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Senators Uecker, Gardner

Cosponsors: Senators Coley, Bacon, Obhof, Eklund

A BILL

To amend sections 1547.69, 2923.11, 2923.12, 1
2923.121, 2923.122, 2923.123, 2923.126, 2923.16, 2
and 2923.21 of the Revised Code to specify that 3
an active duty member of the U.S. Armed Forces: 4
(1) does not need a concealed handgun license to 5
carry a handgun concealed if the member is 6
carrying valid military identification and 7
documentation of successful completion of 8
specified firearms training; and (2) may be sold 9
or furnished a handgun if the member has 10
received specified firearms training. 11

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

Section 1. That sections 1547.69, 2923.11, 2923.12, 12
2923.121, 2923.122, 2923.123, 2923.126, 2923.16, and 2923.21 of 13
the Revised Code be amended to read as follows: 14

Sec. 1547.69. (A) As used in this section: 15

(1) "Firearm," "concealed handgun license," "handgun," ~~and~~ 16
"valid concealed handgun license," and "active duty" have the 17
same meanings as in section 2923.11 of the Revised Code. 18

(2) "Unloaded" has the same meanings as in divisions (K) 19
(5) and (6) of section 2923.16 of the Revised Code, except that 20
all references in the definition in division (K) (5) of that 21
section to "vehicle" shall be construed for purposes of this 22
section to be references to "vessel." 23

(B) No person shall knowingly discharge a firearm while in 24
or on a vessel. 25

(C) No person shall knowingly transport or have a loaded 26
firearm in a vessel in a manner that the firearm is accessible 27
to the operator or any passenger. 28

(D) No person shall knowingly transport or have a firearm 29
in a vessel unless it is unloaded and is carried in one of the 30
following ways: 31

(1) In a closed package, box, or case; 32

(2) In plain sight with the action opened or the weapon 33
stripped, or, if the firearm is of a type on which the action 34
will not stay open or that cannot easily be stripped, in plain 35
sight. 36

(E) (1) The affirmative defenses authorized in divisions 37
(D) (1) and (2) of section 2923.12 of the Revised Code are 38
affirmative defenses to a charge under division (C) or (D) of 39
this section that involves a firearm other than a handgun. It is 40
an affirmative defense to a charge under division (C) or (D) of 41
this section of transporting or having a firearm of any type, 42
including a handgun, in a vessel that the actor transported or 43
had the firearm in the vessel for any lawful purpose and while 44
the vessel was on the actor's own property, provided that this 45
affirmative defense is not available unless the actor, prior to 46
arriving at the vessel on the actor's own property, did not 47

transport or possess the firearm in the vessel or in a motor 48
vehicle in a manner prohibited by this section or division (B) 49
or (C) of section 2923.16 of the Revised Code while the vessel 50
was being operated on a waterway that was not on the actor's own 51
property or while the motor vehicle was being operated on a 52
street, highway, or other public or private property used by the 53
public for vehicular traffic. 54

(2) No person who is charged with a violation of division 55
(C) or (D) of this section shall be required to obtain a license 56
or temporary emergency license to carry a concealed handgun 57
under section 2923.125 or 2923.1213 of the Revised Code as a 58
condition for the dismissal of the charge. 59

(F) Divisions (B), (C), and (D) of this section do not 60
apply to the possession or discharge of a United States coast 61
guard approved signaling device required to be carried aboard a 62
vessel under section 1547.251 of the Revised Code when the 63
signaling device is possessed or used for the purpose of giving 64
a visual distress signal. No person shall knowingly transport or 65
possess any signaling device of that nature in or on a vessel in 66
a loaded condition at any time other than immediately prior to 67
the discharge of the signaling device for the purpose of giving 68
a visual distress signal. 69

(G) No person shall operate or permit to be operated any 70
vessel on the waters in this state in violation of this section. 71

(H) (1) This section does not apply to any of the 72
following: 73

(a) An officer, agent, or employee of this or any other 74
state or of the United States, or to a law enforcement officer, 75
when authorized to carry or have loaded or accessible firearms 76

in a vessel and acting within the scope of the officer's, 77
agent's, or employee's duties; 78

(b) Any person who is employed in this state, who is 79
authorized to carry or have loaded or accessible firearms in a 80
vessel, and who is subject to and in compliance with the 81
requirements of section 109.801 of the Revised Code, unless the 82
appointing authority of the person has expressly specified that 83
the exemption provided in division (H) (1) (b) of this section 84
does not apply to the person; 85

(c) Any person legally engaged in hunting. 86

(2) Divisions (C) and (D) of this section do not apply to 87
a person who transports or possesses a handgun in a vessel and 88
who, at the time of that transportation or possession, either is 89
carrying a valid concealed handgun license or is an active duty 90
member of the armed forces of the United States and is carrying 91
a valid military identification card and documentation of 92
successful completion of firearms training that meets or exceeds 93
the training requirements described in division (G) (1) of 94
section 2923.125 of the Revised Code, unless the person 95
knowingly is in a place on the vessel described in division (B) 96
of section 2923.126 of the Revised Code. 97

(I) If a law enforcement officer stops a vessel for a 98
violation of this section or any other law enforcement purpose, 99
if any person on the vessel surrenders a firearm to the officer, 100
either voluntarily or pursuant to a request or demand of the 101
officer, and if the officer does not charge the person with a 102
violation of this section or arrest the person for any offense, 103
the person is not otherwise prohibited by law from possessing 104
the firearm, and the firearm is not contraband, the officer 105
shall return the firearm to the person at the termination of the 106

stop. 107

(J) Division (L) of section 2923.16 of the Revised Code 108
applies with respect to division (A) (2) of this section, except 109
that all references in division (L) of section 2923.16 of the 110
Revised Code to "vehicle," to "this chapter," or to "division 111
(K) (5) (a) or (b) of this section" shall be construed for 112
purposes of this section to be, respectively, references to 113
"vessel," to "section 1547.69 of the Revised Code," and to 114
divisions (K) (5) (a) and (b) of section 2923.16 of the Revised 115
Code as incorporated under the definition of firearm adopted 116
under division (A) (2) of this section. 117

Sec. 2923.11. As used in sections 2923.11 to 2923.24 of 118
the Revised Code: 119

(A) "Deadly weapon" means any instrument, device, or thing 120
capable of inflicting death, and designed or specially adapted 121
for use as a weapon, or possessed, carried, or used as a weapon. 122

(B) (1) "Firearm" means any deadly weapon capable of 123
expelling or propelling one or more projectiles by the action of 124
an explosive or combustible propellant. "Firearm" includes an 125
unloaded firearm, and any firearm that is inoperable but that 126
can readily be rendered operable. 127

(2) When determining whether a firearm is capable of 128
expelling or propelling one or more projectiles by the action of 129
an explosive or combustible propellant, the trier of fact may 130
rely upon circumstantial evidence, including, but not limited 131
to, the representations and actions of the individual exercising 132
control over the firearm. 133

(C) "Handgun" means any of the following: 134

(1) Any firearm that has a short stock and is designed to 135

be held and fired by the use of a single hand;	136
(2) Any combination of parts from which a firearm of a type described in division (C) (1) of this section can be assembled.	137 138 139
(D) "Semi-automatic firearm" means any firearm designed or specially adapted to fire a single cartridge and automatically chamber a succeeding cartridge ready to fire, with a single function of the trigger.	140 141 142 143
(E) "Automatic firearm" means any firearm designed or specially adapted to fire a succession of cartridges with a single function of the trigger.	144 145 146
(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.	147 148 149 150
(G) "Zip-gun" means any of the following:	151
(1) Any firearm of crude and extemporized manufacture;	152
(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;	153 154 155
(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.	156 157 158 159
(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	160 161 162 163

device" includes without limitation any bomb, any explosive 164
demolition device, any blasting cap or detonator containing an 165
explosive charge, and any pressure vessel that has been 166
knowingly tampered with or arranged so as to explode. 167

(I) "Incendiary device" means any firebomb, and any device 168
designed or specially adapted to cause physical harm to persons 169
or property by means of fire, and consisting of an incendiary 170
substance or agency and a means to ignite it. 171

(J) "Ballistic knife" means a knife with a detachable 172
blade that is propelled by a spring-operated mechanism. 173

(K) "Dangerous ordnance" means any of the following, 174
except as provided in division (L) of this section: 175

(1) Any automatic or sawed-off firearm, zip-gun, or 176
ballistic knife; 177

(2) Any explosive device or incendiary device; 178

(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, 179
cyclonite, TNT, picric acid, and other high explosives; amatol, 180
tritonite, tetrytol, pentolite, pecretol, cyclitol, and other 181
high explosive compositions; plastic explosives; dynamite, 182
blasting gelatin, gelatin dynamite, sensitized ammonium nitrate, 183
liquid-oxygen blasting explosives, blasting powder, and other 184
blasting agents; and any other explosive substance having 185
sufficient brisance or power to be particularly suitable for use 186
as a military explosive, or for use in mining, quarrying, 187
excavating, or demolitions; 188

(4) Any firearm, rocket launcher, mortar, artillery piece, 189
grenade, mine, bomb, torpedo, or similar weapon, designed and 190
manufactured for military purposes, and the ammunition for that 191
weapon; 192

(5) Any firearm muffler or suppressor;	193
(6) Any combination of parts that is intended by the owner for use in converting any firearm or other device into a dangerous ordnance.	194 195 196
(L) "Dangerous ordnance" does not include any of the following:	197 198
(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;	199 200 201 202
(2) Any pistol, rifle, or shotgun, designed or suitable for sporting purposes, including a military weapon as issued or as modified, and the ammunition for that weapon, unless the firearm is an automatic or sawed-off firearm;	203 204 205 206
(3) Any cannon or other artillery piece that, regardless of its actual age, is of a type in accepted use prior to 1887, has no mechanical, hydraulic, pneumatic, or other system for absorbing recoil and returning the tube into battery without displacing the carriage, and is designed and safe for use only with black powder;	207 208 209 210 211 212
(4) Black powder, priming quills, and percussion caps possessed and lawfully used to fire a cannon of a type defined in division (L)(3) of this section during displays, celebrations, organized matches or shoots, and target practice, and smokeless and black powder, primers, and percussion caps possessed and lawfully used as a propellant or ignition device in small-arms or small-arms ammunition;	213 214 215 216 217 218 219
(5) Dangerous ordnance that is inoperable or inert and cannot readily be rendered operable or activated, and that is	220 221

kept as a trophy, souvenir, curio, or museum piece.	222
(6) Any device that is expressly excepted from the	223
definition of a destructive device pursuant to the "Gun Control	224
Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a)(4), as amended,	225
and regulations issued under that act.	226
(M) "Explosive" means any chemical compound, mixture, or	227
device, the primary or common purpose of which is to function by	228
explosion. "Explosive" includes all materials that have been	229
classified as division 1.1, division 1.2, division 1.3, or	230
division 1.4 explosives by the United States department of	231
transportation in its regulations and includes, but is not	232
limited to, dynamite, black powder, pellet powders, initiating	233
explosives, blasting caps, electric blasting caps, safety fuses,	234
fuse igniters, squibs, cordeau detonant fuses, instantaneous	235
fuses, and igniter cords and igniters. "Explosive" does not	236
include "fireworks," as defined in section 3743.01 of the	237
Revised Code, or any substance or material otherwise meeting the	238
definition of explosive set forth in this section that is	239
manufactured, sold, possessed, transported, stored, or used in	240
any activity described in section 3743.80 of the Revised Code,	241
provided the activity is conducted in accordance with all	242
applicable laws, rules, and regulations, including, but not	243
limited to, the provisions of section 3743.80 of the Revised	244
Code and the rules of the fire marshal adopted pursuant to	245
section 3737.82 of the Revised Code.	246
(N) (1) "Concealed handgun license" or "license to carry a	247
concealed handgun" means, subject to division (N) (2) of this	248
section, a license or temporary emergency license to carry a	249
concealed handgun issued under section 2923.125 or 2923.1213 of	250
the Revised Code or a license to carry a concealed handgun	251

issued by another state with which the attorney general has 252
entered into a reciprocity agreement under section 109.69 of the 253
Revised Code. 254

(2) A reference in any provision of the Revised Code to a 255
concealed handgun license issued under section 2923.125 of the 256
Revised Code or a license to carry a concealed handgun issued 257
under section 2923.125 of the Revised Code means only a license 258
of the type that is specified in that section. A reference in 259
any provision of the Revised Code to a concealed handgun license 260
issued under section 2923.1213 of the Revised Code, a license to 261
carry a concealed handgun issued under section 2923.1213 of the 262
Revised Code, or a license to carry a concealed handgun on a 263
temporary emergency basis means only a license of the type that 264
is specified in section 2923.1213 of the Revised Code. A 265
reference in any provision of the Revised Code to a concealed 266
handgun license issued by another state or a license to carry a 267
concealed handgun issued by another state means only a license 268
issued by another state with which the attorney general has 269
entered into a reciprocity agreement under section 109.69 of the 270
Revised Code. 271

(O) "Valid concealed handgun license" or "valid license to 272
carry a concealed handgun" means a concealed handgun license 273
that is currently valid, that is not under a suspension under 274
division (A) (1) of section 2923.128 of the Revised Code, under 275
section 2923.1213 of the Revised Code, or under a suspension 276
provision of the state other than this state in which the 277
license was issued, and that has not been revoked under division 278
(B) (1) of section 2923.128 of the Revised Code, under section 279
2923.1213 of the Revised Code, or under a revocation provision 280
of the state other than this state in which the license was 281
issued. 282

(P) "Misdemeanor punishable by imprisonment for a term exceeding one year" does not include any of the following:	283 284
(1) Any federal or state offense pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices;	285 286 287 288
(2) Any misdemeanor offense punishable by a term of imprisonment of two years or less.	289 290
(Q) "Alien registration number" means the number issued by the United States citizenship and immigration services agency that is located on the alien's permanent resident card and may also be commonly referred to as the "USCIS number" or the "alien number."	291 292 293 294 295
<u>(R) "Active duty" has the same meaning as defined in 10 U.S.C. 101.</u>	296 297
Sec. 2923.12. (A) No person shall knowingly carry or have, concealed on the person's person or concealed ready at hand, any of the following:	298 299 300
(1) A deadly weapon other than a handgun;	301
(2) A handgun other than a dangerous ordnance;	302
(3) A dangerous ordnance.	303
(B) No person who has been issued a concealed handgun license shall do any of the following:	304 305
(1) If the person is stopped for a law enforcement purpose and is carrying a concealed handgun, fail to promptly inform any law enforcement officer who approaches the person after the person has been stopped that the person has been issued a	306 307 308 309

concealed handgun license and that the person then is carrying a 310
concealed handgun; 311

(2) If the person is stopped for a law enforcement purpose 312
and is carrying a concealed handgun, knowingly fail to keep the 313
person's hands in plain sight at any time after any law 314
enforcement officer begins approaching the person while stopped 315
and before the law enforcement officer leaves, unless the 316
failure is pursuant to and in accordance with directions given 317
by a law enforcement officer; 318

(3) If the person is stopped for a law enforcement 319
purpose, if the person is carrying a concealed handgun, and if 320
the person is approached by any law enforcement officer while 321
stopped, knowingly remove or attempt to remove the loaded 322
handgun from the holster, pocket, or other place in which the 323
person is carrying it, knowingly grasp or hold the loaded 324
handgun, or knowingly have contact with the loaded handgun by 325
touching it with the person's hands or fingers at any time after 326
the law enforcement officer begins approaching and before the 327
law enforcement officer leaves, unless the person removes, 328
attempts to remove, grasps, holds, or has contact with the 329
loaded handgun pursuant to and in accordance with directions 330
given by the law enforcement officer; 331

(4) If the person is stopped for a law enforcement purpose 332
and is carrying a concealed handgun, knowingly disregard or fail 333
to comply with any lawful order of any law enforcement officer 334
given while the person is stopped, including, but not limited 335
to, a specific order to the person to keep the person's hands in 336
plain sight. 337

(C) (1) This section does not apply to any of the 338
following: 339

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

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

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

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

(2) Division (A) (2) of this section does not apply to any person who, at the time of the alleged carrying or possession of a handgun, either is carrying a valid concealed handgun license or is an active duty member of the armed forces of the United States and 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, unless the person knowingly is in a place described in division (B) of section 2923.126 of the Revised Code.

(D) It is an affirmative defense to a charge under 370
division (A) (1) of this section of carrying or having control of 371
a weapon other than a handgun and other than a dangerous 372
ordnance that the actor was not otherwise prohibited by law from 373
having the weapon and that any of the following applies: 374

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

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

(3) The weapon was carried or kept ready at hand by the 388
actor for any lawful purpose and while in the actor's own home. 389

(E) No person who is charged with a violation of this 390
section shall be required to obtain a concealed handgun license 391
as a condition for the dismissal of the charge. 392

(F) (1) Whoever violates this section is guilty of carrying 393
concealed weapons. Except as otherwise provided in this division 394
or ~~division~~ divisions (F) (2) and (6) of this section, carrying 395
concealed weapons in violation of division (A) of this section 396
is a misdemeanor of the first degree. Except as otherwise 397
provided in this division or ~~division~~ divisions (F) (2) and (6) 398

of this section, if the offender previously has been convicted 399
of a violation of this section or of any offense of violence, if 400
the weapon involved is a firearm that is either loaded or for 401
which the offender has ammunition ready at hand, or if the 402
weapon involved is dangerous ordnance, carrying concealed 403
weapons in violation of division (A) of this section is a felony 404
of the fourth degree. Except as otherwise provided in ~~division-~~ 405
divisions (F) (2) and (6) of this section, if the offense is 406
committed aboard an aircraft, or with purpose to carry a 407
concealed weapon aboard an aircraft, regardless of the weapon 408
involved, carrying concealed weapons in violation of division 409
(A) of this section is a felony of the third degree. 410

(2) ~~If~~ Except as provided in division (F) (6) of this 411
section, if a person being arrested for a violation of division 412
(A) (2) of this section promptly produces a valid concealed 413
handgun license, and if at the time of the violation the person 414
was not knowingly in a place described in division (B) of 415
section 2923.126 of the Revised Code, the officer shall not 416
arrest the person for a violation of that division. If the 417
person is not able to promptly produce any concealed handgun 418
license and if the person is not in a place described in that 419
section, the officer may arrest the person for a violation of 420
that division, and the offender shall be punished as follows: 421

(a) The offender shall be guilty of a minor misdemeanor if 422
both of the following apply: 423

(i) Within ten days after the arrest, the offender 424
presents a concealed handgun license, which license was valid at 425
the time of the arrest to the law enforcement agency that 426
employs the arresting officer. 427

(ii) At the time of the arrest, the offender was not 428

knowingly in a place described in division (B) of section 429
2923.126 of the Revised Code. 430

(b) The offender shall be guilty of a misdemeanor and 431
shall be fined five hundred dollars if all of the following 432
apply: 433

(i) The offender previously had been issued a concealed 434
handgun license, and that license expired within the two years 435
immediately preceding the arrest. 436

(ii) Within forty-five days after the arrest, the offender 437
presents a concealed handgun license to the law enforcement 438
agency that employed the arresting officer, and the offender 439
waives in writing the offender's right to a speedy trial on the 440
charge of the violation that is provided in section 2945.71 of 441
the Revised Code. 442

(iii) At the time of the commission of the offense, the 443
offender was not knowingly in a place described in division (B) 444
of section 2923.126 of the Revised Code. 445

(c) If ~~neither division divisions~~ (F) (2) (a) ~~nor and~~ (b) 446
~~and (F) (6)~~ of this section ~~applies do not apply~~, the offender 447
shall be punished under division (F) (1) of this section. 448

(3) Except as otherwise provided in this division, 449
carrying concealed weapons in violation of division (B) (1) of 450
this section is a misdemeanor of the first degree, and, in 451
addition to any other penalty or sanction imposed for a 452
violation of division (B) (1) of this section, the offender's 453
concealed handgun license shall be suspended pursuant to 454
division (A) (2) of section 2923.128 of the Revised Code. If, at 455
the time of the stop of the offender for a law enforcement 456
purpose that was the basis of the violation, any law enforcement 457

officer involved with the stop had actual knowledge that the 458
offender has been issued a concealed handgun license, carrying 459
concealed weapons in violation of division (B) (1) of this 460
section is a minor misdemeanor, and the offender's concealed 461
handgun license shall not be suspended pursuant to division (A) 462
(2) of section 2923.128 of the Revised Code. 463

(4) Carrying concealed weapons in violation of division 464
(B) (2) or (4) of this section is a misdemeanor of the first 465
degree or, if the offender previously has been convicted of or 466
pleaded guilty to a violation of division (B) (2) or (4) of this 467
section, a felony of the fifth degree. In addition to any other 468
penalty or sanction imposed for a misdemeanor violation of 469
division (B) (2) or (4) of this section, the offender's concealed 470
handgun license shall be suspended pursuant to division (A) (2) 471
of section 2923.128 of the Revised Code. 472

(5) Carrying concealed weapons in violation of division 473
(B) (3) of this section is a felony of the fifth degree. 474

(6) If a person being arrested for a violation of division 475
(A) (2) of this section is an active duty member of the armed 476
forces of the United States and is carrying a valid military 477
identification card and documentation of successful completion 478
of firearms training that meets or exceeds the training 479
requirements described in division (G) (1) of section 2923.125 of 480
the Revised Code, and if at the time of the violation the person 481
was not knowingly in a place described in division (B) of 482
section 2923.126 of the Revised Code, the officer shall not 483
arrest the person for a violation of that division. If the 484
person is not able to promptly produce a valid military 485
identification card and documentation of successful completion 486
of firearms training that meets or exceeds the training 487

requirements described in division (G) (1) of section 2923.125 of 488
the Revised Code and if the person is not in a place described 489
in division (B) of section 2923.126 of the Revised Code, the 490
officer shall issue a citation and the offender shall be 491
assessed a civil penalty of not more than five hundred dollars. 492
The citation shall be automatically dismissed and the civil 493
penalty shall not be assessed if both of the following apply: 494

(a) Within ten days after the issuance of the citation, 495
the offender presents a valid military identification card and 496
documentation of successful completion of firearms training that 497
meets or exceeds the training requirements described in division 498
(G) (1) of section 2923.125 of the Revised Code, which were both 499
valid at the time of the issuance of the citation to the law 500
enforcement agency that employs the citing officer. 501

(b) At the time of the citation, the offender was not 502
knowingly in a place described in division (B) of section 503
2923.126 of the Revised Code. 504

(G) If a law enforcement officer stops a person to 505
question the person regarding a possible violation of this 506
section, for a traffic stop, or for any other law enforcement 507
purpose, if the person surrenders a firearm to the officer, 508
either voluntarily or pursuant to a request or demand of the 509
officer, and if the officer does not charge the person with a 510
violation of this section or arrest the person for any offense, 511
the person is not otherwise prohibited by law from possessing 512
the firearm, and the firearm is not contraband, the officer 513
shall return the firearm to the person at the termination of the 514
stop. If a court orders a law enforcement officer to return a 515
firearm to a person pursuant to the requirement set forth in 516
this division, division (B) of section 2923.163 of the Revised 517

Code applies.	518
Sec. 2923.121. (A) No person shall possess a firearm in	519
any room in which any person is consuming beer or intoxicating	520
liquor in a premises for which a D permit has been issued under	521
Chapter 4303. of the Revised Code or in an open air arena for	522
which a permit of that nature has been issued.	523
(B) (1) This section does not apply to any of the	524
following:	525
(a) An officer, agent, or employee of this or any other	526
state or the United States, or to a law enforcement officer, who	527
is authorized to carry firearms and is acting within the scope	528
of the officer's, agent's, or employee's duties;	529
(b) Any person who is employed in this state, who is	530
authorized to carry firearms, and who is subject to and in	531
compliance with the requirements of section 109.801 of the	532
Revised Code, unless the appointing authority of the person has	533
expressly specified that the exemption provided in division (B)	534
(1) (b) of this section does not apply to the person;	535
(c) Any room used for the accommodation of guests of a	536
hotel, as defined in section 4301.01 of the Revised Code;	537
(d) The principal holder of a D permit issued for a	538
premises or an open air arena under Chapter 4303. of the Revised	539
Code while in the premises or open air arena for which the	540
permit was issued if the principal holder of the D permit also	541
possesses a valid concealed handgun license and as long as the	542
principal holder is not consuming beer or intoxicating liquor or	543
under the influence of alcohol or a drug of abuse, or any agent	544
or employee of that holder who also is a peace officer, as	545
defined in section 2151.3515 of the Revised Code, who is off	546

duty, and who otherwise is authorized to carry firearms while in 547
the course of the officer's official duties and while in the 548
premises or open air arena for which the permit was issued and 549
as long as the agent or employee of that holder is not consuming 550
beer or intoxicating liquor or under the influence of alcohol or 551
a drug of abuse. 552

(e) Any person who is carrying a valid concealed handgun 553
license or any person who is an active duty member of the armed 554
forces of the United States and is carrying a valid military 555
identification card and documentation of successful completion 556
of firearms training that meets or exceeds the training 557
requirements described in division (G)(1) of section 2923.125 of 558
the Revised Code, as long as the person is not consuming beer or 559
intoxicating liquor or under the influence of alcohol or a drug 560
of abuse. 561

(2) This section does not prohibit any person who is a 562
member of a veteran's organization, as defined in section 563
2915.01 of the Revised Code, from possessing a rifle in any room 564
in any premises owned, leased, or otherwise under the control of 565
the veteran's organization, if the rifle is not loaded with live 566
ammunition and if the person otherwise is not prohibited by law 567
from having the rifle. 568

(3) This section does not apply to any person possessing 569
or displaying firearms in any room used to exhibit unloaded 570
firearms for sale or trade in a soldiers' memorial established 571
pursuant to Chapter 345. of the Revised Code, in a convention 572
center, or in any other public meeting place, if the person is 573
an exhibitor, trader, purchaser, or seller of firearms and is 574
not otherwise prohibited by law from possessing, trading, 575
purchasing, or selling the firearms. 576

(C) It is an affirmative defense to a charge under this 577
section of illegal possession of a firearm in a liquor permit 578
premises that involves the possession of a firearm other than a 579
handgun, that the actor was not otherwise prohibited by law from 580
having the firearm, and that any of the following apply: 581

(1) The firearm was carried or kept ready at hand by the 582
actor for defensive purposes, while the actor was engaged in or 583
was going to or from the actor's lawful business or occupation, 584
which business or occupation was of such character or was 585
necessarily carried on in such manner or at such a time or place 586
as to render the actor particularly susceptible to criminal 587
attack, such as would justify a prudent person in going armed. 588

(2) The firearm was carried or kept ready at hand by the 589
actor for defensive purposes, while the actor was engaged in a 590
lawful activity, and had reasonable cause to fear a criminal 591
attack upon the actor or a member of the actor's family, or upon 592
the actor's home, such as would justify a prudent person in 593
going armed. 594

(D) No person who is charged with a violation of this 595
section shall be required to obtain a concealed handgun license 596
as a condition for the dismissal of the charge. 597

(E) Whoever violates this section is guilty of illegal 598
possession of a firearm in a liquor permit premises. Except as 599
otherwise provided in this division, illegal possession of a 600
firearm in a liquor permit premises is a felony of the fifth 601
degree. If the offender commits the violation of this section by 602
knowingly carrying or having the firearm concealed on the 603
offender's person or concealed ready at hand, illegal possession 604
of a firearm in a liquor permit premises is a felony of the 605
third degree. 606

(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.

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

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

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

who conveys or possesses the deadly weapon or dangerous ordnance 636
in accordance with that authorization; 637

(b) Any person who is employed in this state, who is 638
authorized to carry deadly weapons or dangerous ordnance, and 639
who is subject to and in compliance with the requirements of 640
section 109.801 of the Revised Code, unless the appointing 641
authority of the person has expressly specified that the 642
exemption provided in division (D) (1) (b) of this section does 643
not apply to the person. 644

(2) Division (C) of this section does not apply to 645
premises upon which home schooling is conducted. Division (C) of 646
this section also does not apply to a school administrator, 647
teacher, or employee who possesses an object that is 648
indistinguishable from a firearm for legitimate school purposes 649
during the course of employment, a student who uses an object 650
that is indistinguishable from a firearm under the direction of 651
a school administrator, teacher, or employee, or any other 652
person who with the express prior approval of a school 653
administrator possesses an object that is indistinguishable from 654
a firearm for a legitimate purpose, including the use of the 655
object in a ceremonial activity, a play, reenactment, or other 656
dramatic presentation, or a ROTC activity or another similar use 657
of the object. 658

(3) This section does not apply to a person who conveys or 659
attempts to convey a handgun into, or possesses a handgun in, a 660
school safety zone if, at the time of that conveyance, attempted 661
conveyance, or possession of the handgun, all of the following 662
apply: 663

(a) The person does not enter into a school building or 664
onto school premises and is not at a school activity. 665

(b) The person is carrying a valid concealed handgun 666
license or the person is an active duty member of the armed 667
forces of the United States and is carrying a valid military 668
identification card and documentation of successful completion 669
of firearms training that meets or exceeds the training 670
requirements described in division (G)(1) of section 2923.125 of 671
the Revised Code. 672

(c) The person is in the school safety zone in accordance 673
with 18 U.S.C. 922(q)(2)(B). 674

(d) The person is not knowingly in a place described in 675
division (B)(1) or (B)(3) to (10) of section 2923.126 of the 676
Revised Code. 677

(4) This section does not apply to a person who conveys or 678
attempts to convey a handgun into, or possesses a handgun in, a 679
school safety zone if at the time of that conveyance, attempted 680
conveyance, or possession of the handgun all of the following 681
apply: 682

(a) The person is carrying a valid concealed handgun 683
license or the person is an active duty member of the armed 684
forces of the United States and is carrying a valid military 685
identification card and documentation of successful completion 686
of firearms training that meets or exceeds the training 687
requirements described in division (G)(1) of section 2923.125 of 688
the Revised Code. 689

(b) The person is the driver or passenger in a motor 690
vehicle and is in the school safety zone while immediately in 691
the process of picking up or dropping off a child. 692

(c) The person is not in violation of section 2923.16 of 693
the Revised Code. 694

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

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

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

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

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

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

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

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

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

courtroom is located.	755
(C) This section does not apply to any of the following:	756
(1) Except as provided in division (E) of this section, a judge of a court of record of this state or a magistrate;	757 758
(2) A peace officer, officer of a law enforcement agency, or person who is in either of the following categories:	759 760
(a) Except as provided in division (E) of this section, a peace officer, or an officer of a law enforcement agency of another state, a political subdivision of another state, or the United States, who is authorized to carry a deadly weapon or dangerous ordnance, who possesses or has under that individual's control a deadly weapon or dangerous ordnance as a requirement of that individual's duties, and who is acting within the scope of that individual's duties at the time of that possession or control;	761 762 763 764 765 766 767 768 769
(b) Except as provided in division (E) of this section, a person who is employed in this state, who is authorized to carry a deadly weapon or dangerous ordnance, who possesses or has under that individual's control a deadly weapon or dangerous ordnance as a requirement of that person's duties, and who is subject to and in compliance with the requirements of section 109.801 of the Revised Code, unless the appointing authority of the person has expressly specified that the exemption provided in division (C) (2) (b) of this section does not apply to the person.	770 771 772 773 774 775 776 777 778 779
(3) A person who conveys, attempts to convey, possesses, or has under the person's control a deadly weapon or dangerous ordnance that is to be used as evidence in a pending criminal or civil action or proceeding;	780 781 782 783

(4) Except as provided in division (E) of this section, a 784
bailiff or deputy bailiff of a court of record of this state who 785
is authorized to carry a firearm pursuant to section 109.77 of 786
the Revised Code, who possesses or has under that individual's 787
control a firearm as a requirement of that individual's duties, 788
and who is acting within the scope of that individual's duties 789
at the time of that possession or control; 790

(5) Except as provided in division (E) of this section, a 791
prosecutor, or a secret service officer appointed by a county 792
prosecuting attorney, who is authorized to carry a deadly weapon 793
or dangerous ordnance in the performance of the individual's 794
duties, who possesses or has under that individual's control a 795
deadly weapon or dangerous ordnance as a requirement of that 796
individual's duties, and who is acting within the scope of that 797
individual's duties at the time of that possession or control; 798

(6) Except as provided in division (E) of this section, a 799
person who conveys or attempts to convey a handgun into a 800
courthouse or into another building or structure in which a 801
courtroom is located, who, at the time of the conveyance or 802
attempt, either is carrying a valid concealed handgun license or 803
is an active duty member of the armed forces of the United 804
States and is carrying a valid military identification card and 805
documentation of successful completion of firearms training that 806
meets or exceeds the training requirements described in division 807
(G) (1) of section 2923.125 of the Revised Code, and who 808
transfers possession of the handgun to the officer or officer's 809
designee who has charge of the courthouse or building. The 810
officer shall secure the handgun until the licensee is prepared 811
to leave the premises. The exemption described in this division 812
applies only if the officer who has charge of the courthouse or 813
building provides services of the nature described in this 814

division. An officer who has charge of the courthouse or 815
building is not required to offer services of the nature 816
described in this division. 817

(D) (1) Whoever violates division (A) of this section is 818
guilty of illegal conveyance of a deadly weapon or dangerous 819
ordnance into a courthouse. Except as otherwise provided in this 820
division, illegal conveyance of a deadly weapon or dangerous 821
ordnance into a courthouse is a felony of the fifth degree. If 822
the offender previously has been convicted of a violation of 823
division (A) or (B) of this section, illegal conveyance of a 824
deadly weapon or dangerous ordnance into a courthouse is a 825
felony of the fourth degree. 826

(2) Whoever violates division (B) of this section is 827
guilty of illegal possession or control of a deadly weapon or 828
dangerous ordnance in a courthouse. Except as otherwise provided 829
in this division, illegal possession or control of a deadly 830
weapon or dangerous ordnance in a courthouse is a felony of the 831
fifth degree. If the offender previously has been convicted of a 832
violation of division (A) or (B) of this section, illegal 833
possession or control of a deadly weapon or dangerous ordnance 834
in a courthouse is a felony of the fourth degree. 835

(E) The exemptions described in divisions (C) (1), (2) (a), 836
(2) (b), (4), (5), and (6) of this section do not apply to any 837
judge, magistrate, peace officer, officer of a law enforcement 838
agency, bailiff, deputy bailiff, prosecutor, secret service 839
officer, or other person described in any of those divisions if 840
a rule of superintendence or another type of rule adopted by the 841
supreme court pursuant to Article IV, Ohio Constitution, or an 842
applicable local rule of court prohibits all persons from 843
conveying or attempting to convey a deadly weapon or dangerous 844

ordnance into a courthouse or into another building or structure 845
in which a courtroom is located or from possessing or having 846
under one's control a deadly weapon or dangerous ordnance in a 847
courthouse or in another building or structure in which a 848
courtroom is located. 849

(F) As used in this section: 850

(1) "Magistrate" means an individual who is appointed by a 851
court of record of this state and who has the powers and may 852
perform the functions specified in Civil Rule 53, Criminal Rule 853
19, or Juvenile Rule 40. 854

(2) "Peace officer" and "prosecutor" have the same 855
meanings as in section 2935.01 of the Revised Code. 856

Sec. 2923.126. (A) A concealed handgun license that is 857
issued under section 2923.125 of the Revised Code shall expire 858
five years after the date of issuance. A licensee who has been 859
issued a license under that section shall be granted a grace 860
period of thirty days after the licensee's license expires 861
during which the licensee's license remains valid. Except as 862
provided in divisions (B) and (C) of this section, a licensee 863
who has been issued a concealed handgun license under section 864
2923.125 or 2923.1213 of the Revised Code may carry a concealed 865
handgun anywhere in this state if the licensee also carries a 866
valid license and valid identification when the licensee is in 867
actual possession of a concealed handgun. The licensee shall 868
give notice of any change in the licensee's residence address to 869
the sheriff who issued the license within forty-five days after 870
that change. 871

If a licensee is the driver or an occupant of a motor 872
vehicle that is stopped as the result of a traffic stop or a 873

stop for another law enforcement purpose and if the licensee is 874
transporting or has a loaded handgun in the motor vehicle at 875
that time, the licensee shall promptly inform any law 876
enforcement officer who approaches the vehicle while stopped 877
that the licensee has been issued a concealed handgun license 878
and that the licensee currently possesses or has a loaded 879
handgun; the licensee shall not knowingly disregard or fail to 880
comply with lawful orders of a law enforcement officer given 881
while the motor vehicle is stopped, knowingly fail to remain in 882
the motor vehicle while stopped, or knowingly fail to keep the 883
licensee's hands in plain sight after any law enforcement 884
officer begins approaching the licensee while stopped and before 885
the officer leaves, unless directed otherwise by a law 886
enforcement officer; and the licensee shall not knowingly have 887
contact with the loaded handgun by touching it with the 888
licensee's hands or fingers, in any manner in violation of 889
division (E) of section 2923.16 of the Revised Code, after any 890
law enforcement officer begins approaching the licensee while 891
stopped and before the officer leaves. Additionally, if a 892
licensee is the driver or an occupant of a commercial motor 893
vehicle that is stopped by an employee of the motor carrier 894
enforcement unit for the purposes defined in section ~~5503.04~~ 895
5503.34 of the Revised Code and if the licensee is transporting 896
or has a loaded handgun in the commercial motor vehicle at that 897
time, the licensee shall promptly inform the employee of the 898
unit who approaches the vehicle while stopped that the licensee 899
has been issued a concealed handgun license and that the 900
licensee currently possesses or has a loaded handgun. 901

If a licensee is stopped for a law enforcement purpose and 902
if the licensee is carrying a concealed handgun at the time the 903
officer approaches, the licensee shall promptly inform any law 904

enforcement officer who approaches the licensee while stopped 905
that the licensee has been issued a concealed handgun license 906
and that the licensee currently is carrying a concealed handgun; 907
the licensee shall not knowingly disregard or fail to comply 908
with lawful orders of a law enforcement officer given while the 909
licensee is stopped or knowingly fail to keep the licensee's 910
hands in plain sight after any law enforcement officer begins 911
approaching the licensee while stopped and before the officer 912
leaves, unless directed otherwise by a law enforcement officer; 913
and the licensee shall not knowingly remove, attempt to remove, 914
grasp, or hold the loaded handgun or knowingly have contact with 915
the loaded handgun by touching it with the licensee's hands or 916
fingers, in any manner in violation of division (B) of section 917
2923.12 of the Revised Code, after any law enforcement officer 918
begins approaching the licensee while stopped and before the 919
officer leaves. 920

(B) A valid concealed handgun license does not authorize 921
the licensee to carry a concealed handgun in any manner 922
prohibited under division (B) of section 2923.12 of the Revised 923
Code or in any manner prohibited under section 2923.16 of the 924
Revised Code. A valid license does not authorize the licensee to 925
carry a concealed handgun into any of the following places: 926

(1) A police station, sheriff's office, or state highway 927
patrol station, premises controlled by the bureau of criminal 928
identification and investigation, a state correctional 929
institution, jail, workhouse, or other detention facility, an 930
airport passenger terminal, or an institution that is 931
maintained, operated, managed, and governed pursuant to division 932
(A) of section 5119.14 of the Revised Code or division (A) (1) of 933
section 5123.03 of the Revised Code; 934

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

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

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

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

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

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

(8) An aircraft that is in, or intended for operation in,

foreign air transportation, interstate air transportation, 964
intrastate air transportation, or the transportation of mail by 965
aircraft; 966

(9) Any building that is a government facility of this 967
state or a political subdivision of this state and that is not a 968
building that is used primarily as a shelter, restroom, parking 969
facility for motor vehicles, or rest facility and is not a 970
courthouse or other building or structure in which a courtroom 971
is located that is subject to division (B)(3) of this section; 972

(10) A place in which federal law prohibits the carrying 973
of handguns. 974

(C)(1) Nothing in this section shall negate or restrict a 975
rule, policy, or practice of a private employer that is not a 976
private college, university, or other institution of higher 977
education concerning or prohibiting the presence of firearms on 978
the private employer's premises or property, including motor 979
vehicles owned by the private employer. Nothing in this section 980
shall require a private employer of that nature to adopt a rule, 981
policy, or practice concerning or prohibiting the presence of 982
firearms on the private employer's premises or property, 983
including motor vehicles owned by the private employer. 984

(2)(a) A private employer shall be immune from liability 985
in a civil action for any injury, death, or loss to person or 986
property that allegedly was caused by or related to a licensee 987
bringing a handgun onto the premises or property of the private 988
employer, including motor vehicles owned by the private 989
employer, unless the private employer acted with malicious 990
purpose. A private employer is immune from liability in a civil 991
action for any injury, death, or loss to person or property that 992
allegedly was caused by or related to the private employer's 993

decision to permit a licensee to bring, or prohibit a licensee 994
from bringing, a handgun onto the premises or property of the 995
private employer. As used in this division, "private employer" 996
includes a private college, university, or other institution of 997
higher education. 998

(b) A political subdivision shall be immune from liability 999
in a civil action, to the extent and in the manner provided in 1000
Chapter 2744. of the Revised Code, for any injury, death, or 1001
loss to person or property that allegedly was caused by or 1002
related to a licensee bringing a handgun onto any premises or 1003
property owned, leased, or otherwise under the control of the 1004
political subdivision. As used in this division, "political 1005
subdivision" has the same meaning as in section 2744.01 of the 1006
Revised Code. 1007

(3) (a) Except as provided in division (C) (3) (b) of this 1008
section, the owner or person in control of private land or 1009
premises, and a private person or entity leasing land or 1010
premises owned by the state, the United States, or a political 1011
subdivision of the state or the United States, may post a sign 1012
in a conspicuous location on that land or on those premises 1013
prohibiting persons from carrying firearms or concealed firearms 1014
on or onto that land or those premises. Except as otherwise 1015
provided in this division, a person who knowingly violates a 1016
posted prohibition of that nature is guilty of criminal trespass 1017
in violation of division (A) (4) of section 2911.21 of the 1018
Revised Code and is guilty of a misdemeanor of the fourth 1019
degree. If a person knowingly violates a posted prohibition of 1020
that nature and the posted land or premises primarily was a 1021
parking lot or other parking facility, the person is not guilty 1022
of criminal trespass under section 2911.21 of the Revised Code 1023
or under any other criminal law of this state or criminal law, 1024

ordinance, or resolution of a political subdivision of this 1025
state, and instead is subject only to a civil cause of action 1026
for trespass based on the violation. 1027

(b) A landlord may not prohibit or restrict a tenant who 1028
is a licensee and who on or after September 9, 2008, enters into 1029
a rental agreement with the landlord for the use of residential 1030
premises, and the tenant's guest while the tenant is present, 1031
from lawfully carrying or possessing a handgun on those 1032
residential premises. 1033

(c) As used in division (C) (3) of this section: 1034

(i) "Residential premises" has the same meaning as in 1035
section 5321.01 of the Revised Code, except "residential 1036
premises" does not include a dwelling unit that is owned or 1037
operated by a college or university. 1038

(ii) "Landlord," "tenant," and "rental agreement" have the 1039
same meanings as in section 5321.01 of the Revised Code. 1040

(D) A person who holds a valid concealed handgun license 1041
issued by another state that is recognized by the attorney 1042
general pursuant to a reciprocity agreement entered into 1043
pursuant to section 109.69 of the Revised Code or a person who 1044
holds a valid concealed handgun license under the circumstances 1045
described in division (B) of section 109.69 of the Revised Code 1046
has the same right to carry a concealed handgun in this state as 1047
a person who was issued a concealed handgun license under 1048
section 2923.125 of the Revised Code and is subject to the same 1049
restrictions that apply to a person who carries a license issued 1050
under that section. 1051

(E) (1) A peace officer has the same right to carry a 1052
concealed handgun in this state as a person who was issued a 1053

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 1084
that agency, if the issuance is in accordance with the agency's 1085
policies and procedures and if the person, with respect to the 1086
person's service with that agency, satisfies all of the 1087
following: 1088

(i) The person retired in good standing from service as a 1089
peace officer with the public agency, and the retirement was not 1090
for reasons of mental instability. 1091

(ii) Before retiring from service as a peace officer with 1092
that agency, the person was authorized to engage in or supervise 1093
the prevention, detection, investigation, or prosecution of, or 1094
the incarceration of any person for, any violation of law and 1095
the person had statutory powers of arrest. 1096

(iii) At the time of the person's retirement as a peace 1097
officer with that agency, the person was trained and qualified 1098
to carry firearms in the performance of the peace officer's 1099
duties. 1100

(iv) Before retiring from service as a peace officer with 1101
that agency, the person was regularly employed as a peace 1102
officer for an aggregate of fifteen years or more, or, in the 1103
alternative, the person retired from service as a peace officer 1104
with that agency, after completing any applicable probationary 1105
period of that service, due to a service-connected disability, 1106
as determined by the agency. 1107

(b) A retired peace officer identification card issued to 1108
a person under division (F)(2)(a) of this section shall identify 1109
the person by name, contain a photograph of the person, identify 1110
the public agency of this state or of the political subdivision 1111
of this state from which the person retired as a peace officer 1112

and that is issuing the identification card, and specify that 1113
the person retired in good standing from service as a peace 1114
officer with the issuing public agency and satisfies the 1115
criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 1116
section. In addition to the required content specified in this 1117
division, a retired peace officer identification card issued to 1118
a person under division (F) (2) (a) of this section may include 1119
the firearms requalification certification described in division 1120
(F) (3) of this section, and if the identification card includes 1121
that certification, the identification card shall serve as the 1122
firearms requalification certification for the retired peace 1123
officer. If the issuing public agency issues credentials to 1124
active law enforcement officers who serve the agency, the agency 1125
may comply with division (F) (2) (a) of this section by issuing 1126
the same credentials to persons who retired from service as a 1127
peace officer with the agency and who satisfy the criteria set 1128
forth in divisions (F) (2) (a) (i) to (iv) of this section, 1129
provided that the credentials so issued to retired peace 1130
officers are stamped with the word "RETIRED." 1131

(c) A public agency of this state or of a political 1132
subdivision of this state may charge persons who retired from 1133
service as a peace officer with the agency a reasonable fee for 1134
issuing to the person a retired peace officer identification 1135
card pursuant to division (F) (2) (a) of this section. 1136

(3) If a person retired from service as a peace officer 1137
with a public agency of this state or of a political subdivision 1138
of this state and the person satisfies the criteria set forth in 1139
divisions (F) (2) (a) (i) to (iv) of this section, the public 1140
agency may provide the retired peace officer with the 1141
opportunity to attend a firearms requalification program that is 1142
approved for purposes of firearms requalification required under 1143

section 109.801 of the Revised Code. The retired peace officer 1144
may be required to pay the cost of the course. 1145

If a retired peace officer who satisfies the criteria set 1146
forth in divisions (F) (2) (a) (i) to (iv) of this section attends 1147
a firearms requalification program that is approved for purposes 1148
of firearms requalification required under section 109.801 of 1149
the Revised Code, the retired peace officer's successful 1150
completion of the firearms requalification program requalifies 1151
the retired peace officer for purposes of division (F) of this 1152
section for five years from the date on which the program was 1153
successfully completed, and the requalification is valid during 1154
that five-year period. If a retired peace officer who satisfies 1155
the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 1156
section satisfactorily completes such a firearms requalification 1157
program, the retired peace officer shall be issued a firearms 1158
requalification certification that identifies the retired peace 1159
officer by name, identifies the entity that taught the program, 1160
specifies that the retired peace officer successfully completed 1161
the program, specifies the date on which the course was 1162
successfully completed, and specifies that the requalification 1163
is valid for five years from that date of successful completion. 1164
The firearms requalification certification for a retired peace 1165
officer may be included in the retired peace officer 1166
identification card issued to the retired peace officer under 1167
division (F) (2) of this section. 1168

A retired peace officer who attends a firearms 1169
requalification program that is approved for purposes of 1170
firearms requalification required under section 109.801 of the 1171
Revised Code may be required to pay the cost of the program. 1172

(G) As used in this section: 1173

(1) "Qualified retired peace officer" means a person who 1174
satisfies all of the following: 1175

(a) The person satisfies the criteria set forth in 1176
divisions (F) (2) (a) (i) to (v) of this section. 1177

(b) The person is not under the influence of alcohol or 1178
another intoxicating or hallucinatory drug or substance. 1179

(c) The person is not prohibited by federal law from 1180
receiving firearms. 1181

(2) "Retired peace officer identification card" means an 1182
identification card that is issued pursuant to division (F) (2) 1183
of this section to a person who is a retired peace officer. 1184

(3) "Government facility of this state or a political 1185
subdivision of this state" means any of the following: 1186

(a) A building or part of a building that is owned or 1187
leased by the government of this state or a political 1188
subdivision of this state and where employees of the government 1189
of this state or the political subdivision regularly are present 1190
for the purpose of performing their official duties as employees 1191
of the state or political subdivision; 1192

(b) The office of a deputy registrar serving pursuant to 1193
Chapter 4503. of the Revised Code that is used to perform deputy 1194
registrar functions. 1195

Sec. 2923.16. (A) No person shall knowingly discharge a 1196
firearm while in or on a motor vehicle. 1197

(B) No person shall knowingly transport or have a loaded 1198
firearm in a motor vehicle in such a manner that the firearm is 1199
accessible to the operator or any passenger without leaving the 1200
vehicle. 1201

(C) No person shall knowingly transport or have a firearm 1202
in a motor vehicle, unless the person may lawfully possess that 1203
firearm under applicable law of this state or the United States, 1204
the firearm is unloaded, and the firearm is carried in one of 1205
the following ways: 1206

(1) In a closed package, box, or case; 1207

(2) In a compartment that can be reached only by leaving 1208
the vehicle; 1209

(3) In plain sight and secured in a rack or holder made 1210
for the purpose; 1211

(4) If the firearm is at least twenty-four inches in 1212
overall length as measured from the muzzle to the part of the 1213
stock furthest from the muzzle and if the barrel is at least 1214
eighteen inches in length, either in plain sight with the action 1215
open or the weapon stripped, or, if the firearm is of a type on 1216
which the action will not stay open or which cannot easily be 1217
stripped, in plain sight. 1218

(D) No person shall knowingly transport or have a loaded 1219
handgun in a motor vehicle if, at the time of that 1220
transportation or possession, any of the following applies: 1221

(1) The person is under the influence of alcohol, a drug 1222
of abuse, or a combination of them. 1223

(2) The person's whole blood, blood serum or plasma, 1224
breath, or urine contains a concentration of alcohol, a listed 1225
controlled substance, or a listed metabolite of a controlled 1226
substance prohibited for persons operating a vehicle, as 1227
specified in division (A) of section 4511.19 of the Revised 1228
Code, regardless of whether the person at the time of the 1229
transportation or possession as described in this division is 1230

the operator of or a passenger in the motor vehicle. 1231

(E) No person who has been issued a concealed handgun 1232
license or who is an active duty member of the armed forces of 1233
the United States and is carrying a valid military 1234
identification card and documentation of successful completion 1235
of firearms training that meets or exceeds the training 1236
requirements described in division (G) (1) of section 2923.125 of 1237
the Revised Code, who is the driver or an occupant of a motor 1238
vehicle that is stopped as a result of a traffic stop or a stop 1239
for another law enforcement purpose or is the driver or an 1240
occupant of a commercial motor vehicle that is stopped by an 1241
employee of the motor carrier enforcement unit for the purposes 1242
defined in section 5503.34 of the Revised Code, and who is 1243
transporting or has a loaded handgun in the motor vehicle or 1244
commercial motor vehicle in any manner, shall do any of the 1245
following: 1246

(1) Fail to promptly inform any law enforcement officer 1247
who approaches the vehicle while stopped that the person has 1248
been issued a concealed handgun license and that the person then 1249
possesses or has a loaded handgun in the motor vehicle; 1250

(2) Fail to promptly inform the employee of the unit who 1251
approaches the vehicle while stopped that the person has been 1252
issued a concealed handgun license and that the person then 1253
possesses or has a loaded handgun in the commercial motor 1254
vehicle; 1255

(3) Knowingly fail to remain in the motor vehicle while 1256
stopped or knowingly fail to keep the person's hands in plain 1257
sight at any time after any law enforcement officer begins 1258
approaching the person while stopped and before the law 1259
enforcement officer leaves, unless the failure is pursuant to 1260

and in accordance with directions given by a law enforcement officer; 1261
1262

(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; 1263
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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. 1270
1271
1272
1273

(F)(1) Divisions (A), (B), (C), and (E) of this section do not apply to any of the following: 1274
1275

(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; 1276
1277
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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. 1281
1282
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(2) Division (A) of this section does not apply to a person if all of the following circumstances apply: 1288
1289

(a) The person discharges a firearm from a motor vehicle 1290
at a coyote or groundhog, the discharge is not during the deer 1291
gun hunting season as set by the chief of the division of 1292
wildlife of the department of natural resources, and the 1293
discharge at the coyote or groundhog, but for the operation of 1294
this section, is lawful. 1295

(b) The motor vehicle from which the person discharges the 1296
firearm is on real property that is located in an unincorporated 1297
area of a township and that either is zoned for agriculture or 1298
is used for agriculture. 1299

(c) The person owns the real property described in 1300
division (F) (2) (b) of this section, is the spouse or a child of 1301
another person who owns that real property, is a tenant of 1302
another person who owns that real property, or is the spouse or 1303
a child of a tenant of another person who owns that real 1304
property. 1305

(d) The person does not discharge the firearm in any of 1306
the following manners: 1307

(i) While under the influence of alcohol, a drug of abuse, 1308
or alcohol and a drug of abuse; 1309

(ii) In the direction of a street, highway, or other 1310
public or private property used by the public for vehicular 1311
traffic or parking; 1312

(iii) At or into an occupied structure that is a permanent 1313
or temporary habitation; 1314

(iv) In the commission of any violation of law, including, 1315
but not limited to, a felony that includes, as an essential 1316
element, purposely or knowingly causing or attempting to cause 1317
the death of or physical harm to another and that was committed 1318

by discharging a firearm from a motor vehicle. 1319

(3) Division (A) of this section does not apply to a 1320
person if all of the following apply: 1321

(a) The person possesses a valid electric-powered all- 1322
purpose vehicle permit issued under section 1533.103 of the 1323
Revised Code by the chief of the division of wildlife. 1324

(b) The person discharges a firearm at a wild quadruped or 1325
game bird as defined in section 1531.01 of the Revised Code 1326
during the open hunting season for the applicable wild quadruped 1327
or game bird. 1328

(c) The person discharges a firearm from a stationary 1329
electric-powered all-purpose vehicle as defined in section 1330
1531.01 of the Revised Code or a motor vehicle that is parked on 1331
a road that is owned or administered by the division of 1332
wildlife, provided that the road is identified by an electric- 1333
powered all-purpose vehicle sign. 1334

(d) The person does not discharge the firearm in any of 1335
the following manners: 1336

(i) While under the influence of alcohol, a drug of abuse, 1337
or alcohol and a drug of abuse; 1338

(ii) In the direction of a street, a highway, or other 1339
public or private property that is used by the public for 1340
vehicular traffic or parking; 1341

(iii) At or into an occupied structure that is a permanent 1342
or temporary habitation; 1343

(iv) In the commission of any violation of law, including, 1344
but not limited to, a felony that includes, as an essential 1345
element, purposely or knowingly causing or attempting to cause 1346

the death of or physical harm to another and that was committed 1347
by discharging a firearm from a motor vehicle. 1348

(4) Divisions (B) and (C) of this section do not apply to 1349
a person if all of the following circumstances apply: 1350

(a) At the time of the alleged violation of either of 1351
those divisions, the person is the operator of or a passenger in 1352
a motor vehicle. 1353

(b) The motor vehicle is on real property that is located 1354
in an unincorporated area of a township and that either is zoned 1355
for agriculture or is used for agriculture. 1356

(c) The person owns the real property described in 1357
division (D) (4) (b) of this section, is the spouse or a child of 1358
another person who owns that real property, is a tenant of 1359
another person who owns that real property, or is the spouse or 1360
a child of a tenant of another person who owns that real 1361
property. 1362

(d) The person, prior to arriving at the real property 1363
described in division (D) (4) (b) of this section, did not 1364
transport or possess a firearm in the motor vehicle in a manner 1365
prohibited by division (B) or (C) of this section while the 1366
motor vehicle was being operated on a street, highway, or other 1367
public or private property used by the public for vehicular 1368
traffic or parking. 1369

(5) Divisions (B) and (C) of this section do not apply to 1370
a person who transports or possesses a handgun in a motor 1371
vehicle if, at the time of that transportation or possession, 1372
both of the following apply: 1373

(a) The person transporting or possessing the handgun is 1374
either carrying a valid concealed handgun license or is an 1375

active duty member of the armed forces of the United States and 1376
is carrying a valid military identification card and 1377
documentation of successful completion of firearms training that 1378
meets or exceeds the training requirements described in division 1379
(G) (1) of section 2923.125 of the Revised Code. 1380

(b) The person transporting or possessing the handgun is 1381
not knowingly in a place described in division (B) of section 1382
2923.126 of the Revised Code. 1383

(6) Divisions (B) and (C) of this section do not apply to 1384
a person if all of the following apply: 1385

(a) The person possesses a valid electric-powered all- 1386
purpose vehicle permit issued under section 1533.103 of the 1387
Revised Code by the chief of the division of wildlife. 1388

(b) The person is on or in an electric-powered all-purpose 1389
vehicle as defined in section 1531.01 of the Revised Code or a 1390
motor vehicle during the open hunting season for a wild 1391
quadruped or game bird. 1392

(c) The person is on or in an electric-powered all-purpose 1393
vehicle as defined in section 1531.01 of the Revised Code or a 1394
motor vehicle that is parked on a road that is owned or 1395
administered by the division of wildlife, provided that the road 1396
is identified by an electric-powered all-purpose vehicle sign. 1397

(7) Nothing in this section prohibits or restricts a 1398
person from possessing, storing, or leaving a firearm in a 1399
locked motor vehicle that is parked in the state underground 1400
parking garage at the state capitol building or in the parking 1401
garage at the Riffe center for government and the arts in 1402
Columbus, if the person's transportation and possession of the 1403
firearm in the motor vehicle while traveling to the premises or 1404

facility was not in violation of division (A), (B), (C), (D), or 1405
(E) of this section or any other provision of the Revised Code. 1406

(G)(1) The affirmative defenses authorized in divisions 1407
(D)(1) and (2) of section 2923.12 of the Revised Code are 1408
affirmative defenses to a charge under division (B) or (C) of 1409
this section that involves a firearm other than a handgun. 1410

(2) It is an affirmative defense to a charge under 1411
division (B) or (C) of this section of improperly handling 1412
firearms in a motor vehicle that the actor transported or had 1413
the firearm in the motor vehicle for any lawful purpose and 1414
while the motor vehicle was on the actor's own property, 1415
provided that this affirmative defense is not available unless 1416
the person, immediately prior to arriving at the actor's own 1417
property, did not transport or possess the firearm in a motor 1418
vehicle in a manner prohibited by division (B) or (C) of this 1419
section while the motor vehicle was being operated on a street, 1420
highway, or other public or private property used by the public 1421
for vehicular traffic. 1422

(H)(1) No person who is charged with a violation of 1423
division (B), (C), or (D) of this section shall be required to 1424
obtain a concealed handgun license as a condition for the 1425
dismissal of the charge. 1426

(2)(a) If a person is convicted of, was convicted of, 1427
pleads guilty to, or has pleaded guilty to a violation of 1428
division (E) of this section as it existed prior to September 1429
30, 2011, and if the conduct that was the basis of the violation 1430
no longer would be a violation of division (E) of this section 1431
on or after September 30, 2011, the person may file an 1432
application under section 2953.37 of the Revised Code requesting 1433
the expungement of the record of conviction. 1434

If a person is convicted of, was convicted of, pleads 1435
guilty to, or has pleaded guilty to a violation of division (B) 1436
or (C) of this section as the division existed prior to 1437
September 30, 2011, and if the conduct that was the basis of the 1438
violation no longer would be a violation of division (B) or (C) 1439
of this section on or after September 30, 2011, due to the 1440
application of division (F) (5) of this section as it exists on 1441
and after September 30, 2011, the person may file an application 1442
under section 2953.37 of the Revised Code requesting the 1443
expungement of the record of conviction. 1444

(b) The attorney general shall develop a public media 1445
advisory that summarizes the expungement procedure established 1446
under section 2953.37 of the Revised Code and the offenders 1447
identified in division (H) (2) (a) of this section who are 1448
authorized to apply for the expungement. Within thirty days 1449
after September 30, 2011, the attorney general shall provide a 1450
copy of the advisory to each daily newspaper published in this 1451
state and each television station that broadcasts in this state. 1452
The attorney general may provide the advisory in a tangible 1453
form, an electronic form, or in both tangible and electronic 1454
forms. 1455

(I) Whoever violates this section is guilty of improperly 1456
handling firearms in a motor vehicle. Violation of division (A) 1457
of this section is a felony of the fourth degree. Violation of 1458
division (C) of this section is a misdemeanor of the fourth 1459
degree. A violation of division (D) of this section is a felony 1460
of the fifth degree or, if the loaded handgun is concealed on 1461
the person's person, a felony of the fourth degree. Except as 1462
otherwise provided in this division, a violation of division (E) 1463
(1) or (2) of this section is a misdemeanor of the first degree, 1464
and, in addition to any other penalty or sanction imposed for 1465

the violation, the offender's concealed handgun license shall be 1466
suspended pursuant to division (A) (2) of section 2923.128 of the 1467
Revised Code. If at the time of the stop of the offender for a 1468
traffic stop, for another law enforcement purpose, or for a 1469
purpose defined in section 5503.34 of the Revised Code that was 1470
the basis of the violation any law enforcement officer involved 1471
with the stop or the employee of the motor carrier enforcement 1472
unit who made the stop had actual knowledge of the offender's 1473
status as a licensee, a violation of division (E) (1) or (2) of 1474
this section is a minor misdemeanor, and the offender's 1475
concealed handgun license shall not be suspended pursuant to 1476
division (A) (2) of section 2923.128 of the Revised Code. A 1477
violation of division (E) (4) of this section is a felony of the 1478
fifth degree. A violation of division (E) (3) or (5) of this 1479
section is a misdemeanor of the first degree or, if the offender 1480
previously has been convicted of or pleaded guilty to a 1481
violation of division (E) (3) or (5) of this section, a felony of 1482
the fifth degree. In addition to any other penalty or sanction 1483
imposed for a misdemeanor violation of division (E) (3) or (5) of 1484
this section, the offender's concealed handgun license shall be 1485
suspended pursuant to division (A) (2) of section 2923.128 of the 1486
Revised Code. A violation of division (B) of this section is a 1487
felony of the fourth degree. 1488

(J) If a law enforcement officer stops a motor vehicle for 1489
a traffic stop or any other purpose, if any person in the motor 1490
vehicle surrenders a firearm to the officer, either voluntarily 1491
or pursuant to a request or demand of the officer, and if the 1492
officer does not charge the person with a violation of this 1493
section or arrest the person for any offense, the person is not 1494
otherwise prohibited by law from possessing the firearm, and the 1495
firearm is not contraband, the officer shall return the firearm 1496

to the person at the termination of the stop. If a court orders 1497
a law enforcement officer to return a firearm to a person 1498
pursuant to the requirement set forth in this division, division 1499
(B) of section 2923.163 of the Revised Code applies. 1500

(K) As used in this section: 1501

(1) "Motor vehicle," "street," and "highway" have the same 1502
meanings as in section 4511.01 of the Revised Code. 1503

(2) "Occupied structure" has the same meaning as in 1504
section 2909.01 of the Revised Code. 1505

(3) "Agriculture" has the same meaning as in section 1506
519.01 of the Revised Code. 1507

(4) "Tenant" has the same meaning as in section 1531.01 of 1508
the Revised Code. 1509

(5) (a) "Unloaded" means, with respect to a firearm other 1510
than a firearm described in division (K) (6) of this section, 1511
that no ammunition is in the firearm in question, no magazine or 1512
speed loader containing ammunition is inserted into the firearm 1513
in question, and one of the following applies: 1514

(i) There is no ammunition in a magazine or speed loader 1515
that is in the vehicle in question and that may be used with the 1516
firearm in question. 1517

(ii) Any magazine or speed loader that contains ammunition 1518
and that may be used with the firearm in question is stored in a 1519
compartment within the vehicle in question that cannot be 1520
accessed without leaving the vehicle or is stored in a container 1521
that provides complete and separate enclosure. 1522

(b) For the purposes of division (K) (5) (a) (ii) of this 1523
section, a "container that provides complete and separate 1524

enclosure" includes, but is not limited to, any of the 1525
following: 1526

(i) A package, box, or case with multiple compartments, as 1527
long as the loaded magazine or speed loader and the firearm in 1528
question either are in separate compartments within the package, 1529
box, or case, or, if they are in the same compartment, the 1530
magazine or speed loader is contained within a separate 1531
enclosure in that compartment that does not contain the firearm 1532
and that closes using a snap, button, buckle, zipper, hook and 1533
loop closing mechanism, or other fastener that must be opened to 1534
access the contents or the firearm is contained within a 1535
separate enclosure of that nature in that compartment that does 1536
not contain the magazine or speed loader; 1537

(ii) A pocket or other enclosure on the person of the 1538
person in question that closes using a snap, button, buckle, 1539
zipper, hook and loop closing mechanism, or other fastener that 1540
must be opened to access the contents. 1541

(c) For the purposes of divisions (K) (5) (a) and (b) of 1542
this section, ammunition held in stripper-clips or in en-bloc 1543
clips is not considered ammunition that is loaded into a 1544
magazine or speed loader. 1545

(6) "Unloaded" means, with respect to a firearm employing 1546
a percussion cap, flintlock, or other obsolete ignition system, 1547
when the weapon is uncapped or when the priming charge is 1548
removed from the pan. 1549

(7) "Commercial motor vehicle" has the same meaning as in 1550
division (A) of section 4506.25 of the Revised Code. 1551

(8) "Motor carrier enforcement unit" means the motor 1552
carrier enforcement unit in the department of public safety, 1553

division of state highway patrol, that is created by section 1554
5503.34 of the Revised Code. 1555

(L) Divisions (K) (5) (a) and (b) of this section do not 1556
affect the authority of a person who is carrying a valid 1557
concealed handgun license to have one or more magazines or speed 1558
loaders containing ammunition anywhere in a vehicle, without 1559
being transported as described in those divisions, as long as no 1560
ammunition is in a firearm, other than a handgun, in the vehicle 1561
other than as permitted under any other provision of this 1562
chapter. A person who is carrying a valid concealed handgun 1563
license may have one or more magazines or speedloaders 1564
containing ammunition anywhere in a vehicle without further 1565
restriction, as long as no ammunition is in a firearm, other 1566
than a handgun, in the vehicle other than as permitted under any 1567
provision of this chapter. 1568

Sec. 2923.21. (A) No person shall do any of the following: 1569

(1) Sell any firearm to a person who is under eighteen 1570
years of age; 1571

(2) Subject to division (B) of this section, sell any 1572
handgun to a person who is under twenty-one years of age; 1573

(3) Furnish any firearm to a person who is under eighteen 1574
years of age or, subject to division (B) of this section, 1575
furnish any handgun to a person who is under twenty-one years of 1576
age, except for lawful hunting, sporting, or educational 1577
purposes, including, but not limited to, instruction in firearms 1578
or handgun safety, care, handling, or marksmanship under the 1579
supervision or control of a responsible adult; 1580

(4) Sell or furnish a firearm to a person who is eighteen 1581
years of age or older if the seller or furnisher knows, or has 1582

reason to know, that the person is purchasing or receiving the 1583
firearm for the purpose of selling the firearm in violation of 1584
division (A) (1) of this section to a person who is under 1585
eighteen years of age or for the purpose of furnishing the 1586
firearm in violation of division (A) (3) of this section to a 1587
person who is under eighteen years of age; 1588

(5) Sell or furnish a handgun to a person who is twenty- 1589
one years of age or older if the seller or furnisher knows, or 1590
has reason to know, that the person is purchasing or receiving 1591
the handgun for the purpose of selling the handgun in violation 1592
of division (A) (2) of this section to a person who is under 1593
twenty-one years of age or for the purpose of furnishing the 1594
handgun in violation of division (A) (3) of this section to a 1595
person who is under twenty-one years of age; 1596

(6) Purchase or attempt to purchase any firearm with the 1597
intent to sell the firearm in violation of division (A) (1) of 1598
this section to a person who is under eighteen years of age or 1599
with the intent to furnish the firearm in violation of division 1600
(A) (3) of this section to a person who is under eighteen years 1601
of age; 1602

(7) Purchase or attempt to purchase any handgun with the 1603
intent to sell the handgun in violation of division (A) (2) of 1604
this section to a person who is under twenty-one years of age or 1605
with the intent to furnish the handgun in violation of division 1606
(A) (3) of this section to a person who is under twenty-one years 1607
of age. 1608

(B) Divisions (A) (1) and (2) of this section do not apply 1609
to the sale or furnishing of a handgun to a person eighteen 1610
years of age or older and under twenty-one years of age if the 1611
person eighteen years of age or older and under twenty-one years 1612

of age is a law enforcement officer who is properly appointed or 1613
employed as a law enforcement officer and has received firearms 1614
training approved by the Ohio peace officer training council or 1615
equivalent firearms training. Divisions (A) (1) and (2) of this 1616
section do not apply to an active duty member of the armed 1617
forces of the United States who has received firearms training 1618
that meets or exceeds the training requirements described in 1619
division (G) (1) of section 2923.125 of the Revised Code. 1620

(C) Whoever violates this section is guilty of improperly 1621
furnishing firearms to a minor, a felony of the fifth degree. 1622

Section 2. That existing sections 1547.69, 2923.11, 1623
2923.12, 2923.121, 2923.122, 2923.123, 2923.126, 2923.16, and 1624
2923.21 of the Revised Code are hereby repealed. 1625

Section 3. Section 2923.122 of the Revised Code is 1626
presented in this act as a composite of the section as amended 1627
by both Am. Sub. H.B. 495 and Am. Sub. S.B. 337 of the 129th 1628
General Assembly. The General Assembly, applying the principle 1629
stated in division (B) of section 1.52 of the Revised Code that 1630
amendments are to be harmonized if reasonably capable of 1631
simultaneous operation, finds that the composite is the 1632
resulting version of the section in effect prior to the 1633
effective date of the section as presented in this act. 1634