorized to carry a deadly weapon 987
or dangerous ordnance in the performance of the individual's 988
duties, who possesses or has under that individual's control a 989
deadly weapon or dangerous ordnance as a requirement of that 990
individual's duties, and who is acting within the scope of that 991
individual's duties at the time of that possession or control; 992

(6) Except as provided in division (E) of this section, a 993
person who conveys or attempts to convey a handgun into a 994
courthouse or into another building or structure in which a 995
courtroom is located, who, at the time of the conveyance or 996
attempt, either is carrying a valid concealed handgun license or 997
is an active duty member of the armed forces of the United 998
States and is carrying a valid military identification card and 999
documentation of successful completion of firearms training that 1000
meets or exceeds the training requirements described in division 1001
(G) (1) of section 2923.125 of the Revised Code, and who 1002
transfers possession of the handgun to the officer or officer's 1003
designee who has charge of the courthouse or building. The 1004
officer shall secure the handgun until the licensee is prepared 1005
to leave the premises. The exemption described in this division 1006
applies only if the officer who has charge of the courthouse or 1007
building provides services of the nature described in this 1008
division. An officer who has charge of the courthouse or 1009
building is not required to offer services of the nature 1010
described in this division. 1011

(D) (1) Whoever violates division (A) of this section is 1012
guilty of illegal conveyance of a deadly weapon or dangerous 1013

ordnance into a courthouse. Except as otherwise provided in this 1014
division, illegal conveyance of a deadly weapon or dangerous 1015
ordnance into a courthouse is a felony of the fifth degree. If 1016
the offender previously has been convicted of a violation of 1017
division (A) or (B) of this section, illegal conveyance of a 1018
deadly weapon or dangerous ordnance into a courthouse is a 1019
felony of the fourth degree. 1020

(2) Whoever violates division (B) of this section is 1021
guilty of illegal possession or control of a deadly weapon or 1022
dangerous ordnance in a courthouse. Except as otherwise provided 1023
in this division, illegal possession or control of a deadly 1024
weapon or dangerous ordnance in a courthouse is a felony of the 1025
fifth degree. If the offender previously has been convicted of a 1026
violation of division (A) or (B) of this section, illegal 1027
possession or control of a deadly weapon or dangerous ordnance 1028
in a courthouse is a felony of the fourth degree. 1029

(E) The exemptions described in divisions (C) (1), (2) (a), 1030
(2) (b), (4), (5), and (6) of this section do not apply to any 1031
judge, magistrate, peace officer, officer of a law enforcement 1032
agency, bailiff, deputy bailiff, prosecutor, secret service 1033
officer, or other person described in any of those divisions if 1034
a rule of superintendence or another type of rule adopted by the 1035
supreme court pursuant to Article IV, Ohio Constitution, or an 1036
applicable local rule of court prohibits all persons from 1037
conveying or attempting to convey a deadly weapon or dangerous 1038
ordnance into a courthouse or into another building or structure 1039
in which a courtroom is located or from possessing or having 1040
under one's control a deadly weapon or dangerous ordnance in a 1041
courthouse or in another building or structure in which a 1042
courtroom is located. 1043

(F) As used in this section: 1044

(1) "Magistrate" means an individual who is appointed by a 1045
court of record of this state and who has the powers and may 1046
perform the functions specified in Civil Rule 53, Criminal Rule 1047
19, or Juvenile Rule 40. 1048

(2) "Peace officer" and "prosecutor" have the same 1049
meanings as in section 2935.01 of the Revised Code. 1050

Sec. 2923.126. (A) A concealed handgun license that is 1051
issued under section 2923.125 of the Revised Code shall expire 1052
five years after the date of issuance. A licensee who has been 1053
issued a license under that section shall be granted a grace 1054
period of thirty days after the licensee's license expires 1055
during which the licensee's license remains valid. Except as 1056
provided in divisions (B) and (C) of this section, a licensee 1057
who has been issued a concealed handgun license under section 1058
2923.125 or 2923.1213 of the Revised Code may carry a concealed 1059
handgun anywhere in this state if the licensee also carries a 1060
valid license and valid identification when the licensee is in 1061
actual possession of a concealed handgun. The licensee shall 1062
give notice of any change in the licensee's residence address to 1063
the sheriff who issued the license within forty-five days after 1064
that change. 1065

If a licensee is the driver or an occupant of a motor 1066
vehicle that is stopped as the result of a traffic stop or a 1067
stop for another law enforcement purpose and if the licensee is 1068
transporting or has a loaded handgun in the motor vehicle at 1069
that time, the licensee shall promptly inform any law 1070
enforcement officer who approaches the vehicle while stopped 1071
that the licensee has been issued a concealed handgun license 1072
and that the licensee currently possesses or has a loaded 1073

handgun; the licensee shall not knowingly disregard or fail to 1074
comply with lawful orders of a law enforcement officer given 1075
while the motor vehicle is stopped, knowingly fail to remain in 1076
the motor vehicle while stopped, or knowingly fail to keep the 1077
licensee's hands in plain sight after any law enforcement 1078
officer begins approaching the licensee while stopped and before 1079
the officer leaves, unless directed otherwise by a law 1080
enforcement officer; and the licensee shall not knowingly have 1081
contact with the loaded handgun by touching it with the 1082
licensee's hands or fingers, in any manner in violation of 1083
division (E) of section 2923.16 of the Revised Code, after any 1084
law enforcement officer begins approaching the licensee while 1085
stopped and before the officer leaves. Additionally, if a 1086
licensee is the driver or an occupant of a commercial motor 1087
vehicle that is stopped by an employee of the motor carrier 1088
enforcement unit for the purposes defined in section ~~5503.04~~ 1089
5503.34 of the Revised Code and if the licensee is transporting 1090
or has a loaded handgun in the commercial motor vehicle at that 1091
time, the licensee shall promptly inform the employee of the 1092
unit who approaches the vehicle while stopped that the licensee 1093
has been issued a concealed handgun license and that the 1094
licensee currently possesses or has a loaded handgun. 1095

If a licensee is stopped for a law enforcement purpose and 1096
if the licensee is carrying a concealed handgun at the time the 1097
officer approaches, the licensee shall promptly inform any law 1098
enforcement officer who approaches the licensee while stopped 1099
that the licensee has been issued a concealed handgun license 1100
and that the licensee currently is carrying a concealed handgun; 1101
the licensee shall not knowingly disregard or fail to comply 1102
with lawful orders of a law enforcement officer given while the 1103
licensee is stopped or knowingly fail to keep the licensee's 1104

hands in plain sight after any law enforcement officer begins 1105
approaching the licensee while stopped and before the officer 1106
leaves, unless directed otherwise by a law enforcement officer; 1107
and the licensee shall not knowingly remove, attempt to remove, 1108
grasp, or hold the loaded handgun or knowingly have contact with 1109
the loaded handgun by touching it with the licensee's hands or 1110
fingers, in any manner in violation of division (B) of section 1111
2923.12 of the Revised Code, after any law enforcement officer 1112
begins approaching the licensee while stopped and before the 1113
officer leaves. 1114

(B) A valid concealed handgun license does not authorize 1115
the licensee to carry a concealed handgun in any manner 1116
prohibited under division (B) of section 2923.12 of the Revised 1117
Code or in any manner prohibited under section 2923.16 of the 1118
Revised Code. A valid license does not authorize the licensee to 1119
carry a concealed handgun into any of the following places: 1120

(1) A police station, sheriff's office, or state highway 1121
patrol station, premises controlled by the bureau of criminal 1122
identification and investigation~~;~~ a state correctional 1123
institution, jail, workhouse, or other detention facility~~;~~ any 1124
area of an airport passenger terminal that is beyond a 1125
passenger or property screening checkpoint or to which access is 1126
restricted through security measures by the airport authority or 1127
a public agency; or an institution that is maintained, operated, 1128
managed, and governed pursuant to division (A) of section 1129
5119.14 of the Revised Code or division (A) (1) of section 1130
5123.03 of the Revised Code; 1131

(2) A school safety zone if the licensee's carrying the 1132
concealed handgun is in violation of section 2923.122 of the 1133
Revised Code; 1134

(3) A courthouse or another building or structure in which 1135
a courtroom is located, in violation of section 2923.123 of the 1136
Revised Code; 1137

(4) Any premises or open air arena for which a D permit 1138
has been issued under Chapter 4303. of the Revised Code if the 1139
licensee's carrying the concealed handgun is in violation of 1140
section 2923.121 of the Revised Code; 1141

(5) Any premises owned or leased by any public or private 1142
college, university, or other institution of higher education, 1143
unless the handgun is in a locked motor vehicle or the licensee 1144
is in the immediate process of placing the handgun in a locked 1145
motor vehicle or unless the licensee is carrying the concealed 1146
handgun pursuant to a written policy, rule, or other 1147
authorization that is adopted by the institution's board of 1148
trustees or other governing body and that authorizes specific 1149
individuals or classes of individuals to carry a concealed 1150
handgun on the premises; 1151

(6) Any church, synagogue, mosque, or other place of 1152
worship, unless the church, synagogue, mosque, or other place of 1153
worship posts or permits otherwise; 1154

~~(7) A child day care center, a type A family day care 1155
home, or a type B family day care home, except that this 1156
division does not prohibit a licensee who resides in a type A- 1157
family day care home or a type B family day care home from 1158
carrying a concealed handgun at any time in any part of the home- 1159
that is not dedicated or used for day care purposes, or from 1160
carrying a concealed handgun in a part of the home that is 1161
dedicated or used for day care purposes at any time during which 1162
no children, other than children of that licensee, are in the 1163
home;~~ 1164

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

~~(9) Any building that is a government facility of this state or a political subdivision of this state and that is not a building that is used primarily as a shelter, restroom, parking facility for motor vehicles, or rest facility and is not a courthouse or other building or structure in which a courtroom is located that is subject to division (B) (3) of this section, unless the governing body with authority over the building has enacted a statute, ordinance, or policy that permits a licensee to carry a concealed handgun into the building;~~

~~(10) (8) A place in which federal law prohibits the carrying of handguns.~~

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

(2) (a) A private employer shall be immune from liability in a civil action for any injury, death, or loss to person or property that allegedly was caused by or related to a licensee bringing a handgun onto the premises or property of the private employer, including motor vehicles owned by the private

employer, unless the private employer acted with malicious 1195
purpose. A private employer is immune from liability in a civil 1196
action for any injury, death, or loss to person or property that 1197
allegedly was caused by or related to the private employer's 1198
decision to permit a licensee to bring, or prohibit a licensee 1199
from bringing, a handgun onto the premises or property of the 1200
private employer. ~~As used in this division, "private employer"~~ 1201
~~includes a private college, university, or other institution of~~ 1202
~~higher education.~~ 1203

(b) A political subdivision shall be immune from liability 1204
in a civil action, to the extent and in the manner provided in 1205
Chapter 2744. of the Revised Code, for any injury, death, or 1206
loss to person or property that allegedly was caused by or 1207
related to a licensee bringing a handgun onto any premises or 1208
property owned, leased, or otherwise under the control of the 1209
political subdivision. As used in this division, "political 1210
subdivision" has the same meaning as in section 2744.01 of the 1211
Revised Code. 1212

(c) An institution of higher education shall be immune 1213
from liability in a civil action for any injury, death, or loss 1214
to person or property that allegedly was caused by or related to 1215
a licensee bringing a handgun onto the premises of the 1216
institution, including motor vehicles owned by the institution, 1217
unless the institution acted with malicious purpose. An 1218
institution of higher education is immune from liability in a 1219
civil action for any injury, death, or loss to person or 1220
property that allegedly was caused by or related to the 1221
institution's decision to permit a licensee or class of 1222
licensees to bring a handgun onto the premises of the 1223
institution. 1224

(3) (a) Except as provided in division (C) (3) (b) of this 1225
section, the owner or person in control of private land or 1226
premises, and a private person or entity leasing land or 1227
premises owned by the state, the United States, or a political 1228
subdivision of the state or the United States, may post a sign 1229
in a conspicuous location on that land or on those premises 1230
prohibiting persons from carrying firearms or concealed firearms 1231
on or onto that land or those premises. Except as otherwise 1232
provided in this division, a person who knowingly violates a 1233
posted prohibition of that nature is guilty of criminal trespass 1234
in violation of division (A) (4) of section 2911.21 of the 1235
Revised Code and is guilty of a misdemeanor of the fourth 1236
degree. If a person knowingly violates a posted prohibition of 1237
that nature and the posted land or premises primarily was a 1238
parking lot or other parking facility, the person is not guilty 1239
of criminal trespass under section 2911.21 of the Revised Code 1240
or under any other criminal law of this state or criminal law, 1241
ordinance, or resolution of a political subdivision of this 1242
state, and instead is subject only to a civil cause of action 1243
for trespass based on the violation. 1244

If a person knowingly violates a posted prohibition of the 1245
nature described in this division and the posted land or 1246
premises is a child day-care center, type A family day-care 1247
home, or type B family day-care home, unless the person is a 1248
licensee who resides in a type A family day-care home or type B 1249
family day-care home, the person is guilty of aggravated 1250
trespass in violation of section 2911.211 of the Revised Code. 1251
Except as otherwise provided in this division, the offender is 1252
guilty of a misdemeanor of the first degree. If the person 1253
previously has been convicted of a violation of this division or 1254
of any offense of violence, if the weapon involved is a firearm 1255

that is either loaded or for which the offender has ammunition 1256
ready at hand, or if the weapon involved is dangerous ordnance, 1257
the offender is guilty of a felony of the fourth degree. 1258

(b) A landlord may not prohibit or restrict a tenant who 1259
is a licensee and who on or after September 9, 2008, enters into 1260
a rental agreement with the landlord for the use of residential 1261
premises, and the tenant's guest while the tenant is present, 1262
from lawfully carrying or possessing a handgun on those 1263
residential premises. 1264

(c) As used in division (C) (3) of this section: 1265

(i) "Residential premises" has the same meaning as in 1266
section 5321.01 of the Revised Code, except "residential 1267
premises" does not include a dwelling unit that is owned or 1268
operated by a college or university. 1269

(ii) "Landlord," "tenant," and "rental agreement" have the 1270
same meanings as in section 5321.01 of the Revised Code. 1271

(D) A person who holds a valid concealed handgun license 1272
issued by another state that is recognized by the attorney 1273
general pursuant to a reciprocity agreement entered into 1274
pursuant to section 109.69 of the Revised Code or a person who 1275
holds a valid concealed handgun license under the circumstances 1276
described in division (B) of section 109.69 of the Revised Code 1277
has the same right to carry a concealed handgun in this state as 1278
a person who was issued a concealed handgun license under 1279
section 2923.125 of the Revised Code and is subject to the same 1280
restrictions that apply to a person who carries a license issued 1281
under that section. 1282

(E) (1) A peace officer has the same right to carry a 1283
concealed handgun in this state as a person who was issued a 1284

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.

(2) An active duty member of the armed forces of the United States who is carrying a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G) (1) of section 2923.125 of the Revised Code has 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 and is subject to the same restrictions as specified in this 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 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.

(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 1315
that agency, if the issuance is in accordance with the agency's 1316
policies and procedures and if the person, with respect to the 1317
person's service with that agency, satisfies all of the 1318
following: 1319

(i) The person retired in good standing from service as a 1320
peace officer with the public agency, and the retirement was not 1321
for reasons of mental instability. 1322

(ii) Before retiring from service as a peace officer with 1323
that agency, the person was authorized to engage in or supervise 1324
the prevention, detection, investigation, or prosecution of, or 1325
the incarceration of any person for, any violation of law and 1326
the person had statutory powers of arrest. 1327

(iii) At the time of the person's retirement as a peace 1328
officer with that agency, the person was trained and qualified 1329
to carry firearms in the performance of the peace officer's 1330
duties. 1331

(iv) Before retiring from service as a peace officer with 1332
that agency, the person was regularly employed as a peace 1333
officer for an aggregate of fifteen years or more, or, in the 1334
alternative, the person retired from service as a peace officer 1335
with that agency, after completing any applicable probationary 1336
period of that service, due to a service-connected disability, 1337
as determined by the agency. 1338

(b) A retired peace officer identification card issued to 1339
a person under division (F)(2)(a) of this section shall identify 1340
the person by name, contain a photograph of the person, identify 1341
the public agency of this state or of the political subdivision 1342
of this state from which the person retired as a peace officer 1343

and that is issuing the identification card, and specify that 1344
the person retired in good standing from service as a peace 1345
officer with the issuing public agency and satisfies the 1346
criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 1347
section. In addition to the required content specified in this 1348
division, a retired peace officer identification card issued to 1349
a person under division (F) (2) (a) of this section may include 1350
the firearms requalification certification described in division 1351
(F) (3) of this section, and if the identification card includes 1352
that certification, the identification card shall serve as the 1353
firearms requalification certification for the retired peace 1354
officer. If the issuing public agency issues credentials to 1355
active law enforcement officers who serve the agency, the agency 1356
may comply with division (F) (2) (a) of this section by issuing 1357
the same credentials to persons who retired from service as a 1358
peace officer with the agency and who satisfy the criteria set 1359
forth in divisions (F) (2) (a) (i) to (iv) of this section, 1360
provided that the credentials so issued to retired peace 1361
officers are stamped with the word "RETIRED." 1362

(c) A public agency of this state or of a political 1363
subdivision of this state may charge persons who retired from 1364
service as a peace officer with the agency a reasonable fee for 1365
issuing to the person a retired peace officer identification 1366
card pursuant to division (F) (2) (a) of this section. 1367

(3) If a person retired from service as a peace officer 1368
with a public agency of this state or of a political subdivision 1369
of this state and the person satisfies the criteria set forth in 1370
divisions (F) (2) (a) (i) to (iv) of this section, the public 1371
agency may provide the retired peace officer with the 1372
opportunity to attend a firearms requalification program that is 1373
approved for purposes of firearms requalification required under 1374

section 109.801 of the Revised Code. The retired peace officer 1375
may be required to pay the cost of the course. 1376

If a retired peace officer who satisfies the criteria set 1377
forth in divisions (F) (2) (a) (i) to (iv) of this section attends 1378
a firearms requalification program that is approved for purposes 1379
of firearms requalification required under section 109.801 of 1380
the Revised Code, the retired peace officer's successful 1381
completion of the firearms requalification program requalifies 1382
the retired peace officer for purposes of division (F) of this 1383
section for five years from the date on which the program was 1384
successfully completed, and the requalification is valid during 1385
that five-year period. If a retired peace officer who satisfies 1386
the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 1387
section satisfactorily completes such a firearms requalification 1388
program, the retired peace officer shall be issued a firearms 1389
requalification certification that identifies the retired peace 1390
officer by name, identifies the entity that taught the program, 1391
specifies that the retired peace officer successfully completed 1392
the program, specifies the date on which the course was 1393
successfully completed, and specifies that the requalification 1394
is valid for five years from that date of successful completion. 1395
The firearms requalification certification for a retired peace 1396
officer may be included in the retired peace officer 1397
identification card issued to the retired peace officer under 1398
division (F) (2) of this section. 1399

A retired peace officer who attends a firearms 1400
requalification program that is approved for purposes of 1401
firearms requalification required under section 109.801 of the 1402
Revised Code may be required to pay the cost of the program. 1403

(G) As used in this section: 1404

(1) "Qualified retired peace officer" means a person who 1405
satisfies all of the following: 1406

(a) The person satisfies the criteria set forth in 1407
divisions (F) (2) (a) (i) to (v) of this section. 1408

(b) The person is not under the influence of alcohol or 1409
another intoxicating or hallucinatory drug or substance. 1410

(c) The person is not prohibited by federal law from 1411
receiving firearms. 1412

(2) "Retired peace officer identification card" means an 1413
identification card that is issued pursuant to division (F) (2) 1414
of this section to a person who is a retired peace officer. 1415

(3) "Government facility of this state or a political 1416
subdivision of this state" means any of the following: 1417

(a) A building or part of a building that is owned or 1418
leased by the government of this state or a political 1419
subdivision of this state and where employees of the government 1420
of this state or the political subdivision regularly are present 1421
for the purpose of performing their official duties as employees 1422
of the state or political subdivision; 1423

(b) The office of a deputy registrar serving pursuant to 1424
Chapter 4503. of the Revised Code that is used to perform deputy 1425
registrar functions. 1426

(4) "Governing body" has the same meaning as in section 1427
154.01 of the Revised Code. 1428

Sec. 2923.1210. (A) A business entity, property owner, or 1429
public or private employer may not establish, maintain, or 1430
enforce a policy or rule that prohibits or has the effect of 1431
prohibiting a person who has been issued a valid concealed 1432

handgun license from transporting or storing a firearm or 1433
ammunition when both of the following conditions are met: 1434

(1) Each firearm and all of the ammunition remains inside 1435
the person's privately owned motor vehicle while the person is 1436
physically present inside the motor vehicle, or each firearm and 1437
all of the ammunition is locked within the trunk, glove box, or 1438
other enclosed compartment or container within or on the 1439
person's privately owned motor vehicle; 1440

(2) The vehicle is in a location where it is otherwise 1441
permitted to be. 1442

(B) No business entity, property owner, or public or 1443
private employer shall be held liable in any civil action for 1444
damages, injuries, or death resulting from or arising out of 1445
another person's actions involving a firearm or ammunition 1446
transported or stored pursuant to division (A) of this section 1447
including the theft of a firearm from an employee's or invitee's 1448
automobile, unless the business entity, property owner, or 1449
public or private employer intentionally solicited or procured 1450
the other person's injurious actions. 1451

Sec. 2923.16. (A) No person shall knowingly discharge a 1452
firearm while in or on a motor vehicle. 1453

(B) No person shall knowingly transport or have a loaded 1454
firearm in a motor vehicle in such a manner that the firearm is 1455
accessible to the operator or any passenger without leaving the 1456
vehicle. 1457

(C) No person shall knowingly transport or have a firearm 1458
in a motor vehicle, unless the person may lawfully possess that 1459
firearm under applicable law of this state or the United States, 1460
the firearm is unloaded, and the firearm is carried in one of 1461

the following ways: 1462

(1) In a closed package, box, or case; 1463

(2) In a compartment that can be reached only by leaving 1464
the vehicle; 1465

(3) In plain sight and secured in a rack or holder made 1466
for the purpose; 1467

(4) If the firearm is at least twenty-four inches in 1468
overall length as measured from the muzzle to the part of the 1469
stock furthest from the muzzle and if the barrel is at least 1470
eighteen inches in length, either in plain sight with the action 1471
open or the weapon stripped, or, if the firearm is of a type on 1472
which the action will not stay open or which cannot easily be 1473
stripped, in plain sight. 1474

(D) No person shall knowingly transport or have a loaded 1475
handgun in a motor vehicle if, at the time of that 1476
transportation or possession, any of the following applies: 1477

(1) The person is under the influence of alcohol, a drug 1478
of abuse, or a combination of them. 1479

(2) The person's whole blood, blood serum or plasma, 1480
breath, or urine contains a concentration of alcohol, a listed 1481
controlled substance, or a listed metabolite of a controlled 1482
substance prohibited for persons operating a vehicle, as 1483
specified in division (A) of section 4511.19 of the Revised 1484
Code, regardless of whether the person at the time of the 1485
transportation or possession as described in this division is 1486
the operator of or a passenger in the motor vehicle. 1487

(E) No person who has been issued a concealed handgun 1488
license or who is an active duty member of the armed forces of 1489

the United States and is carrying a valid military 1490
identification card and documentation of successful completion 1491
of firearms training that meets or exceeds the training 1492
requirements described in division (G) (1) of section 2923.125 of 1493
the Revised Code, who is the driver or an occupant of a motor 1494
vehicle that is stopped as a result of a traffic stop or a stop 1495
for another law enforcement purpose or is the driver or an 1496
occupant of a commercial motor vehicle that is stopped by an 1497
employee of the motor carrier enforcement unit for the purposes 1498
defined in section 5503.34 of the Revised Code, and who is 1499
transporting or has a loaded handgun in the motor vehicle or 1500
commercial motor vehicle in any manner, shall do any of the 1501
following: 1502

(1) Fail to promptly inform any law enforcement officer 1503
who approaches the vehicle while stopped that the person has 1504
been issued a concealed handgun license or is authorized to 1505
carry a concealed handgun as an active duty member of the armed 1506
forces of the United States and that the person then possesses 1507
or has a loaded handgun in the motor vehicle; 1508

(2) Fail to promptly inform the employee of the unit who 1509
approaches the vehicle while stopped that the person has been 1510
issued a concealed handgun license or is authorized to carry a 1511
concealed handgun as an active duty member of the armed forces 1512
of the United States and that the person then possesses or has a 1513
loaded handgun in the commercial motor vehicle; 1514

(3) Knowingly fail to remain in the motor vehicle while 1515
stopped or knowingly fail to keep the person's hands in plain 1516
sight at any time after any law enforcement officer begins 1517
approaching the person while stopped and before the law 1518
enforcement officer leaves, unless the failure is pursuant to 1519

and in accordance with directions given by a law enforcement officer; 1520
1521

(4) Knowingly have contact with the loaded handgun by touching it with the person's hands or fingers in the motor vehicle at any time after the law enforcement officer begins approaching and before the law enforcement officer leaves, unless the person has contact with the loaded handgun pursuant to and in accordance with directions given by the law enforcement officer; 1522
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(5) Knowingly disregard or fail to comply with any lawful order of any law enforcement officer given while the motor vehicle is stopped, including, but not limited to, a specific order to the person to keep the person's hands in plain sight. 1529
1530
1531
1532

(F) (1) Divisions (A), (B), (C), and (E) of this section do not apply to any of the following: 1533
1534

(a) An officer, agent, or employee of this or any other state or the United States, or a law enforcement officer, when authorized to carry or have loaded or accessible firearms in motor vehicles and acting within the scope of the officer's, agent's, or employee's duties; 1535
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(b) Any person who is employed in this state, who is authorized to carry or have loaded or accessible firearms in motor vehicles, and who is subject to and in compliance with the requirements of section 109.801 of the Revised Code, unless the appointing authority of the person has expressly specified that the exemption provided in division (F) (1) (b) of this section does not apply to the person. 1540
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(2) Division (A) of this section does not apply to a person if all of the following circumstances apply: 1547
1548

(a) The person discharges a firearm from a motor vehicle 1549
at a coyote or groundhog, the discharge is not during the deer 1550
gun hunting season as set by the chief of the division of 1551
wildlife of the department of natural resources, and the 1552
discharge at the coyote or groundhog, but for the operation of 1553
this section, is lawful. 1554

(b) The motor vehicle from which the person discharges the 1555
firearm is on real property that is located in an unincorporated 1556
area of a township and that either is zoned for agriculture or 1557
is used for agriculture. 1558

(c) The person owns the real property described in 1559
division (F) (2) (b) of this section, is the spouse or a child of 1560
another person who owns that real property, is a tenant of 1561
another person who owns that real property, or is the spouse or 1562
a child of a tenant of another person who owns that real 1563
property. 1564

(d) The person does not discharge the firearm in any of 1565
the following manners: 1566

(i) While under the influence of alcohol, a drug of abuse, 1567
or alcohol and a drug of abuse; 1568

(ii) In the direction of a street, highway, or other 1569
public or private property used by the public for vehicular 1570
traffic or parking; 1571

(iii) At or into an occupied structure that is a permanent 1572
or temporary habitation; 1573

(iv) In the commission of any violation of law, including, 1574
but not limited to, a felony that includes, as an essential 1575
element, purposely or knowingly causing or attempting to cause 1576
the death of or physical harm to another and that was committed 1577

by discharging a firearm from a motor vehicle. 1578

(3) Division (A) of this section does not apply to a 1579
person if all of the following apply: 1580

(a) The person possesses a valid electric-powered all- 1581
purpose vehicle permit issued under section 1533.103 of the 1582
Revised Code by the chief of the division of wildlife. 1583

(b) The person discharges a firearm at a wild quadruped or 1584
game bird as defined in section 1531.01 of the Revised Code 1585
during the open hunting season for the applicable wild quadruped 1586
or game bird. 1587

(c) The person discharges a firearm from a stationary 1588
electric-powered all-purpose vehicle as defined in section 1589
1531.01 of the Revised Code or a motor vehicle that is parked on 1590
a road that is owned or administered by the division of 1591
wildlife, provided that the road is identified by an electric- 1592
powered all-purpose vehicle sign. 1593

(d) The person does not discharge the firearm in any of 1594
the following manners: 1595

(i) While under the influence of alcohol, a drug of abuse, 1596
or alcohol and a drug of abuse; 1597

(ii) In the direction of a street, a highway, or other 1598
public or private property that is used by the public for 1599
vehicular traffic or parking; 1600

(iii) At or into an occupied structure that is a permanent 1601
or temporary habitation; 1602

(iv) In the commission of any violation of law, including, 1603
but not limited to, a felony that includes, as an essential 1604
element, purposely or knowingly causing or attempting to cause 1605

the death of or physical harm to another and that was committed 1606
by discharging a firearm from a motor vehicle. 1607

(4) Divisions (B) and (C) of this section do not apply to 1608
a person if all of the following circumstances apply: 1609

(a) At the time of the alleged violation of either of 1610
those divisions, the person is the operator of or a passenger in 1611
a motor vehicle. 1612

(b) The motor vehicle is on real property that is located 1613
in an unincorporated area of a township and that either is zoned 1614
for agriculture or is used for agriculture. 1615

(c) The person owns the real property described in 1616
division (D) (4) (b) of this section, is the spouse or a child of 1617
another person who owns that real property, is a tenant of 1618
another person who owns that real property, or is the spouse or 1619
a child of a tenant of another person who owns that real 1620
property. 1621

(d) The person, prior to arriving at the real property 1622
described in division (D) (4) (b) of this section, did not 1623
transport or possess a firearm in the motor vehicle in a manner 1624
prohibited by division (B) or (C) of this section while the 1625
motor vehicle was being operated on a street, highway, or other 1626
public or private property used by the public for vehicular 1627
traffic or parking. 1628

(5) Divisions (B) and (C) of this section do not apply to 1629
a person who transports or possesses a handgun in a motor 1630
vehicle if, at the time of that transportation or possession, 1631
both of the following apply: 1632

(a) The person transporting or possessing the handgun is 1633
either carrying a valid concealed handgun license or is an 1634

active duty member of the armed forces of the United States and 1635
is carrying a valid military identification card and 1636
documentation of successful completion of firearms training that 1637
meets or exceeds the training requirements described in division 1638
(G) (1) of section 2923.125 of the Revised Code. 1639

(b) The person transporting or possessing the handgun is 1640
not knowingly in a place described in division (B) of section 1641
2923.126 of the Revised Code. 1642

(6) Divisions (B) and (C) of this section do not apply to 1643
a person if all of the following apply: 1644

(a) The person possesses a valid electric-powered all- 1645
purpose vehicle permit issued under section 1533.103 of the 1646
Revised Code by the chief of the division of wildlife. 1647

(b) The person is on or in an electric-powered all-purpose 1648
vehicle as defined in section 1531.01 of the Revised Code or a 1649
motor vehicle during the open hunting season for a wild 1650
quadruped or game bird. 1651

(c) The person is on or in an electric-powered all-purpose 1652
vehicle as defined in section 1531.01 of the Revised Code or a 1653
motor vehicle that is parked on a road that is owned or 1654
administered by the division of wildlife, provided that the road 1655
is identified by an electric-powered all-purpose vehicle sign. 1656

(7) Nothing in this section prohibits or restricts a 1657
person from possessing, storing, or leaving a firearm in a 1658
locked motor vehicle that is parked in the state underground 1659
parking garage at the state capitol building or in the parking 1660
garage at the Riffe center for government and the arts in 1661
Columbus, if the person's transportation and possession of the 1662
firearm in the motor vehicle while traveling to the premises or 1663

facility was not in violation of division (A), (B), (C), (D), or 1664
(E) of this section or any other provision of the Revised Code. 1665

(G) (1) The affirmative defenses authorized in divisions 1666
(D) (1) and (2) of section 2923.12 of the Revised Code are 1667
affirmative defenses to a charge under division (B) or (C) of 1668
this section that involves a firearm other than a handgun. 1669

(2) It is an affirmative defense to a charge under 1670
division (B) or (C) of this section of improperly handling 1671
firearms in a motor vehicle that the actor transported or had 1672
the firearm in the motor vehicle for any lawful purpose and 1673
while the motor vehicle was on the actor's own property, 1674
provided that this affirmative defense is not available unless 1675
the person, immediately prior to arriving at the actor's own 1676
property, did not transport or possess the firearm in a motor 1677
vehicle in a manner prohibited by division (B) or (C) of this 1678
section while the motor vehicle was being operated on a street, 1679
highway, or other public or private property used by the public 1680
for vehicular traffic. 1681

(H) (1) No person who is charged with a violation of 1682
division (B), (C), or (D) of this section shall be required to 1683
obtain a concealed handgun license as a condition for the 1684
dismissal of the charge. 1685

(2) (a) If a person is convicted of, was convicted of, 1686
pleads guilty to, or has pleaded guilty to a violation of 1687
division (E) of this section as it existed prior to September 1688
30, 2011, and if the conduct that was the basis of the violation 1689
no longer would be a violation of division (E) of this section 1690
on or after September 30, 2011, the person may file an 1691
application under section 2953.37 of the Revised Code requesting 1692
the expungement of the record of conviction. 1693

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

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

(I) Whoever violates this section is guilty of improperly
handling firearms in a motor vehicle. Violation of division (A)
of this section is a felony of the fourth degree. Violation of
division (C) of this section is a misdemeanor of the fourth
degree. A violation of division (D) of this section is a felony
of the fifth degree or, if the loaded handgun is concealed on
the person's person, a felony of the fourth degree. Except as
otherwise provided in this division, a violation of division (E)
(1) or (2) of this section is a misdemeanor of the first degree,
and, in addition to any other penalty or sanction imposed for

the violation, the offender's concealed handgun license shall be 1725
suspended pursuant to division (A) (2) of section 2923.128 of the 1726
Revised Code. If at the time of the stop of the offender for a 1727
traffic stop, for another law enforcement purpose, or for a 1728
purpose defined in section 5503.34 of the Revised Code that was 1729
the basis of the violation any law enforcement officer involved 1730
with the stop or the employee of the motor carrier enforcement 1731
unit who made the stop had actual knowledge of the offender's 1732
status as a licensee, a violation of division (E) (1) or (2) of 1733
this section is a minor misdemeanor, and the offender's 1734
concealed handgun license shall not be suspended pursuant to 1735
division (A) (2) of section 2923.128 of the Revised Code. A 1736
violation of division (E) (4) of this section is a felony of the 1737
fifth degree. A violation of division (E) (3) or (5) of this 1738
section is a misdemeanor of the first degree or, if the offender 1739
previously has been convicted of or pleaded guilty to a 1740
violation of division (E) (3) or (5) of this section, a felony of 1741
the fifth degree. In addition to any other penalty or sanction 1742
imposed for a misdemeanor violation of division (E) (3) or (5) of 1743
this section, the offender's concealed handgun license shall be 1744
suspended pursuant to division (A) (2) of section 2923.128 of the 1745
Revised Code. A violation of division (B) of this section is a 1746
felony of the fourth degree. 1747

(J) If a law enforcement officer stops a motor vehicle for 1748
a traffic stop or any other purpose, if any person in the motor 1749
vehicle surrenders a firearm to the officer, either voluntarily 1750
or pursuant to a request or demand of the officer, and if the 1751
officer does not charge the person with a violation of this 1752
section or arrest the person for any offense, the person is not 1753
otherwise prohibited by law from possessing the firearm, and the 1754
firearm is not contraband, the officer shall return the firearm 1755

to the person at the termination of the stop. If a court orders 1756
a law enforcement officer to return a firearm to a person 1757
pursuant to the requirement set forth in this division, division 1758
(B) of section 2923.163 of the Revised Code applies. 1759

(K) As used in this section: 1760

(1) "Motor vehicle," "street," and "highway" have the same 1761
meanings as in section 4511.01 of the Revised Code. 1762

(2) "Occupied structure" has the same meaning as in 1763
section 2909.01 of the Revised Code. 1764

(3) "Agriculture" has the same meaning as in section 1765
519.01 of the Revised Code. 1766

(4) "Tenant" has the same meaning as in section 1531.01 of 1767
the Revised Code. 1768

(5) (a) "Unloaded" means, with respect to a firearm other 1769
than a firearm described in division (K) (6) of this section, 1770
that no ammunition is in the firearm in question, no magazine or 1771
speed loader containing ammunition is inserted into the firearm 1772
in question, and one of the following applies: 1773

(i) There is no ammunition in a magazine or speed loader 1774
that is in the vehicle in question and that may be used with the 1775
firearm in question. 1776

(ii) Any magazine or speed loader that contains ammunition 1777
and that may be used with the firearm in question is stored in a 1778
compartment within the vehicle in question that cannot be 1779
accessed without leaving the vehicle or is stored in a container 1780
that provides complete and separate enclosure. 1781

(b) For the purposes of division (K) (5) (a) (ii) of this 1782
section, a "container that provides complete and separate 1783

enclosure" includes, but is not limited to, any of the 1784
following: 1785

(i) A package, box, or case with multiple compartments, as 1786
long as the loaded magazine or speed loader and the firearm in 1787
question either are in separate compartments within the package, 1788
box, or case, or, if they are in the same compartment, the 1789
magazine or speed loader is contained within a separate 1790
enclosure in that compartment that does not contain the firearm 1791
and that closes using a snap, button, buckle, zipper, hook and 1792
loop closing mechanism, or other fastener that must be opened to 1793
access the contents or the firearm is contained within a 1794
separate enclosure of that nature in that compartment that does 1795
not contain the magazine or speed loader; 1796

(ii) A pocket or other enclosure on the person of the 1797
person in question that closes using a snap, button, buckle, 1798
zipper, hook and loop closing mechanism, or other fastener that 1799
must be opened to access the contents. 1800

(c) For the purposes of divisions (K) (5) (a) and (b) of 1801
this section, ammunition held in stripper-clips or in en-bloc 1802
clips is not considered ammunition that is loaded into a 1803
magazine or speed loader. 1804

(6) "Unloaded" means, with respect to a firearm employing 1805
a percussion cap, flintlock, or other obsolete ignition system, 1806
when the weapon is uncapped or when the priming charge is 1807
removed from the pan. 1808

(7) "Commercial motor vehicle" has the same meaning as in 1809
division (A) of section 4506.25 of the Revised Code. 1810

(8) "Motor carrier enforcement unit" means the motor 1811
carrier enforcement unit in the department of public safety, 1812

division of state highway patrol, that is created by section 1813
5503.34 of the Revised Code. 1814

(L) Divisions (K) (5) (a) and (b) of this section do not 1815
affect the authority of a person who is carrying a valid 1816
concealed handgun license to have one or more magazines or speed 1817
loaders containing ammunition anywhere in a vehicle, without 1818
being transported as described in those divisions, as long as no 1819
ammunition is in a firearm, other than a handgun, in the vehicle 1820
other than as permitted under any other provision of this 1821
chapter. A person who is carrying a valid concealed handgun 1822
license may have one or more magazines or speedloaders 1823
containing ammunition anywhere in a vehicle without further 1824
restriction, as long as no ammunition is in a firearm, other 1825
than a handgun, in the vehicle other than as permitted under any 1826
provision of this chapter. 1827

Sec. 2923.21. (A) No person shall do any of the following: 1828

(1) Sell any firearm to a person who is under eighteen 1829
years of age; 1830

(2) Subject to division (B) of this section, sell any 1831
handgun to a person who is under twenty-one years of age; 1832

(3) Furnish any firearm to a person who is under eighteen 1833
years of age or, subject to division (B) of this section, 1834
furnish any handgun to a person who is under twenty-one years of 1835
age, except for lawful hunting, sporting, or educational 1836
purposes, including, but not limited to, instruction in firearms 1837
or handgun safety, care, handling, or marksmanship under the 1838
supervision or control of a responsible adult; 1839

(4) Sell or furnish a firearm to a person who is eighteen 1840
years of age or older if the seller or furnisher knows, or has 1841

reason to know, that the person is purchasing or receiving the 1842
firearm for the purpose of selling the firearm in violation of 1843
division (A) (1) of this section to a person who is under 1844
eighteen years of age or for the purpose of furnishing the 1845
firearm in violation of division (A) (3) of this section to a 1846
person who is under eighteen years of age; 1847

(5) Sell or furnish a handgun to a person who is twenty- 1848
one years of age or older if the seller or furnisher knows, or 1849
has reason to know, that the person is purchasing or receiving 1850
the handgun for the purpose of selling the handgun in violation 1851
of division (A) (2) of this section to a person who is under 1852
twenty-one years of age or for the purpose of furnishing the 1853
handgun in violation of division (A) (3) of this section to a 1854
person who is under twenty-one years of age; 1855

(6) Purchase or attempt to purchase any firearm with the 1856
intent to sell the firearm in violation of division (A) (1) of 1857
this section to a person who is under eighteen years of age or 1858
with the intent to furnish the firearm in violation of division 1859
(A) (3) of this section to a person who is under eighteen years 1860
of age; 1861

(7) Purchase or attempt to purchase any handgun with the 1862
intent to sell the handgun in violation of division (A) (2) of 1863
this section to a person who is under twenty-one years of age or 1864
with the intent to furnish the handgun in violation of division 1865
(A) (3) of this section to a person who is under twenty-one years 1866
of age. 1867

(B) Divisions (A) (1) and (2) of this section do not apply 1868
to the sale or furnishing of a handgun to a person eighteen 1869
years of age or older and under twenty-one years of age if the 1870
person eighteen years of age or older and under twenty-one years 1871

of age is a law enforcement officer who is properly appointed or 1872
employed as a law enforcement officer and has received firearms 1873
training approved by the Ohio peace officer training council or 1874
equivalent firearms training. Divisions (A) (1) and (2) of this 1875
section do not apply to the sale or furnishing of a handgun to 1876
an active duty member of the armed forces of the United States 1877
who has received firearms training that meets or exceeds the 1878
training requirements described in division (G) (1) of section 1879
2923.125 of the Revised Code. 1880

(C) Whoever violates this section is guilty of improperly 1881
furnishing firearms to a minor, a felony of the fifth degree. 1882

Sec. 5103.132. (A) As used in this section, "firearm" has 1883
the same meaning as in section 2923.11 of the Revised Code. 1884

(B) A children's crisis care facility that has as its 1885
primary purpose the provision of residential and other care to 1886
infants who are born drug exposed and that regularly maintains 1887
on its premises schedule II controlled substances, as defined in 1888
section 3719.01 of the Revised Code, may do both of the 1889
following: 1890

(1) Maintain firearms at the facility; 1891

(2) Permit security personnel to bear firearms while on 1892
the grounds of the facility. 1893

Section 2. That existing sections 109.731, 311.42, 1894
1547.69, 2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 1895
2923.126, 2923.16, and 2923.21 of the Revised Code are hereby 1896
repealed. 1897

Section 3. Section 2923.122 of the Revised Code is 1898
presented in this act as a composite of the section as amended 1899
by both Am. Sub. H.B. 495 and Am. Sub. S.B. 337 of the 129th 1900

General Assembly. The General Assembly, applying the principle 1901
stated in division (B) of section 1.52 of the Revised Code that 1902
amendments are to be harmonized if reasonably capable of 1903
simultaneous operation, finds that the composite is the 1904
resulting version of the section in effect prior to the 1905
effective date of the section as presented in this act. 1906