

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 201**

**Representatives Hood, Brinkman**

**Cosponsors: Representatives Antani, Becker, Zeltwanger, Brenner, Goodman, Dean, Thompson, McColley, Vitale, Keller, Merrin, Blessing, Riedel, Wiggam, Lipps, Sprague, Johnson, Roegner, Householder, Schaffer, Faber, Koehler**

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**A BILL**

To amend sections 109.69, 109.731, 1547.69, 1  
2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 2  
2923.124, 2923.125, 2923.126, 2923.128, 3  
2923.129, 2923.1210, 2923.1213, 2923.16, 4  
2953.37, and 4749.10 and to enact section 5  
2923.111 of the Revised Code to allow a 6  
concealed handgun licensee to carry concealed 7  
all firearms other than dangerous ordnance or 8  
firearms prohibited by state or federal law; to 9  
repeal the requirement that a licensee stopped 10  
for a law enforcement purpose promptly inform an 11  
approaching officer if the licensee is carrying 12  
a firearm and provide for expungement of 13  
convictions based on a violation of the 14  
requirement; and to provide that a person age 21 15  
or older and not prohibited by federal law from 16  
possessing or receiving a firearm does not need 17  
a concealed handgun license in order to carry a 18  
concealed firearm and is subject to the same 19  
laws regarding concealed firearm carrying as a 20  
licensee. 21

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

**Section 1.** That sections 109.69, 109.731, 1547.69, 22  
2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 2923.124, 23  
2923.125, 2923.126, 2923.128, 2923.129, 2923.1210, 2923.1213, 24  
2923.16, 2953.37, and 4749.10 be amended and section 2923.111 of 25  
the Revised Code be enacted to read as follows: 26

**Sec. 109.69.** (A) (1) The attorney general shall negotiate 27  
and enter into a reciprocity agreement with any other license- 28  
issuing state under which a concealed handgun license that is 29  
issued by the other state is recognized in this state, except as 30  
provided in division (B) of this section, if the attorney 31  
general determines that both of the following apply: 32

(a) The eligibility requirements imposed by that license- 33  
issuing state for that license are substantially comparable to 34  
the eligibility requirements for a concealed handgun license 35  
issued under section 2923.125 of the Revised Code. 36

(b) That license-issuing state recognizes a concealed 37  
handgun license issued under section 2923.125 of the Revised 38  
Code. 39

(2) A reciprocity agreement entered into under division 40  
(A) (1) of this section also may provide for the recognition in 41  
this state of a concealed handgun license issued on a temporary 42  
or emergency basis by the other license-issuing state, if the 43  
eligibility requirements imposed by that license-issuing state 44  
for the temporary or emergency license are substantially 45  
comparable to the eligibility requirements for a concealed 46  
handgun license issued under section 2923.125 or 2923.1213 of 47  
the Revised Code and if that license-issuing state recognizes a 48

concealed handgun license issued under section 2923.1213 of the Revised Code. 49  
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(3) The attorney general shall not negotiate any agreement with any other license-issuing state under which a concealed handgun license issued by the other state is recognized in this state other than as provided in divisions (A) (1) and (2) of this section. 51  
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(B) (1) If, on or after ~~the effective date of this amendment~~ March 23, 2015, a person who is a resident of this state has a valid concealed handgun license that was issued by another license-issuing state that has entered into a reciprocity agreement with the attorney general under division (A) (1) of this section or the attorney general determines that the eligibility requirements imposed by that license-issuing state for that license are substantially comparable to the eligibility requirements for a concealed handgun license issued under section 2923.125 of the Revised Code, the license issued by the other license-issuing state shall be recognized in this state, shall be accepted and valid in this state, and grants the person the same right to carry a concealed handgun in this state as a person who was issued a concealed handgun license under section 2923.125 of the Revised Code. 56  
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(2) If, on or after ~~the effective date of this amendment~~ March 23, 2015, a person who is a resident of this state has a valid concealed handgun license that was issued by another license-issuing state that has not entered into a reciprocity agreement with the attorney general under division (A) (1) of this section, the license issued by the other license-issuing state shall be recognized in this state, shall be accepted and valid in this state, and grants the person the same right to 71  
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carry a concealed handgun in this state as a person who was 79  
issued a concealed handgun license under section 2923.125 of the 80  
Revised Code for a period of six months after the person became 81  
a resident of this state. After that six-month period, if the 82  
person wishes to obtain a concealed handgun license, the person 83  
shall apply for a concealed handgun license pursuant to section 84  
2923.125 of the Revised Code. 85

(3) If, on or after ~~the effective date of this amendment~~ 86  
March 23, 2015, a person who is not a resident of this state has 87  
a valid concealed handgun license that was issued by another 88  
license-issuing state, regardless of whether the other license- 89  
issuing state has entered into a reciprocity agreement with the 90  
attorney general under division (A)(1) of this section, and the 91  
person is temporarily in this state, during the time that the 92  
person is temporarily in this state the license issued by the 93  
other license-issuing state shall be recognized in this state, 94  
shall be accepted and valid in this state, and grants the person 95  
the same right to carry a concealed handgun in this state as a 96  
person who was issued a concealed handgun license under section 97  
2923.125 of the Revised Code. 98

(C) The attorney general shall publish each determination 99  
described in division (B)(1) of this section that the attorney 100  
general makes in the same manner that written agreements entered 101  
into under division (A)(1) or (2) of this section are published. 102

(D) As used in this section: 103

(1) "Handgun," "firearm," "concealed handgun license," and 104  
"valid concealed handgun license" have the same meanings as in 105  
section 2923.11 of the Revised Code. 106

(2) "License-issuing state" means a state other than this 107

state that, pursuant to law, provides for the issuance of a 108  
license to carry a concealed handgun or a license to carry a 109  
concealed firearm. 110

**Sec. 109.731.** (A) (1) The attorney general shall prescribe, 111  
and shall make available to sheriffs an application form that is 112  
to be used under section 2923.125 of the Revised Code by a 113  
person who applies for a concealed handgun license and an 114  
application form that is to be used under section 2923.125 of 115  
the Revised Code by a person who applies for the renewal of a 116  
license of that nature. The attorney general shall design the 117  
form to enable applicants to provide the information that is 118  
required by law to be collected, and shall update the form as 119  
necessary. Burdens or restrictions to obtaining a concealed 120  
handgun license that are not expressly prescribed in law shall 121  
not be incorporated into the form. The attorney general shall 122  
post a printable version of the form on the web site of the 123  
attorney general and shall provide the address of the web site 124  
to any person who requests the form. 125

(2) The Ohio peace officer training commission shall 126  
prescribe, and shall make available to sheriffs, all of the 127  
following: 128

(a) A form for the concealed handgun license that is to be 129  
issued by sheriffs to persons who qualify for a concealed 130  
handgun license under section 2923.125 of the Revised Code and 131  
that conforms to the following requirements: 132

(i) It has space for the licensee's full name, residence 133  
address, and date of birth and for a color photograph of the 134  
licensee. 135

(ii) It has space for the date of issuance of the license, 136

its expiration date, its county of issuance, the name of the sheriff who issues the license, and the unique combination of letters and numbers that identify the county of issuance and the license given to the licensee by the sheriff in accordance with division (A) (2) (c) of this section.

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

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

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

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

(d) A form for a concealed handgun license on a temporary emergency basis that is to be issued by sheriffs to persons who qualify for such a license under section 2923.1213 of the

Revised Code, which form shall conform to all the requirements 166  
set forth in divisions (A) (2) (a) (i) to (iv) of this section and 167  
shall additionally conspicuously specify that the license is 168  
issued on a temporary emergency basis and the date of its 169  
issuance. 170

(B) (1) The Ohio peace officer training commission, in 171  
consultation with the attorney general, shall prepare a pamphlet 172  
that does all of the following, in everyday language: 173

(a) Explains the firearms laws of this state; 174

(b) Instructs the reader in dispute resolution and 175  
explains the laws of this state related to that matter; 176

(c) Provides information to the reader regarding all 177  
aspects of the use of deadly force with a firearm, including, 178  
but not limited to, the steps that should be taken before 179  
contemplating the use of, or using, deadly force with a firearm, 180  
possible alternatives to using deadly force with a firearm, and 181  
the law governing the use of deadly force with a firearm. 182

(2) The attorney general shall consult with and assist the 183  
commission in the preparation of the pamphlet described in 184  
division (B) (1) of this section and, as necessary, shall 185  
recommend to the commission changes in the pamphlet to reflect 186  
changes in the law that are relevant to it. The attorney general 187  
shall publish the pamphlet on the web site of the attorney 188  
general and shall provide the address of the web site to any 189  
person who requests the pamphlet. 190

(3) The attorney general shall create and maintain a 191  
section on the attorney general's web site that provides 192  
information on firearms laws of this state specifically 193  
applicable to members of the armed forces of the United States 194

and a link to the pamphlet described in division (B) (1) of this section. 195  
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(C) The Ohio peace officer training commission shall 197  
maintain statistics with respect to the issuance, renewal, 198  
suspension, revocation, and denial of concealed handgun licenses 199  
under section 2923.125 of the Revised Code and the suspension of 200  
processing of applications for those licenses, and with respect 201  
to the issuance, suspension, revocation, and denial of concealed 202  
handgun licenses on a temporary emergency basis under section 203  
2923.1213 of the Revised Code, as reported by the sheriffs 204  
pursuant to division (C) of section 2923.129 of the Revised 205  
Code. Not later than the first day of March in each year, the 206  
commission shall submit a statistical report to the governor, 207  
the president of the senate, and the speaker of the house of 208  
representatives indicating the number of concealed handgun 209  
licenses that were issued, renewed, suspended, revoked, and 210  
denied under section 2923.125 of the Revised Code in the 211  
previous calendar year, the number of applications for those 212  
licenses for which processing was suspended in accordance with 213  
division (D) (3) of that section in the previous calendar year, 214  
and the number of concealed handgun licenses on a temporary 215  
emergency basis that were issued, suspended, revoked, or denied 216  
under section 2923.1213 of the Revised Code in the previous 217  
calendar year. Nothing in the statistics or the statistical 218  
report shall identify, or enable the identification of, any 219  
individual who was issued or denied a license, for whom a 220  
license was renewed, whose license was suspended or revoked, or 221  
for whom application processing was suspended. The statistics 222  
and the statistical report are public records for the purpose of 223  
section 149.43 of the Revised Code. 224

(D) As used in this section, "concealed handgun license," 225

" <u>firearm</u> ," and "handgun" have the same meanings as in section 2923.11 of the Revised Code.	226 227
<b>Sec. 1547.69.</b> (A) As used in this section:	228
(1) "Firearm," "concealed handgun license," "handgun," " <u>restricted firearm</u> ," "valid concealed handgun license," and "active duty" have the same meanings as in section 2923.11 of the Revised Code.	229 230 231 232
(2) "Unloaded" has the same meanings as in divisions (K) (5) and (6) of section 2923.16 of the Revised Code, except that all references in the definition in division (K) (5) of that section to "vehicle" shall be construed for purposes of this section to be references to "vessel."	233 234 235 236 237
(B) No person shall knowingly discharge a firearm while in or on a vessel.	238 239
(C) No person shall knowingly transport or have a loaded firearm in a vessel in a manner that the firearm is accessible to the operator or any passenger.	240 241 242
(D) No person shall knowingly transport or have a firearm in a vessel unless it is unloaded and is carried in one of the following ways:	243 244 245
(1) In a closed package, box, or case;	246
(2) In plain sight with the action opened or the weapon stripped, or, if the firearm is of a type on which the action will not stay open or that cannot easily be stripped, in plain sight.	247 248 249 250
(E) (1) The affirmative defenses authorized in divisions (D) (1) and (2) of section 2923.12 of the Revised Code are affirmative defenses to a charge under division (C) or (D) of	251 252 253

this section that involves a firearm other than a handgun if 254  
division (H) (2) of this section does not apply to the person 255  
charged. It is an affirmative defense to a charge under division 256  
(C) or (D) of this section of transporting or having a firearm 257  
of any type, including a handgun, in a vessel that the actor 258  
transported or had the firearm in the vessel for any lawful 259  
purpose and while the vessel was on the actor's own property, 260  
provided that this affirmative defense is not available unless 261  
the actor, prior to arriving at the vessel on the actor's own 262  
property, did not transport or possess the firearm in the vessel 263  
or in a motor vehicle in a manner prohibited by this section or 264  
division (B) or (C) of section 2923.16 of the Revised Code while 265  
the vessel was being operated on a waterway that was not on the 266  
actor's own property or while the motor vehicle was being 267  
operated on a street, highway, or other public or private 268  
property used by the public for vehicular traffic. 269

(2) No person who is charged with a violation of division 270  
(C) or (D) of this section shall be required to obtain a license 271  
or temporary emergency license to carry a concealed handgun 272  
under section 2923.125 or 2923.1213 of the Revised Code as a 273  
condition for the dismissal of the charge. 274

(F) Divisions (B), (C), and (D) of this section do not 275  
apply to the possession or discharge of a United States coast 276  
guard approved signaling device required to be carried aboard a 277  
vessel under section 1547.251 of the Revised Code when the 278  
signaling device is possessed or used for the purpose of giving 279  
a visual distress signal. No person shall knowingly transport or 280  
possess any signaling device of that nature in or on a vessel in 281  
a loaded condition at any time other than immediately prior to 282  
the discharge of the signaling device for the purpose of giving 283  
a visual distress signal. 284

(G) No person shall operate or permit to be operated any vessel on the waters in this state in violation of this section.	285 286
(H) (1) This section does not apply to any of the following:	287 288
(a) An officer, agent, or employee of this or any other state or of the United States, or to a law enforcement officer, when authorized to carry or have loaded or accessible firearms in a vessel and acting within the scope of the officer's, agent's, or employee's duties;	289 290 291 292 293
(b) Any person who is employed in this state, who is authorized to carry or have loaded or accessible firearms in a vessel, and who is subject to and in compliance with the requirements of section 109.801 of the Revised Code, unless the appointing authority of the person has expressly specified that the exemption provided in division (H) (1) (b) of this section does not apply to the person;	294 295 296 297 298 299 300
(c) Any person legally engaged in hunting.	301
<del>(2) Divisions</del> (a) <u>Subject to division (H) (2) (b) of this section, divisions (C) and (D) of this section do not apply to a person who transports or possesses a handgun in a vessel a firearm that is not a restricted firearm and who, at the time of that transportation or possession, either is carrying a valid concealed handgun license, is deemed under division (C) of section 2923.111 of the Revised Code to have been issued a concealed handgun license under section 2923.125 of the Revised Code, 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</u>	302 303 304 305 306 307 308 309 310 311 312 313

described in division (G) (1) of section 2923.125 of the Revised Code, ~~unless.~~

(b) The exemptions specified in division (H) (2) (a) of this section do not apply to a person if the person, at the time of the transport or possession in question, knowingly is in a-an unauthorized place on the vessel described specified in division (B) of section 2923.126 of the Revised Code or knowingly is transporting or possessing the firearm in any prohibited manner listed in that division.

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

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

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

the Revised Code: 344

(A) "Deadly weapon" means any instrument, device, or thing 345  
capable of inflicting death, and designed or specially adapted 346  
for use as a weapon, or possessed, carried, or used as a weapon. 347

(B) (1) "Firearm" means any deadly weapon capable of 348  
expelling or propelling one or more projectiles by the action of 349  
an explosive or combustible propellant. "Firearm" includes an 350  
unloaded firearm, and any firearm that is inoperable but that 351  
can readily be rendered operable. 352

(2) When determining whether a firearm is capable of 353  
expelling or propelling one or more projectiles by the action of 354  
an explosive or combustible propellant, the trier of fact may 355  
rely upon circumstantial evidence, including, but not limited 356  
to, the representations and actions of the individual exercising 357  
control over the firearm. 358

(C) "Handgun" means any of the following: 359

(1) Any firearm that has a short stock and is designed to 360  
be held and fired by the use of a single hand; 361

(2) Any combination of parts from which a firearm of a 362  
type described in division (C) (1) of this section can be 363  
assembled. 364

(D) "Semi-automatic firearm" means any firearm designed or 365  
specially adapted to fire a single cartridge and automatically 366  
chamber a succeeding cartridge ready to fire, with a single 367  
function of the trigger. 368

(E) "Automatic firearm" means any firearm designed or 369  
specially adapted to fire a succession of cartridges with a 370  
single function of the trigger. 371

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

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

(1) Any firearm of crude and extemporized manufacture;

(2) Any device, including without limitation a starter's pistol, that is not designed as a firearm, but that is specially adapted for use as a firearm;

(3) Any industrial tool, signalling device, or safety device, that is not designed as a firearm, but that as designed is capable of use as such, when possessed, carried, or used as a firearm.

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

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

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

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

except as provided in division (L) of this section:	400
(1) Any automatic or sawed-off firearm, zip-gun, or ballistic knife;	401 402
(2) Any explosive device or incendiary device;	403
(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, cyclonite, TNT, picric acid, and other high explosives; amatol, tritonite, tetrytol, pentolite, pecretol, cyclotol, and other high explosive compositions; plastic explosives; dynamite, blasting gelatin, gelatin dynamite, sensitized ammonium nitrate, liquid-oxygen blasting explosives, blasting powder, and other blasting agents; and any other explosive substance having sufficient brisance or power to be particularly suitable for use as a military explosive, or for use in mining, quarrying, excavating, or demolitions;	404 405 406 407 408 409 410 411 412 413
(4) Any firearm, rocket launcher, mortar, artillery piece, grenade, mine, bomb, torpedo, or similar weapon, designed and manufactured for military purposes, and the ammunition for that weapon;	414 415 416 417
(5) Any firearm muffler or suppressor;	418
(6) Any combination of parts that is intended by the owner for use in converting any firearm or other device into a dangerous ordnance.	419 420 421
(L) "Dangerous ordnance" does not include any of the following:	422 423
(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;	424 425 426 427

(2) Any pistol, rifle, or shotgun, designed or suitable 428  
for sporting purposes, including a military weapon as issued or 429  
as modified, and the ammunition for that weapon, unless the 430  
firearm is an automatic or sawed-off firearm; 431

(3) Any cannon or other artillery piece that, regardless 432  
of its actual age, is of a type in accepted use prior to 1887, 433  
has no mechanical, hydraulic, pneumatic, or other system for 434  
absorbing recoil and returning the tube into battery without 435  
displacing the carriage, and is designed and safe for use only 436  
with black powder; 437

(4) Black powder, priming quills, and percussion caps 438  
possessed and lawfully used to fire a cannon of a type defined 439  
in division (L) (3) of this section during displays, 440  
celebrations, organized matches or shoots, and target practice, 441  
and smokeless and black powder, primers, and percussion caps 442  
possessed and lawfully used as a propellant or ignition device 443  
in small-arms or small-arms ammunition; 444

(5) Dangerous ordnance that is inoperable or inert and 445  
cannot readily be rendered operable or activated, and that is 446  
kept as a trophy, souvenir, curio, or museum piece. 447

(6) Any device that is expressly excepted from the 448  
definition of a destructive device pursuant to the "Gun Control 449  
Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a) (4), as amended, 450  
and regulations issued under that act. 451

(M) "Explosive" means any chemical compound, mixture, or 452  
device, the primary or common purpose of which is to function by 453  
explosion. "Explosive" includes all materials that have been 454  
classified as division 1.1, division 1.2, division 1.3, or 455  
division 1.4 explosives by the United States department of 456

transportation in its regulations and includes, but is not 457  
limited to, dynamite, black powder, pellet powders, initiating 458  
explosives, blasting caps, electric blasting caps, safety fuses, 459  
fuse igniters, squibs, cordeau detonant fuses, instantaneous 460  
fuses, and igniter cords and igniters. "Explosive" does not 461  
include "fireworks," as defined in section 3743.01 of the 462  
Revised Code, or any substance or material otherwise meeting the 463  
definition of explosive set forth in this section that is 464  
manufactured, sold, possessed, transported, stored, or used in 465  
any activity described in section 3743.80 of the Revised Code, 466  
provided the activity is conducted in accordance with all 467  
applicable laws, rules, and regulations, including, but not 468  
limited to, the provisions of section 3743.80 of the Revised 469  
Code and the rules of the fire marshal adopted pursuant to 470  
section 3737.82 of the Revised Code. 471

(N) (1) "Concealed handgun license" or "license to carry a 472  
concealed handgun" means, subject to division (N) (2) of this 473  
section, a license or temporary emergency license ~~to carry a~~ 474  
~~concealed handgun~~ issued under section 2923.125 or 2923.1213 of 475  
the Revised Code that authorizes the person to whom it is issued 476  
to carry a concealed firearm other than a restricted firearm or 477  
a license ~~to carry a concealed handgun~~ issued by another state 478  
with which the attorney general has entered into a reciprocity 479  
agreement under section 109.69 of the Revised Code that 480  
authorizes the person to whom it is issued either to carry a 481  
concealed handgun or to carry a concealed firearm other than a 482  
restricted firearm. 483

(2) A reference in any provision of the Revised Code to a 484  
concealed handgun license issued under section 2923.125 of the 485  
Revised Code or a license to carry a concealed handgun issued 486  
under section 2923.125 of the Revised Code means only a license 487

of the type that is specified in that section. A reference in 488  
any provision of the Revised Code to a concealed handgun license 489  
issued under section 2923.1213 of the Revised Code, a license to 490  
carry a concealed handgun issued under section 2923.1213 of the 491  
Revised Code, or a license to carry a concealed handgun on a 492  
temporary emergency basis means only a license of the type that 493  
is specified in section 2923.1213 of the Revised Code. A 494  
reference in any provision of the Revised Code to a concealed 495  
handgun license issued by another state or a license to carry a 496  
concealed handgun issued by another state means only a license 497  
issued by another state with which the attorney general has 498  
entered into a reciprocity agreement under section 109.69 of the 499  
Revised Code. 500

A reference in any provision of the Revised Code to a 501  
person who is deemed under division (C) of section 2923.111 of 502  
the Revised Code to have been issued a concealed handgun license 503  
under section 2923.125 of the Revised Code means only a person 504  
who is so deemed and does not include a person who has been 505  
issued a license of a type described in division (N) (1) of this 506  
section. 507

(O) "Valid concealed handgun license" or "valid license to 508  
carry a concealed handgun" means a concealed handgun license 509  
that is currently valid, that is not under a suspension under 510  
division (A) (1) of section 2923.128 of the Revised Code, under 511  
section 2923.1213 of the Revised Code, or under a suspension 512  
provision of the state other than this state in which the 513  
license was issued, and that has not been revoked under division 514  
(B) (1) of section 2923.128 of the Revised Code, under section 515  
2923.1213 of the Revised Code, or under a revocation provision 516  
of the state other than this state in which the license was 517  
issued. 518

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

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

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

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

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

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

Sec. 2923.111. (A) Notwithstanding any other Revised Code section to the contrary, subject to the limitations specified in this division and to division (C) (2) of this section, a person who is twenty-one years of age or older and is not legally prohibited from possessing or receiving a firearm under 18 U.S.C. 922(g) (1) to (9) shall not be required to obtain a concealed handgun license under section 2923.125 or 2923.1213 of the Revised Code in order to carry in this state a concealed firearm that is not a restricted firearm.

Except as provided in divisions (B) and (C) of section

2923.126 of the Revised Code and regardless of whether the 548  
person has been issued a concealed handgun license under section 549  
2923.125 or 2923.1213 of the Revised Code or by another state, a 550  
person who is twenty-one years of age or older and is not 551  
legally prohibited from possessing or receiving a firearm under 552  
18 U.S.C. 922(g)(1) to (9) may carry a concealed firearm that is 553  
not a restricted firearm anywhere in this state. The person's 554  
right to carry a concealed firearm that is not a restricted 555  
firearm that is granted under this division is the same right as 556  
is granted to a person who is issued a concealed handgun license 557  
under section 2923.125 of the Revised Code, and the person 558  
described in this division is subject to the same restrictions 559  
as apply to a person who is issued a license under section 560  
2923.125 of the Revised Code. 561

(B) The mere carrying or possession of a firearm that is 562  
not a restricted firearm pursuant to the right described in 563  
division (A) of this section, with or without a concealed 564  
handgun license issued under section 2923.125 or 2923.1213 of 565  
the Revised Code or by another state, does not constitute 566  
grounds for any law enforcement officer or any agent of the 567  
state, a county, a municipal corporation, or a township to 568  
conduct any search, seizure, or detention, no matter how 569  
temporary in duration, of an otherwise law-abiding person. 570

(C) (1) For purposes of sections 1547.69 and 2923.12 to 571  
2923.1213 of the Revised Code and any other provision of law 572  
that refers to a concealed handgun license or a concealed 573  
handgun licensee, except when the context clearly indicates 574  
otherwise, a person who is described in division (A) of this 575  
section and is carrying or has, concealed on the person's person 576  
or ready at hand, a firearm that is not a restricted firearm 577  
shall be deemed to have been issued a concealed handgun license 578

under section 2923.125 of the Revised Code. 579

(2) The concealed handgun license expiration provisions of 580  
section 2923.125 of the Revised Code and the concealed handgun 581  
license suspension and revocation provisions of section 2923.128 582  
of the Revised Code do not apply with respect to a person who is 583  
described in division (A) of this section unless the person has 584  
been issued a concealed handgun license. If a person is 585  
described in division (A) of this section and the person 586  
thereafter comes within any category of persons specified in 18 587  
U.S.C. 922(g) (1) to (9) so that the person as a result is 588  
legally prohibited under the applicable provision from 589  
possessing or receiving a firearm, both of the following apply 590  
automatically and immediately upon the person coming within that 591  
category: 592

(a) Division (A) of this section and the authority and 593  
right to carry a concealed firearm that are described in that 594  
division do not apply to the person. 595

(b) Division (C) (1) of this section does not apply to the 596  
person, and the person no longer is deemed to have been issued a 597  
concealed handgun license under section 2923.125 of the Revised 598  
Code as described in that division. 599

**Sec. 2923.12.** (A) No person shall knowingly carry or have, 600  
concealed on the person's person or concealed ready at hand, any 601  
of the following: 602

(1) A deadly weapon other than a handgun; 603

(2) A handgun other than a dangerous ordnance; 604

(3) A dangerous ordnance. 605

(B) No person who has been issued a concealed handgun 606

license and is carrying a concealed firearm that is not a 607  
restricted firearm or who is deemed under division (C) of 608  
section 2923.111 of the Revised Code to have been issued a 609  
concealed handgun license under section 2923.125 of the Revised 610  
Code and is carrying a concealed firearm that is not a 611  
restricted firearm shall do any of the following: 612

~~(1) If the person is stopped for a law enforcement purpose~~ 613  
~~and is carrying a concealed handgun, fail to promptly inform any~~ 614  
~~law enforcement officer who approaches the person after the~~ 615  
~~person has been stopped that the person has been issued a~~ 616  
~~concealed handgun license and that the person then is carrying a~~ 617  
~~concealed handgun;~~ 618

~~(2)~~ If the person is stopped for a law enforcement purpose 619  
~~and is carrying a concealed handgun,~~ knowingly fail to keep the 620  
person's hands in plain sight at any time after any law 621  
enforcement officer begins approaching the person while stopped 622  
and before the law enforcement officer leaves, unless the 623  
failure is pursuant to and in accordance with directions given 624  
by a law enforcement officer; 625

~~(3)~~ (2) If the person is stopped for a law enforcement 626  
purpose, ~~if the person is carrying a concealed handgun,~~ and if 627  
the person is approached by any law enforcement officer while 628  
stopped, knowingly remove or attempt to remove the loaded 629  
~~handgun~~ firearm from the holster, pocket, or other place in 630  
which the person is carrying it, knowingly grasp or hold the 631  
loaded ~~handgun~~ firearm, or knowingly have contact with the 632  
loaded ~~handgun~~ firearm by touching it with the person's hands or 633  
fingers at any time after the law enforcement officer begins 634  
approaching and before the law enforcement officer leaves, 635  
unless the person removes, attempts to remove, grasps, holds, or 636

has contact with the loaded ~~handgun~~ firearm pursuant to and in 637  
accordance with directions given by the law enforcement officer; 638

~~(4)~~ (3) If the person is stopped for a law enforcement 639  
purpose ~~and is carrying a concealed handgun~~, knowingly disregard 640  
or fail to comply with any lawful order of any law enforcement 641  
officer given while the person is stopped, including, but not 642  
limited to, a specific order to the person to keep the person's 643  
hands in plain sight. 644

(C) (1) This section does not apply to any of the 645  
following: 646

(a) An officer, agent, or employee of this or any other 647  
state or the United States, or to a law enforcement officer, who 648  
is authorized to carry concealed weapons or dangerous ordnance 649  
or is authorized to carry handguns and is acting within the 650  
scope of the officer's, agent's, or employee's duties; 651

(b) Any person who is employed in this state, who is 652  
authorized to carry concealed weapons or dangerous ordnance or 653  
is authorized to carry handguns, and who is subject to and in 654  
compliance with the requirements of section 109.801 of the 655  
Revised Code, unless the appointing authority of the person has 656  
expressly specified that the exemption provided in division (C) 657  
(1) (b) of this section does not apply to the person; 658

(c) A person's transportation or storage of a firearm, 659  
other than a firearm described in divisions (G) to (M) of 660  
section 2923.11 of the Revised Code, in a motor vehicle for any 661  
lawful purpose if the firearm is not on the actor's person; 662

(d) A person's storage or possession of a firearm, other 663  
than a firearm described in divisions (G) to (M) of section 664  
2923.11 of the Revised Code, in the actor's own home for any 665

lawful purpose. 666

(2) ~~Division~~ (a) Subject to division (C) (2) (b) of this 667  
section, divisions (A) (1) and (2) of this section ~~does~~ do not 668  
apply to any person ~~who~~ with respect to the carrying or 669  
possession of any firearm that is not a restricted firearm if, 670  
at the time of the alleged carrying or possession of ~~a handgun~~ 671  
~~the firearm~~, ~~either~~ ~~the person~~ is carrying a valid concealed 672  
handgun license, ~~is deemed under division (C) of section~~ 673  
2923.111 of the Revised Code to have been issued a concealed 674  
handgun license under section 2923.125 of the Revised Code, or 675  
is an active duty member of the armed forces of the United 676  
States and is carrying a valid military identification card and 677  
documentation of successful completion of firearms training that 678  
meets or exceeds the training requirements described in division 679  
(G) (1) of section 2923.125 of the Revised Code, ~~unless~~. 680

(b) The exemptions specified in division (C) (2) (a) of this 681  
section do not apply to a person if the person, at the time of 682  
the carrying or possession in question, knowingly is in ~~a~~ ~~an~~ 683  
unauthorized place ~~described~~ ~~specified~~ in division (B) of 684  
section 2923.126 of the Revised Code or knowingly is 685  
transporting or possessing the firearm in any prohibited manner 686  
listed in that division. 687

(D) It is an affirmative defense to a charge under 688  
division (A) (1) of this section of carrying or having control of 689  
a deadly weapon other than a handgun and other than a dangerous 690  
ordnance that neither division (C) (1) nor (2) of this section 691  
applies, that the actor was not otherwise prohibited by law from 692  
having the weapon, and that any of the following applies: 693

(1) The weapon was carried or kept ready at hand by the 694  
actor for defensive purposes while the actor was engaged in or 695

was going to or from the actor's lawful business or occupation, 696  
which business or occupation was of a character or was 697  
necessarily carried on in a manner or at a time or place as to 698  
render the actor particularly susceptible to criminal attack, 699  
such as would justify a prudent person in going armed. 700

(2) The weapon was carried or kept ready at hand by the 701  
actor for defensive purposes while the actor was engaged in a 702  
lawful activity and had reasonable cause to fear a criminal 703  
attack upon the actor, a member of the actor's family, or the 704  
actor's home, such as would justify a prudent person in going 705  
armed. 706

(3) The weapon was carried or kept ready at hand by the 707  
actor for any lawful purpose and while in the actor's own home. 708

(E) (1) No person who is charged with a violation of this 709  
section shall be required to obtain a concealed handgun license 710  
as a condition for the dismissal of the charge. 711

(2) If a person is convicted of, was convicted of, pleads 712  
guilty to, or has pleaded guilty to a violation of division (B) 713  
(1) of this section as it existed prior to the effective date of 714  
this amendment, the person may file an application under section 715  
2953.37 of the Revised Code requesting the expungement of the 716  
record of conviction. 717

(F) (1) Whoever violates this section is guilty of carrying 718  
concealed weapons. Except as otherwise provided in this division 719  
or divisions (F) ~~(2), (6), (4)~~ and ~~(7) (5)~~ of this section, 720  
carrying concealed weapons in violation of division (A) of this 721  
section is a misdemeanor of the first degree. Except as 722  
otherwise provided in this division or divisions (F) ~~(2), (6),~~ 723  
(4) and ~~(7) (5)~~ of this section, if the offender previously has 724

been convicted of a violation of this section or of any offense 725  
of violence, if the weapon involved is a firearm that is either 726  
loaded or for which the offender has ammunition ready at hand, 727  
or if the weapon involved is dangerous ordnance, carrying 728  
concealed weapons in violation of division (A) of this section 729  
is a felony of the fourth degree. Except as otherwise provided 730  
in ~~divisions~~ division (F) ~~(2) and (6)~~ ~~(4)~~ of this section, if the 731  
offense is committed aboard an aircraft, or with purpose to 732  
carry a concealed weapon aboard an aircraft, regardless of the 733  
weapon involved, carrying concealed weapons in violation of 734  
division (A) of this section is a felony of the third degree. 735

~~(2) Except as provided in division (F) (6) of this section,~~ 736  
~~if a person being arrested for a violation of division (A) (2) of~~ 737  
~~this section promptly produces a valid concealed handgun~~ 738  
~~license, and if at the time of the violation the person was not~~ 739  
~~knowingly in a place described in division (B) of section~~ 740  
~~2923.126 of the Revised Code, the officer shall not arrest the~~ 741  
~~person for a violation of that division. If the person is not~~ 742  
~~able to promptly produce any concealed handgun license and if~~ 743  
~~the person is not in a place described in that section, the~~ 744  
~~officer may arrest the person for a violation of that division,~~ 745  
~~and the offender shall be punished as follows:~~ 746

~~(a) The offender shall be guilty of a minor misdemeanor if~~ 747  
~~both of the following apply:~~ 748

~~(i) Within ten days after the arrest, the offender~~ 749  
~~presents a concealed handgun license, which license was valid at~~ 750  
~~the time of the arrest to the law enforcement agency that~~ 751  
~~employs the arresting officer.~~ 752

~~(ii) At the time of the arrest, the offender was not~~ 753  
~~knowingly in a place described in division (B) of section~~ 754

~~2923.126 of the Revised Code.~~ 755

~~(b) The offender shall be guilty of a misdemeanor and shall be fined five hundred dollars if all of the following apply:~~ 756  
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758

~~(i) The offender previously had been issued a concealed handgun license, and that license expired within the two years immediately preceding the arrest.~~ 759  
760  
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~~(ii) Within forty five days after the arrest, the offender presents a concealed handgun license to the law enforcement agency that employed the arresting officer, and the offender waives in writing the offender's right to a speedy trial on the charge of the violation that is provided in section 2945.71 of the Revised Code.~~ 762  
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~~(iii) At the time of the commission of the offense, the offender was not knowingly in a place described in division (B) of section 2923.126 of the Revised Code.~~ 768  
769  
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~~(c) If divisions (F) (2) (a) and (b) and (F) (6) of this section do not apply, the offender shall be punished under division (F) (1) or (7) of this section.~~ 771  
772  
773

~~(3) Except as otherwise provided in this division, carrying concealed weapons in violation of division (B) (1) of this section is a misdemeanor of the first degree, and, in addition to any other penalty or sanction imposed for a violation of division (B) (1) of this section, the offender's concealed handgun license shall be suspended pursuant to division (A) (2) of section 2923.128 of the Revised Code. If, at the time of the stop of the offender for a law enforcement purpose that was the basis of the violation, any law enforcement officer involved with the stop had actual knowledge that the~~ 774  
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~~offender has been issued a concealed handgun license, carrying  
concealed weapons in violation of division (B) (1) of this  
section is a minor misdemeanor, and the offender's concealed  
handgun license shall not be suspended pursuant to division (A)  
(2) of section 2923.128 of the Revised Code.~~ 784  
785  
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788

~~(4)~~ Carrying concealed weapons in violation of division 789  
(B) ~~(2)~~ (1) or ~~(4)~~ (3) of this section is a misdemeanor of the 790  
first degree or, if the offender previously has been convicted 791  
of or pleaded guilty to a violation of division (B) ~~(2)~~ (1) or ~~(4)~~ 792  
(3) of this section, a felony of the fifth degree. In addition 793  
to any other penalty or sanction imposed for a misdemeanor 794  
violation of division (B) ~~(2)~~ (1) or ~~(4)~~ (3) of this section, if 795  
the offender has been issued a concealed handgun license, the 796  
offender's ~~concealed handgun~~ license shall be suspended pursuant 797  
to division (A) (2) of section 2923.128 of the Revised Code. 798

~~(5)~~ (3) Carrying concealed weapons in violation of 799  
division (B) ~~(3)~~ (2) of this section is a felony of the fifth 800  
degree. 801

~~(6)~~ (4) If a person being arrested for a violation of 802  
division (A) (1) or (2) of this section based on carrying a 803  
concealed firearm that is not a restricted firearm is an active 804  
duty member of the armed forces of the United States and is 805  
carrying a valid military identification card and documentation 806  
of successful completion of firearms training that meets or 807  
exceeds the training requirements described in division (G) (1) 808  
of section 2923.125 of the Revised Code, and if at the time of 809  
the violation the person was not knowingly in a-an unauthorized 810  
place described-specified in division (B) of section 2923.126 of 811  
the Revised Code or knowingly carrying or having the firearm in 812  
any prohibited manner listed in that division, the officer shall 813

not arrest the person for a violation of ~~that~~ division (A) (1) or 814  
(2) of this section. If the person is not able to promptly 815  
produce a valid military identification card and documentation 816  
of successful completion of firearms training that meets or 817  
exceeds the training requirements described in division (G) (1) 818  
of section 2923.125 of the Revised Code and if the person at the 819  
time of the violation is not knowingly in a ~~an~~ unauthorized 820  
place ~~described~~ specified in division (B) of section 2923.126 of 821  
the Revised Code or knowingly carrying or having the firearm in 822  
any prohibited manner listed in that division, the officer shall 823  
issue a citation and the offender shall be assessed a civil 824  
penalty of not more than five hundred dollars. The citation 825  
shall be automatically dismissed and the civil penalty shall not 826  
be assessed if both of the following apply: 827

(a) Within ten days after the issuance of the citation, 828  
the offender presents a valid military identification card and 829  
documentation of successful completion of firearms training that 830  
meets or exceeds the training requirements described in division 831  
(G) (1) of section 2923.125 of the Revised Code, which were both 832  
valid at the time of the issuance of the citation to the law 833  
enforcement agency that employs the citing officer. 834

(b) At the time of the citation, the offender was not 835  
knowingly in ~~a~~ any unauthorized place described ~~specified~~ in 836  
division (B) of section 2923.126 of the Revised Code or 837  
knowingly carrying or having the firearm in any prohibited 838  
manner listed in that division. 839

~~(7)~~ ~~(5)~~ If a person being arrested for a violation of 840  
division (A) (1) or (2) of this section based on carrying a 841  
concealed firearm that is not a restricted firearm is knowingly 842  
in ~~a~~ any unauthorized place described in division (B) (5) of 843

section 2923.126 of the Revised Code and is not authorized to 844  
carry a ~~handgun~~-firearm or have a ~~handgun~~-firearm concealed on 845  
the person's person or concealed ready at hand under that 846  
division, the penalty shall be as follows: 847

(a) Except as otherwise provided in ~~this division, if the~~ 848  
~~person produces a valid concealed handgun license within ten~~ 849  
~~days after the arrest and has not previously been convicted or~~ 850  
~~pleaded guilty to a violation of division (A) (2) of this section~~ 851  
(F) (5) (b), (c), or (d) of this section, the person is guilty of 852  
a minor misdemeanor; 853

(b) Except as otherwise provided in ~~this division~~ (F) (5) 854  
(c) or (d) of this section, if the person has previously been 855  
convicted of or pleaded guilty to a violation of division (A) (1) 856  
or (2) of this section, the person is guilty of a misdemeanor of 857  
the fourth degree; 858

(c) Except as otherwise provided in ~~this division~~ (F) (5) 859  
(d) of this section, if the person has previously been convicted 860  
of or pleaded guilty to two violations of division (A) (1) or (2) 861  
of this section, the person is guilty of a misdemeanor of the 862  
third degree; 863

(d) ~~Except as otherwise provided in this division, if~~ 864  
~~If~~ the person has previously been convicted of or pleaded guilty to 865  
three or more violations of division (A) (1) or (2) of this 866  
section, or convicted of or pleaded guilty to any offense of 867  
violence, if the weapon involved is a firearm that is either 868  
loaded or for which the offender has ammunition ready at hand, 869  
or if the weapon involved is a dangerous ordnance, the person is 870  
guilty of a misdemeanor of the second degree. 871

(G) If a law enforcement officer stops a person to 872

question the person regarding a possible violation of this 873  
section, for a traffic stop, or for any other law enforcement 874  
purpose, if the person surrenders a firearm to the officer, 875  
either voluntarily or pursuant to a request or demand of the 876  
officer, and if the officer does not charge the person with a 877  
violation of this section or arrest the person for any offense, 878  
the person is not otherwise prohibited by law from possessing 879  
the firearm, and the firearm is not contraband, the officer 880  
shall return the firearm to the person at the termination of the 881  
stop. If a court orders a law enforcement officer to return a 882  
firearm to a person pursuant to the requirement set forth in 883  
this division, division (B) of section 2923.163 of the Revised 884  
Code applies. 885

**Sec. 2923.121.** (A) No person shall possess a firearm in 886  
any room in which any person is consuming beer or intoxicating 887  
liquor in a premises for which a D permit has been issued under 888  
Chapter 4303. of the Revised Code or in an open air arena for 889  
which a permit of that nature has been issued. 890

(B) (1) This section does not apply to any of the 891  
following: 892

(a) An officer, agent, or employee of this or any other 893  
state or the United States, or to a law enforcement officer, who 894  
is authorized to carry firearms and is acting within the scope 895  
of the officer's, agent's, or employee's duties; 896

(b) Any person who is employed in this state, who is 897  
authorized to carry firearms, and who is subject to and in 898  
compliance with the requirements of section 109.801 of the 899  
Revised Code, unless the appointing authority of the person has 900  
expressly specified that the exemption provided in division (B) 901  
(1) (b) of this section does not apply to the person; 902

(c) Any room used for the accommodation of guests of a 903  
hotel, as defined in section 4301.01 of the Revised Code; 904

(d) The principal holder of a D permit issued for a 905  
premises or an open air arena under Chapter 4303. of the Revised 906  
Code while in the premises or open air arena for which the 907  
permit was issued if the principal holder of the D permit also 908  
possesses a valid concealed handgun license or is deemed under 909  
division (C) of section 2923.111 of the Revised Code to have 910  
been issued a concealed handgun license under section 2923.125 911  
of the Revised Code and as long as the firearm is not a 912  
restricted firearm and the principal holder is not consuming 913  
beer or intoxicating liquor or under the influence of alcohol or 914  
a drug of abuse, or any agent or employee of that holder who 915  
also is a peace officer, as defined in section 2151.3515 of the 916  
Revised Code, who is off duty, and who otherwise is authorized 917  
to carry firearms while in the course of the officer's official 918  
duties and while in the premises or open air arena for which the 919  
permit was issued and as long as the firearm is not a restricted 920  
firearm and the agent or employee of that holder is not 921  
consuming beer or intoxicating liquor or under the influence of 922  
alcohol or a drug of abuse. 923

(e) Any person who is carrying a valid concealed handgun 924  
license, any person who is deemed under division (C) of section 925  
2923.111 of the Revised Code to have been issued a concealed 926  
handgun license under section 2923.125 of the Revised Code, or 927  
any person who is an active duty member of the armed forces of 928  
the United States and is carrying a valid military 929  
identification card and documentation of successful completion 930  
of firearms training that meets or exceeds the training 931  
requirements described in division (G) (1) of section 2923.125 of 932  
the Revised Code, as long as the firearm is not a restricted 933

firearm and the person is not consuming beer or intoxicating 934  
liquor or under the influence of alcohol or a drug of abuse. 935

(2) This section does not prohibit any person who is a 936  
member of a veteran's organization, as defined in section 937  
2915.01 of the Revised Code, from possessing a rifle in any room 938  
in any premises owned, leased, or otherwise under the control of 939  
the veteran's organization, if the rifle is not loaded with live 940  
ammunition and if the person otherwise is not prohibited by law 941  
from having the rifle. 942

(3) This section does not apply to any person possessing 943  
or displaying firearms in any room used to exhibit unloaded 944  
firearms for sale or trade in a soldiers' memorial established 945  
pursuant to Chapter 345. of the Revised Code, in a convention 946  
center, or in any other public meeting place, if the person is 947  
an exhibitor, trader, purchaser, or seller of firearms and is 948  
not otherwise prohibited by law from possessing, trading, 949  
purchasing, or selling the firearms. 950

(C) It is an affirmative defense to a charge under this 951  
section of illegal possession of a firearm in a liquor permit 952  
premises ~~that involves~~ involving the possession of a firearm 953  
other than a handgun, that neither division (B)(1)(d) nor (e) of 954  
this section applies, that the actor was not otherwise 955  
prohibited by law from having the firearm, and that any of the 956  
following apply: 957

(1) The firearm was carried or kept ready at hand by the 958  
actor for defensive purposes, while the actor was engaged in or 959  
was going to or from the actor's lawful business or occupation, 960  
which business or occupation was of such character or was 961  
necessarily carried on in such manner or at such a time or place 962  
as to render the actor particularly susceptible to criminal 963

attack, such as would justify a prudent person in going armed. 964

(2) The firearm was carried or kept ready at hand by the 965  
actor for defensive purposes, while the actor was engaged in a 966  
lawful activity, and had reasonable cause to fear a criminal 967  
attack upon the actor or a member of the actor's family, or upon 968  
the actor's home, such as would justify a prudent person in 969  
going armed. 970

(D) No person who is charged with a violation of this 971  
section shall be required to obtain a concealed handgun license 972  
as a condition for the dismissal of the charge. 973

(E) Whoever violates this section is guilty of illegal 974  
possession of a firearm in a liquor permit premises. Except as 975  
otherwise provided in this division, illegal possession of a 976  
firearm in a liquor permit premises is a felony of the fifth 977  
degree. If the offender commits the violation of this section by 978  
knowingly carrying or having the firearm concealed on the 979  
offender's person or concealed ready at hand, illegal possession 980  
of a firearm in a liquor permit premises is a felony of the 981  
third degree. 982

(F) As used in this section, "beer" and "intoxicating 983  
liquor" have the same meanings as in section 4301.01 of the 984  
Revised Code. 985

**Sec. 2923.122.** (A) No person shall knowingly convey, or 986  
attempt to convey, a deadly weapon or dangerous ordnance into a 987  
school safety zone. 988

(B) No person shall knowingly possess a deadly weapon or 989  
dangerous ordnance in a school safety zone. 990

(C) No person shall knowingly possess an object in a 991  
school safety zone if both of the following apply: 992

(1) The object is indistinguishable from a firearm,	993
whether or not the object is capable of being fired.	994
(2) The person indicates that the person possesses the	995
object and that it is a firearm, or the person knowingly	996
displays or brandishes the object and indicates that it is a	997
firearm.	998
(D) (1) This section does not apply to any of the	999
following:	1000
(a) An officer, agent, or employee of this or any other	1001
state or the United States who is authorized to carry deadly	1002
weapons or dangerous ordnance and is acting within the scope of	1003
the officer's, agent's, or employee's duties, a law enforcement	1004
officer who is authorized to carry deadly weapons or dangerous	1005
ordnance, a security officer employed by a board of education or	1006
governing body of a school during the time that the security	1007
officer is on duty pursuant to that contract of employment, or	1008
any other person who has written authorization from the board of	1009
education or governing body of a school to convey deadly weapons	1010
or dangerous ordnance into a school safety zone or to possess a	1011
deadly weapon or dangerous ordnance in a school safety zone and	1012
who conveys or possesses the deadly weapon or dangerous ordnance	1013
in accordance with that authorization;	1014
(b) Any person who is employed in this state, who is	1015
authorized to carry deadly weapons or dangerous ordnance, and	1016
who is subject to and in compliance with the requirements of	1017
section 109.801 of the Revised Code, unless the appointing	1018
authority of the person has expressly specified that the	1019
exemption provided in division (D) (1) (b) of this section does	1020
not apply to the person.	1021

(2) Division (C) of this section does not apply to 1022  
premises upon which home schooling is conducted. Division (C) of 1023  
this section also does not apply to a school administrator, 1024  
teacher, or employee who possesses an object that is 1025  
indistinguishable from a firearm for legitimate school purposes 1026  
during the course of employment, a student who uses an object 1027  
that is indistinguishable from a firearm under the direction of 1028  
a school administrator, teacher, or employee, or any other 1029  
person who with the express prior approval of a school 1030  
administrator possesses an object that is indistinguishable from 1031  
a firearm for a legitimate purpose, including the use of the 1032  
object in a ceremonial activity, a play, reenactment, or other 1033  
dramatic presentation, school safety training, or a ROTC 1034  
activity or another similar use of the object. 1035

(3) This section does not apply to a person who conveys or 1036  
attempts to convey a ~~handgun~~ firearm that is not a restricted 1037  
firearm into, or possesses a ~~handgun~~ firearm that is not a 1038  
restricted firearm in, a school safety zone if, ~~at~~ both of the 1039  
following apply: 1040

(a) At the time of that conveyance, attempted conveyance, 1041  
or possession of the ~~handgun~~ firearm that is not a restricted 1042  
firearm, ~~all the person is carrying a valid concealed handgun~~ 1043  
license, the person is deemed under division (C) of section 1044  
2923.111 of the Revised Code to have been issued a concealed 1045  
handgun license under section 2923.125 of the Revised Code, or 1046  
the person is an active duty member of the armed forces of the 1047  
United States and is carrying a valid military identification 1048  
card and documentation of successful completion of firearms 1049  
training that meets or exceeds the training requirements 1050  
described in division (G) (1) of section 2923.125 of the Revised 1051  
Code. 1052

~~(b) Either of the following apply applies:~~ 1053

~~(a) (i) The person does not enter into a school building or onto school premises and is not at a school activity.~~ 1054  
1055

~~(b) The person is carrying a valid concealed handgun license or the person 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.~~ 1056  
1057  
1058  
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1062

~~(c) The , the person is in the school safety zone in accordance with 18 U.S.C. 922(q) (2) (B).~~ 1063  
1064

~~(d) The , and the person is not knowingly in a an unauthorized place ~~described~~ specified in division (B) (1) or (B) (3) to (8) of section 2923.126 of the Revised Code and is not knowingly conveying, attempting to convey, or possessing the firearm in any prohibited manner specified in any of those divisions.~~ 1065  
1066  
1067  
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1069  
1070

~~(4) This section does not apply to a person who conveys or attempts to convey a handgun into, or possesses a handgun in, a school safety zone if at the time of that conveyance, attempted conveyance, or possession of the handgun all of the following apply:~~ 1071  
1072  
1073  
1074  
1075

~~(a) The person is carrying a valid concealed handgun license or the person 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~~ 1076  
1077  
1078  
1079  
1080  
1081

~~the Revised Code.~~ 1082

~~(b) (ii) The person leaves the handgun in a motor vehicle.~~ 1083

~~(c) The, the handgun does not leave the motor vehicle.~~ 1084

~~(d) If, and, if the person exits the motor vehicle, the~~ 1085  
person locks the motor vehicle. 1086

(E) (1) Whoever violates division (A) or (B) of this 1087  
section is guilty of illegal conveyance or possession of a 1088  
deadly weapon or dangerous ordnance in a school safety zone. 1089  
Except as otherwise provided in this division, illegal 1090  
conveyance or possession of a deadly weapon or dangerous 1091  
ordnance in a school safety zone is a felony of the fifth 1092  
degree. If the offender previously has been convicted of a 1093  
violation of this section, illegal conveyance or possession of a 1094  
deadly weapon or dangerous ordnance in a school safety zone is a 1095  
felony of the fourth degree. 1096

(2) Whoever violates division (C) of this section is 1097  
guilty of illegal possession of an object indistinguishable from 1098  
a firearm in a school safety zone. Except as otherwise provided 1099  
in this division, illegal possession of an object 1100  
indistinguishable from a firearm in a school safety zone is a 1101  
misdemeanor of the first degree. If the offender previously has 1102  
been convicted of a violation of this section, illegal 1103  
possession of an object indistinguishable from a firearm in a 1104  
school safety zone is a felony of the fifth degree. 1105

(F) (1) In addition to any other penalty imposed upon a 1106  
person who is convicted of or pleads guilty to a violation of 1107  
this section and subject to division (F) (2) of this section, if 1108  
the offender has not attained nineteen years of age, regardless 1109  
of whether the offender is attending or is enrolled in a school 1110

operated by a board of education or for which the state board of 1111  
education prescribes minimum standards under section 3301.07 of 1112  
the Revised Code, the court shall impose upon the offender a 1113  
class four suspension of the offender's probationary driver's 1114  
license, restricted license, driver's license, commercial 1115  
driver's license, temporary instruction permit, or probationary 1116  
commercial driver's license that then is in effect from the 1117  
range specified in division (A)(4) of section 4510.02 of the 1118  
Revised Code and shall deny the offender the issuance of any 1119  
permit or license of that type during the period of the 1120  
suspension. 1121

If the offender is not a resident of this state, the court 1122  
shall impose a class four suspension of the nonresident 1123  
operating privilege of the offender from the range specified in 1124  
division (A)(4) of section 4510.02 of the Revised Code. 1125

(2) If the offender shows good cause why the court should 1126  
not suspend one of the types of licenses, permits, or privileges 1127  
specified in division (F)(1) of this section or deny the 1128  
issuance of one of the temporary instruction permits specified 1129  
in that division, the court in its discretion may choose not to 1130  
impose the suspension, revocation, or denial required in that 1131  
division, but the court, in its discretion, instead may require 1132  
the offender to perform community service for a number of hours 1133  
determined by the court. 1134

(G) As used in this section, "object that is 1135  
indistinguishable from a firearm" means an object made, 1136  
constructed, or altered so that, to a reasonable person without 1137  
specialized training in firearms, the object appears to be a 1138  
firearm. 1139

**Sec. 2923.123.** (A) No person shall knowingly convey or 1140

attempt to convey a deadly weapon or dangerous ordnance into a 1141  
courthouse or into another building or structure in which a 1142  
courtroom is located. 1143

(B) No person shall knowingly possess or have under the 1144  
person's control a deadly weapon or dangerous ordnance in a 1145  
courthouse or in another building or structure in which a 1146  
courtroom is located. 1147

(C) This section does not apply to any of the following: 1148

(1) Except as provided in division (E) of this section, a 1149  
judge of a court of record of this state or a magistrate; 1150

(2) A peace officer, officer of a law enforcement agency, 1151  
or person who is in either of the following categories: 1152

(a) Except as provided in division (E) of this section, a 1153  
peace officer, or an officer of a law enforcement agency of 1154  
another state, a political subdivision of another state, or the 1155  
United States, who is authorized to carry a deadly weapon or 1156  
dangerous ordnance, who possesses or has under that individual's 1157  
control a deadly weapon or dangerous ordnance as a requirement 1158  
of that individual's duties, and who is acting within the scope 1159  
of that individual's duties at the time of that possession or 1160  
control; 1161

(b) Except as provided in division (E) of this section, a 1162  
person who is employed in this state, who is authorized to carry 1163  
a deadly weapon or dangerous ordnance, who possesses or has 1164  
under that individual's control a deadly weapon or dangerous 1165  
ordnance as a requirement of that person's duties, and who is 1166  
subject to and in compliance with the requirements of section 1167  
109.801 of the Revised Code, unless the appointing authority of 1168  
the person has expressly specified that the exemption provided 1169

in division (C) (2) (b) of this section does not apply to the 1170  
person. 1171

(3) A person who conveys, attempts to convey, possesses, 1172  
or has under the person's control a deadly weapon or dangerous 1173  
ordnance that is to be used as evidence in a pending criminal or 1174  
civil action or proceeding; 1175

(4) Except as provided in division (E) of this section, a 1176  
bailiff or deputy bailiff of a court of record of this state who 1177  
is authorized to carry a firearm pursuant to section 109.77 of 1178  
the Revised Code, who possesses or has under that individual's 1179  
control a firearm as a requirement of that individual's duties, 1180  
and who is acting within the scope of that individual's duties 1181  
at the time of that possession or control; 1182

(5) Except as provided in division (E) of this section, a 1183  
prosecutor, or a secret service officer appointed by a county 1184  
prosecuting attorney, who is authorized to carry a deadly weapon 1185  
or dangerous ordnance in the performance of the individual's 1186  
duties, who possesses or has under that individual's control a 1187  
deadly weapon or dangerous ordnance as a requirement of that 1188  
individual's duties, and who is acting within the scope of that 1189  
individual's duties at the time of that possession or control; 1190

(6) (a) Except as provided in division (E) of this section, 1191  
a person who conveys or attempts to convey a ~~handgun~~-firearm 1192  
that is not a restricted firearm into a courthouse or into 1193  
another building or structure in which a courtroom is located, 1194  
or who possesses or has under the person's control a firearm 1195  
that is not a restricted firearm in a courthouse or such a 1196  
building or structure, if both of the following apply with 1197  
respect to the person: 1198

(i) The person, at the time of the conveyance ~~or, attempt,~~ 1199  
either possession, or control, is carrying a valid concealed 1200  
handgun license, is deemed under division (C) of section 1201  
2923.111 of the Revised Code to have been issued a concealed 1202  
handgun license under section 2923.125 of the Revised Code, or 1203  
is an active duty member of the armed forces of the United 1204  
States and is carrying a valid military identification card and 1205  
documentation of successful completion of firearms training that 1206  
meets or exceeds the training requirements described in division 1207  
(G) (1) of section 2923.125 of the Revised Code, ~~and who.~~ 1208

(ii) The person transfers possession of the handgun 1209  
firearm that is not a restricted firearm to the officer or 1210  
officer's designee who has charge of the courthouse or building. 1211

(b) The officer described in division (C) (6) (a) (ii) of 1212  
this section shall secure the handgun firearm that is not a 1213  
restricted firearm until the licensee is prepared to leave the 1214  
premises. The exemption described in ~~this~~ division (C) (6) (a) of 1215  
this section applies only if the officer who has charge of the 1216  
courthouse or building provides services of the nature described 1217  
in ~~this~~ division (C) (6) (a) (ii) of this section. An officer who 1218  
has charge of the courthouse or building is not required to 1219  
offer services of the nature described in ~~this~~ division (C) (6) 1220  
(a) (ii) of this section. 1221

(D) (1) Whoever violates division (A) of this section is 1222  
guilty of illegal conveyance of a deadly weapon or dangerous 1223  
ordnance into a courthouse. Except as otherwise provided in this 1224  
division, illegal conveyance of a deadly weapon or dangerous 1225  
ordnance into a courthouse is a felony of the fifth degree. If 1226  
the offender previously has been convicted of a violation of 1227  
division (A) or (B) of this section, illegal conveyance of a 1228

deadly weapon or dangerous ordnance into a courthouse is a 1229  
felony of the fourth degree. 1230

(2) Whoever violates division (B) of this section is 1231  
guilty of illegal possession or control of a deadly weapon or 1232  
dangerous ordnance in a courthouse. Except as otherwise provided 1233  
in this division, illegal possession or control of a deadly 1234  
weapon or dangerous ordnance in a courthouse is a felony of the 1235  
fifth degree. If the offender previously has been convicted of a 1236  
violation of division (A) or (B) of this section, illegal 1237  
possession or control of a deadly weapon or dangerous ordnance 1238  
in a courthouse is a felony of the fourth degree. 1239

(E) The exemptions described in divisions (C) (1), (2) (a), 1240  
(2) (b), (4), (5), and (6) of this section do not apply to any 1241  
judge, magistrate, peace officer, officer of a law enforcement 1242  
agency, bailiff, deputy bailiff, prosecutor, secret service 1243  
officer, or other person described in any of those divisions if 1244  
a rule of superintendence or another type of rule adopted by the 1245  
supreme court pursuant to Article IV, Ohio Constitution, or an 1246  
applicable local rule of court prohibits all persons from 1247  
conveying or attempting to convey a deadly weapon or dangerous 1248  
ordnance into a courthouse or into another building or structure 1249  
in which a courtroom is located or from possessing or having 1250  
under one's control a deadly weapon or dangerous ordnance in a 1251  
courthouse or in another building or structure in which a 1252  
courtroom is located. 1253

(F) As used in this section: 1254

(1) "Magistrate" means an individual who is appointed by a 1255  
court of record of this state and who has the powers and may 1256  
perform the functions specified in Civil Rule 53, Criminal Rule 1257  
19, or Juvenile Rule 40. 1258

(2) "Peace officer" and "prosecutor" have the same 1259  
meanings as in section 2935.01 of the Revised Code. 1260

**Sec. 2923.124.** As used in sections 2923.124 to 2923.1213 1261  
of the Revised Code: 1262

(A) "Application form" means the application form 1263  
prescribed pursuant to division (A) (1) of section 109.731 of the 1264  
Revised Code and includes a copy of that form. 1265

(B) "Competency certification" and "competency 1266  
certificate" mean a document of the type described in division 1267  
(B) (3) of section 2923.125 of the Revised Code. 1268

(C) "Detention facility" has the same meaning as in 1269  
section 2921.01 of the Revised Code. 1270

(D) "Licensee" means a person to whom a concealed handgun 1271  
license has been issued under section 2923.125 of the Revised 1272  
Code and, except when the context clearly indicates otherwise, 1273  
includes a person to whom a concealed handgun license on a 1274  
temporary emergency basis has been issued under section 1275  
2923.1213 of the Revised Code ~~and,~~ a person to whom a concealed 1276  
handgun license has been issued by another state, and a person 1277  
who is deemed under division (C) of section 2923.111 of the 1278  
Revised Code to have been issued a concealed handgun license 1279  
under section 2923.125 of the Revised Code. 1280

(E) "License fee" or "license renewal fee" means the fee 1281  
for a concealed handgun license or the fee to renew that license 1282  
that is to be paid by an applicant for a license of that type. 1283

(F) "Peace officer" has the same meaning as in section 1284  
2935.01 of the Revised Code. 1285

(G) "State correctional institution" has the same meaning 1286

as in section 2967.01 of the Revised Code. 1287

(H) "Civil protection order" means a protection order 1288  
issued, or consent agreement approved, under section 2903.214 or 1289  
3113.31 of the Revised Code. 1290

(I) "Temporary protection order" means a protection order 1291  
issued under section 2903.213 or 2919.26 of the Revised Code. 1292

(J) "Protection order issued by a court of another state" 1293  
has the same meaning as in section 2919.27 of the Revised Code. 1294

(K) "Child day-care center," "type A family day-care home" 1295  
and "type B family day-care home" have the same meanings as in 1296  
section 5104.01 of the Revised Code. 1297

(L) "Foreign air transportation," "interstate air 1298  
transportation," and "intrastate air transportation" have the 1299  
same meanings as in 49 U.S.C. 40102, as now or hereafter 1300  
amended. 1301

(M) "Commercial motor vehicle" has the same meaning as in 1302  
division (A) of section 4506.25 of the Revised Code. 1303

(N) "Motor carrier enforcement unit" has the same meaning 1304  
as in section 2923.16 of the Revised Code. 1305

**Sec. 2923.125.** It is the intent of the general assembly 1306  
that Ohio concealed handgun license law be compliant with the 1307  
national instant criminal background check system, that the 1308  
bureau of alcohol, tobacco, firearms, and explosives is able to 1309  
determine that Ohio law is compliant with the national instant 1310  
criminal background check system, and that no person shall be 1311  
eligible to receive a concealed handgun license permit under 1312  
section 2923.125 or 2923.1213 of the Revised Code unless the 1313  
person is eligible lawfully to receive or possess a firearm in 1314

the United States. 1315

(A) This section applies with respect to the application 1316  
for and issuance by this state of concealed handgun licenses 1317  
other than concealed handgun licenses on a temporary emergency 1318  
basis that are issued under section 2923.1213 of the Revised 1319  
Code. Upon the request of a person who wishes to obtain a 1320  
concealed handgun license with respect to which this section 1321  
applies or to renew a concealed handgun license with respect to 1322  
which this section applies, a sheriff, as provided in division 1323  
(I) of this section, shall provide to the person free of charge 1324  
an application form and the web site address at which a 1325  
printable version of the application form that can be downloaded 1326  
and the pamphlet described in division (B) of section 109.731 of 1327  
the Revised Code may be found. A sheriff shall accept a 1328  
completed application form and the fee, items, materials, and 1329  
information specified in divisions (B) (1) to (5) of this section 1330  
at the times and in the manners described in division (I) of 1331  
this section. 1332

(B) An applicant for a concealed handgun license who is a 1333  
resident of this state shall submit a completed application form 1334  
and all of the material and information described in divisions 1335  
(B) (1) to (6) of this section to the sheriff of the county in 1336  
which the applicant resides or to the sheriff of any county 1337  
adjacent to the county in which the applicant resides. An 1338  
applicant for a license who resides in another state shall 1339  
submit a completed application form and all of the material and 1340  
information described in divisions (B) (1) to (7) of this section 1341  
to the sheriff of the county in which the applicant is employed 1342  
or to the sheriff of any county adjacent to the county in which 1343  
the applicant is employed: 1344

(1) (a) A nonrefundable license fee as described in either 1345  
of the following: 1346

(i) For an applicant who has been a resident of this state 1347  
for five or more years, a fee of sixty-seven dollars; 1348

(ii) For an applicant who has been a resident of this 1349  
state for less than five years or who is not a resident of this 1350  
state, but who is employed in this state, a fee of sixty-seven 1351  
dollars plus the actual cost of having a background check 1352  
performed by the federal bureau of investigation. 1353

(b) No sheriff shall require an applicant to pay for the 1354  
cost of a background check performed by the bureau of criminal 1355  
identification and investigation. 1356

(c) A sheriff shall waive the payment of the license fee 1357  
described in division (B) (1) (a) of this section in connection 1358  
with an initial or renewal application for a license that is 1359  
submitted by an applicant who is a retired peace officer, a 1360  
retired person described in division (B) (1) (b) of section 109.77 1361  
of the Revised Code, or a retired federal law enforcement 1362  
officer who, prior to retirement, was authorized under federal 1363  
law to carry a firearm in the course of duty, unless the retired 1364  
peace officer, person, or federal law enforcement officer 1365  
retired as the result of a mental disability. 1366

(d) The sheriff shall deposit all fees paid by an 1367  
applicant under division (B) (1) (a) of this section into the 1368  
sheriff's concealed handgun license issuance fund established 1369  
pursuant to section 311.42 of the Revised Code. The county shall 1370  
distribute the fees in accordance with section 311.42 of the 1371  
Revised Code. 1372

(2) A color photograph of the applicant that was taken 1373

within thirty days prior to the date of the application; 1374

(3) One or more of the following competency 1375  
certifications, each of which shall reflect that, regarding a 1376  
certification described in division (B)(3)(a), (b), (c), (e), or 1377  
(f) of this section, within the three years immediately 1378  
preceding the application the applicant has performed that to 1379  
which the competency certification relates and that, regarding a 1380  
certification described in division (B)(3)(d) of this section, 1381  
the applicant currently is an active or reserve member of the 1382  
armed forces of the United States or within the ten years 1383  
immediately preceding the application the honorable discharge or 1384  
retirement to which the competency certification relates 1385  
occurred: 1386

(a) An original or photocopy of a certificate of 1387  
completion of a firearms safety, training, or requalification or 1388  
firearms safety instructor course, class, or program that was 1389  
offered by or under the auspices of a national gun advocacy 1390  
organization and that complies with the requirements set forth 1391  
in division (G) of this section; 1392

(b) An original or photocopy of a certificate of 1393  
completion of a firearms safety, training, or requalification or 1394  
firearms safety instructor course, class, or program that 1395  
satisfies all of the following criteria: 1396

(i) It was open to members of the general public. 1397

(ii) It utilized qualified instructors who were certified 1398  
by a national gun advocacy organization, the executive director 1399  
of the Ohio peace officer training commission pursuant to 1400  
section 109.75 or 109.78 of the Revised Code, or a governmental 1401  
official or entity of another state. 1402

(iii) It was offered by or under the auspices of a law 1403  
enforcement agency of this or another state or the United 1404  
States, a public or private college, university, or other 1405  
similar postsecondary educational institution located in this or 1406  
another state, a firearms training school located in this or 1407  
another state, or another type of public or private entity or 1408  
organization located in this or another state. 1409

(iv) It complies with the requirements set forth in 1410  
division (G) of this section. 1411

(c) An original or photocopy of a certificate of 1412  
completion of a state, county, municipal, or department of 1413  
natural resources peace officer training school that is approved 1414  
by the executive director of the Ohio peace officer training 1415  
commission pursuant to section 109.75 of the Revised Code and 1416  
that complies with the requirements set forth in division (G) of 1417  
this section, or the applicant has satisfactorily completed and 1418  
been issued a certificate of completion of a basic firearms 1419  
training program, a firearms requalification training program, 1420  
or another basic training program described in section 109.78 or 1421  
109.801 of the Revised Code that complies with the requirements 1422  
set forth in division (G) of this section; 1423

(d) A document that evidences both of the following: 1424

(i) That the applicant is an active or reserve member of 1425  
the armed forces of the United States, has retired from or was 1426  
honorably discharged from military service in the active or 1427  
reserve armed forces of the United States, is a retired trooper 1428  
of the state highway patrol, or is a retired peace officer or 1429  
federal law enforcement officer described in division (B) (1) of 1430  
this section or a retired person described in division (B) (1) (b) 1431  
of section 109.77 of the Revised Code and division (B) (1) of 1432

this section; 1433

(ii) That, through participation in the military service 1434  
or through the former employment described in division (B) (3) (d) 1435  
(i) of this section, the applicant acquired experience with 1436  
handling ~~handguns or other~~ firearms, and the experience so 1437  
acquired was equivalent to training that the applicant could 1438  
have acquired in a course, class, or program described in 1439  
division (B) (3) (a), (b), or (c) of this section. 1440

(e) A certificate or another similar document that 1441  
evidences satisfactory completion of a firearms training, 1442  
safety, or requalification or firearms safety instructor course, 1443  
class, or program that is not otherwise described in division 1444  
(B) (3) (a), (b), (c), or (d) of this section, that was conducted 1445  
by an instructor who was certified by an official or entity of 1446  
the government of this or another state or the United States or 1447  
by a national gun advocacy organization, and that complies with 1448  
the requirements set forth in division (G) of this section; 1449

(f) An affidavit that attests to the applicant's 1450  
satisfactory completion of a course, class, or program described 1451  
in division (B) (3) (a), (b), (c), or (e) of this section and that 1452  
is subscribed by the applicant's instructor or an authorized 1453  
representative of the entity that offered the course, class, or 1454  
program or under whose auspices the course, class, or program 1455  
was offered; 1456

(g) A document that evidences that the applicant has 1457  
successfully completed the Ohio peace officer training program 1458  
described in section 109.79 of the Revised Code. 1459

(4) A certification by the applicant that the applicant 1460  
has read the pamphlet prepared by the Ohio peace officer 1461

training commission pursuant to section 109.731 of the Revised Code that reviews firearms, dispute resolution, and use of deadly force matters.

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

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

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

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

(D) (1) Except as provided in division (D) (3) of this section, within forty-five days after a sheriff's receipt of an applicant's completed application form for a concealed handgun license under this section, the supporting documentation, and, if not waived, the license fee, the sheriff shall make available through the law enforcement automated data system in accordance

with division (H) of this section the information described in 1491  
that division and, upon making the information available through 1492  
the system, shall issue to the applicant a concealed handgun 1493  
license that shall expire as described in division (D) (2) (a) of 1494  
this section if all of the following apply: 1495

(a) The applicant is legally living in the United States. 1496  
For purposes of division (D) (1) (a) of this section, if a person 1497  
is absent from the United States in compliance with military or 1498  
naval orders as an active or reserve member of the armed forces 1499  
of the United States and if prior to leaving the United States 1500  
the person was legally living in the United States, the person, 1501  
solely by reason of that absence, shall not be considered to 1502  
have lost the person's status as living in the United States. 1503

(b) The applicant is at least twenty-one years of age. 1504

(c) The applicant is not a fugitive from justice. 1505

(d) The applicant is not under indictment for or otherwise 1506  
charged with a felony; an offense under Chapter 2925., 3719., or 1507  
4729. of the Revised Code that involves the illegal possession, 1508  
use, sale, administration, or distribution of or trafficking in 1509  
a drug of abuse; a misdemeanor offense of violence; or a 1510  
violation of section 2903.14 or 2923.1211 of the Revised Code. 1511

(e) Except as otherwise provided in division (D) (4) or (5) 1512  
of this section, the applicant has not been convicted of or 1513  
pleaded guilty to a felony or an offense under Chapter 2925., 1514  
3719., or 4729. of the Revised Code that involves the illegal 1515  
possession, use, sale, administration, or distribution of or 1516  
trafficking in a drug of abuse; has not been adjudicated a 1517  
delinquent child for committing an act that if committed by an 1518  
adult would be a felony or would be an offense under Chapter 1519

2925., 3719., or 4729. of the Revised Code that involves the 1520  
illegal possession, use, sale, administration, or distribution 1521  
of or trafficking in a drug of abuse; has not been convicted of, 1522  
pleaded guilty to, or adjudicated a delinquent child for 1523  
committing a violation of section 2903.13 of the Revised Code 1524  
when the victim of the violation is a peace officer, regardless 1525  
of whether the applicant was sentenced under division (C) (4) of 1526  
that section; and has not been convicted of, pleaded guilty to, 1527  
or adjudicated a delinquent child for committing any other 1528  
offense that is not previously described in this division that 1529  
is a misdemeanor punishable by imprisonment for a term exceeding 1530  
one year. 1531

(f) Except as otherwise provided in division (D) (4) or (5) 1532  
of this section, the applicant, within three years of the date 1533  
of the application, has not been convicted of or pleaded guilty 1534  
to a misdemeanor offense of violence other than a misdemeanor 1535  
violation of section 2921.33 of the Revised Code or a violation 1536  
of section 2903.13 of the Revised Code when the victim of the 1537  
violation is a peace officer, or a misdemeanor violation of 1538  
section 2923.1211 of the Revised Code; and has not been 1539  
adjudicated a delinquent child for committing an act that if 1540  
committed by an adult would be a misdemeanor offense of violence 1541  
other than a misdemeanor violation of section 2921.33 of the 1542  
Revised Code or a violation of section 2903.13 of the Revised 1543  
Code when the victim of the violation is a peace officer or for 1544  
committing an act that if committed by an adult would be a 1545  
misdemeanor violation of section 2923.1211 of the Revised Code. 1546

(g) Except as otherwise provided in division (D) (1) (e) of 1547  
this section, the applicant, within five years of the date of 1548  
the application, has not been convicted of, pleaded guilty to, 1549  
or been adjudicated a delinquent child for committing two or 1550

more violations of section 2903.13 or 2903.14 of the Revised Code. 1551  
1552

(h) Except as otherwise provided in division (D) (4) or (5) 1553  
of this section, the applicant, within ten years of the date of 1554  
the application, has not been convicted of, pleaded guilty to, 1555  
or been adjudicated a delinquent child for committing a 1556  
violation of section 2921.33 of the Revised Code. 1557

(i) The applicant has not been adjudicated as a mental 1558  
defective, has not been committed to any mental institution, is 1559  
not under adjudication of mental incompetence, has not been 1560  
found by a court to be a mentally ill person subject to court 1561  
order, and is not an involuntary patient other than one who is a 1562  
patient only for purposes of observation. As used in this 1563  
division, "mentally ill person subject to court order" and 1564  
"patient" have the same meanings as in section 5122.01 of the 1565  
Revised Code. 1566

(j) The applicant is not currently subject to a civil 1567  
protection order, a temporary protection order, or a protection 1568  
order issued by a court of another state. 1569

(k) The applicant certifies that the applicant desires a 1570  
legal means to carry a concealed ~~handgun~~ firearm for defense of 1571  
the applicant or a member of the applicant's family while 1572  
engaged in lawful activity. 1573

(l) The applicant submits a competency certification of 1574  
the type described in division (B) (3) of this section and 1575  
submits a certification of the type described in division (B) (4) 1576  
of this section regarding the applicant's reading of the 1577  
pamphlet prepared by the Ohio peace officer training commission 1578  
pursuant to section 109.731 of the Revised Code. 1579

(m) The applicant currently is not subject to a suspension 1580  
imposed under division (A) (2) of section 2923.128 of the Revised 1581  
Code of a concealed handgun license that previously was issued 1582  
to the applicant under this section or section 2923.1213 of the 1583  
Revised Code or a similar suspension imposed by another state 1584  
regarding a concealed handgun license issued by that state. 1585

(n) If the applicant resides in another state, the 1586  
applicant is employed in this state. 1587

(o) The applicant certifies that the applicant is not an 1588  
unlawful user of or addicted to any controlled substance as 1589  
defined in 21 U.S.C. 802. 1590

(p) If the applicant is not a United States citizen, the 1591  
applicant is an alien and has not been admitted to the United 1592  
States under a nonimmigrant visa, as defined in the "Immigration 1593  
and Nationality Act," 8 U.S.C. 1101(a) (26). 1594

(q) The applicant has not been discharged from the armed 1595  
forces of the United States under dishonorable conditions. 1596

(r) The applicant certifies that the applicant has not 1597  
renounced the applicant's United States citizenship, if 1598  
applicable. 1599

(s) The applicant has not been convicted of, pleaded 1600  
guilty to, or adjudicated a delinquent child for committing a 1601  
violation of section 2919.25 of the Revised Code or a similar 1602  
violation in another state. 1603

(2) (a) A concealed handgun license that a sheriff issues 1604  
under division (D) (1) of this section shall expire five years 1605  
after the date of issuance. 1606

If a sheriff issues a license under this section, the 1607

sheriff shall place on the license a unique combination of 1608  
letters and numbers identifying the license in accordance with 1609  
the procedure prescribed by the Ohio peace officer training 1610  
commission pursuant to section 109.731 of the Revised Code. 1611

(b) If a sheriff denies an application under this section 1612  
because the applicant does not satisfy the criteria described in 1613  
division (D)(1) of this section, the sheriff shall specify the 1614  
grounds for the denial in a written notice to the applicant. The 1615  
applicant may appeal the denial pursuant to section 119.12 of 1616  
the Revised Code in the county served by the sheriff who denied 1617  
the application. If the denial was as a result of the criminal 1618  
records check conducted pursuant to section 311.41 of the 1619  
Revised Code and if, pursuant to section 2923.127 of the Revised 1620  
Code, the applicant challenges the criminal records check 1621  
results using the appropriate challenge and review procedure 1622  
specified in that section, the time for filing the appeal 1623  
pursuant to section 119.12 of the Revised Code and this division 1624  
is tolled during the pendency of the request or the challenge 1625  
and review. 1626

(c) If the court in an appeal under section 119.12 of the 1627  
Revised Code and division (D)(2)(b) of this section enters a 1628  
judgment sustaining the sheriff's refusal to grant to the 1629  
applicant a concealed handgun license, the applicant may file a 1630  
new application beginning one year after the judgment is 1631  
entered. If the court enters a judgment in favor of the 1632  
applicant, that judgment shall not restrict the authority of a 1633  
sheriff to suspend or revoke the license pursuant to section 1634  
2923.128 or 2923.1213 of the Revised Code or to refuse to renew 1635  
the license for any proper cause that may occur after the date 1636  
the judgment is entered. In the appeal, the court shall have 1637  
full power to dispose of all costs. 1638

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

(4) If an applicant has been convicted of or pleaded  
guilty to an offense identified in division (D)(1)(e), (f), or  
(h) of this section or has been adjudicated a delinquent child  
for committing an act or violation identified in any of those  
divisions, and if a court has ordered the sealing or expungement  
of the records of that conviction, guilty plea, or adjudication  
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to  
2953.36, or section 2953.37 of the Revised Code or the applicant  
has been relieved under operation of law or legal process from  
the disability imposed pursuant to section 2923.13 of the  
Revised Code relative to that conviction, guilty plea, or  
adjudication, the sheriff with whom the application was  
submitted shall not consider the conviction, guilty plea, or  
adjudication in making a determination under division (D)(1) or  
(F) of this section or, in relation to an application for a  
concealed handgun license on a temporary emergency basis  
submitted under section 2923.1213 of the Revised Code, in making  
a determination under division (B)(2) of that section.

(5) If an applicant has been convicted of or pleaded  
guilty to a minor misdemeanor offense or has been adjudicated a  
delinquent child for committing an act or violation that is a  
minor misdemeanor offense, the sheriff with whom the application  
was submitted shall not consider the conviction, guilty plea, or  
adjudication in making a determination under division (D)(1) or

(F) of this section or, in relation to an application for a  
concealed handgun license on a temporary basis submitted under  
section 2923.1213 of the Revised Code, in making a determination  
under division (B) (2) of that section.

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

(F) (1) (a) Except as provided in division (F) (1) (b) of this  
section, a licensee who wishes to renew a concealed handgun  
license issued under this section shall do so not earlier than  
ninety days before the expiration date of the license or at any  
time after the expiration date of the license by filing with the  
sheriff of the county in which the applicant resides or with the  
sheriff of an adjacent county, or in the case of ~~a~~ an applicant  
who resides in another state with the sheriff of the county that  
issued the applicant's previous concealed handgun license an  
application for renewal of the license obtained pursuant to  
division (D) of this section, a certification by the applicant  
that, subsequent to the issuance of the license, the applicant  
has reread the pamphlet prepared by the Ohio peace officer  
training commission pursuant to section 109.731 of the Revised  
Code that reviews firearms, dispute resolution, and use of  
deadly force matters, and a nonrefundable license renewal fee in  
an amount determined pursuant to division (F) (4) of this section

unless the fee is waived. 1701

(b) A person on active duty in the armed forces of the 1702  
United States or in service with the peace corps, volunteers in 1703  
service to America, or the foreign service of the United States 1704  
is exempt from the license requirements of this section for the 1705  
period of the person's active duty or service and for six months 1706  
thereafter, provided the person was a licensee under this 1707  
section at the time the person commenced the person's active 1708  
duty or service or had obtained a license while on active duty 1709  
or service. The spouse or a dependent of any such person on 1710  
active duty or in service also is exempt from the license 1711  
requirements of this section for the period of the person's 1712  
active duty or service and for six months thereafter, provided 1713  
the spouse or dependent was a licensee under this section at the 1714  
time the person commenced the active duty or service or had 1715  
obtained a license while the person was on active duty or 1716  
service, and provided further that the person's active duty or 1717  
service resulted in the spouse or dependent relocating outside 1718  
of this state during the period of the active duty or service. 1719  
This division does not prevent such a person or the person's 1720  
spouse or dependent from making an application for the renewal 1721  
of a concealed handgun license during the period of the person's 1722  
active duty or service. 1723

(2) A sheriff shall accept a completed renewal 1724  
application, the license renewal fee, and the information 1725  
specified in division (F)(1) of this section at the times and in 1726  
the manners described in division (I) of this section. Upon 1727  
receipt of a completed renewal application, of certification 1728  
that the applicant has reread the specified pamphlet prepared by 1729  
the Ohio peace officer training commission, and of a license 1730  
renewal fee unless the fee is waived, a sheriff, in the manner 1731

specified in section 311.41 of the Revised Code shall conduct or 1732  
cause to be conducted the criminal records check and the 1733  
incompetency records check described in section 311.41 of the 1734  
Revised Code. The sheriff shall renew the license if the sheriff 1735  
determines that the applicant continues to satisfy the 1736  
requirements described in division (D) (1) of this section, 1737  
except that the applicant is not required to meet the 1738  
requirements of division (D) (1) (1) of this section. A renewed 1739  
license shall expire five years after the date of issuance. A 1740  
renewed license is subject to division (E) of this section and 1741  
sections 2923.126 and 2923.128 of the Revised Code. A sheriff 1742  
shall comply with divisions (D) (2) and (3) of this section when 1743  
the circumstances described in those divisions apply to a 1744  
requested license renewal. If a sheriff denies the renewal of a 1745  
concealed handgun license, the applicant may appeal the denial, 1746  
or challenge the criminal record check results that were the 1747  
basis of the denial if applicable, in the same manner as 1748  
specified in division (D) (2) (b) of this section and in section 1749  
2923.127 of the Revised Code, regarding the denial of a license 1750  
under this section. 1751

(3) A renewal application submitted pursuant to division 1752  
(F) of this section shall only require the licensee to list on 1753  
the application form information and matters occurring since the 1754  
date of the licensee's last application for a license pursuant 1755  
to division (B) or (F) of this section. A sheriff conducting the 1756  
criminal records check and the incompetency records check 1757  
described in section 311.41 of the Revised Code shall conduct 1758  
the check only from the date of the licensee's last application 1759  
for a license pursuant to division (B) or (F) of this section 1760  
through the date of the renewal application submitted pursuant 1761  
to division (F) of this section. 1762

(4) An applicant for a renewal concealed handgun license 1763  
under this section shall submit to the sheriff of the county in 1764  
which the applicant resides or to the sheriff of any county 1765  
adjacent to the county in which the applicant resides, or in the 1766  
case of an applicant who resides in another state to the sheriff 1767  
of the county that issued the applicant's previous concealed 1768  
handgun license, a nonrefundable license fee as described in 1769  
either of the following: 1770

(a) For an applicant who has been a resident of this state 1771  
for five or more years, a fee of fifty dollars; 1772

(b) For an applicant who has been a resident of this state 1773  
for less than five years or who is not a resident of this state 1774  
but who is employed in this state, a fee of fifty dollars plus 1775  
the actual cost of having a background check performed by the 1776  
federal bureau of investigation. 1777

(5) The concealed handgun license of a licensee who is no 1778  
longer a resident of this state or no longer employed in this 1779  
state, as applicable, is valid until the date of expiration on 1780  
the license, and the licensee is prohibited from renewing the 1781  
concealed handgun license. 1782

(G) (1) Each course, class, or program described in 1783  
division (B) (3) (a), (b), (c), or (e) of this section shall 1784  
provide to each person who takes the course, class, or program 1785  
the web site address at which the pamphlet prepared by the Ohio 1786  
peace officer training commission pursuant to section 109.731 of 1787  
the Revised Code that reviews firearms, dispute resolution, and 1788  
use of deadly force matters may be found. Each such course, 1789  
class, or program described in one of those divisions shall 1790  
include at least eight hours of training in the safe handling 1791  
and use of a firearm that shall include training, provided as 1792

described in division (G) (3) of this section, on all of the 1793  
following: 1794

(a) The ability to name, explain, and demonstrate the 1795  
rules for safe handling of a ~~handgun~~-firearm and proper storage 1796  
practices for ~~handguns~~-firearms and ammunition; 1797

(b) The ability to demonstrate and explain how to handle 1798  
ammunition in a safe manner; 1799

(c) The ability to demonstrate the knowledge, skills, and 1800  
attitude necessary to shoot a ~~handgun~~-firearm in a safe manner; 1801

(d) Gun handling training; 1802

(e) A minimum of two hours of in-person training that 1803  
consists of range time and live-fire training. 1804

(2) To satisfactorily complete the course, class, or 1805  
program described in division (B) (3) (a), (b), (c), or (e) of 1806  
this section, the applicant shall pass a competency examination 1807  
that shall include both of the following: 1808

(a) A written section, provided as described in division 1809  
(G) (3) of this section, on the ability to name and explain the 1810  
rules for the safe handling of a ~~handgun~~-firearm and proper 1811  
storage practices for ~~handguns~~-firearms and ammunition; 1812

(b) An in-person physical demonstration of competence in 1813  
the use of a ~~handgun~~-firearm and in the rules for safe handling 1814  
and storage of a ~~handgun~~-firearm and a physical demonstration of 1815  
the attitude necessary to shoot a ~~handgun~~-firearm in a safe 1816  
manner. 1817

(3) (a) Except as otherwise provided in this division, the 1818  
training specified in division (G) (1) (a) of this section shall 1819  
be provided to the person receiving the training in person by an 1820

instructor. If the training specified in division (G) (1) (a) of 1821  
this section is provided by a course, class, or program 1822  
described in division (B) (3) (a) of this section, or it is 1823  
provided by a course, class, or program described in division 1824  
(B) (3) (b), (c), or (e) of this section and the instructor is a 1825  
qualified instructor certified by a national gun advocacy 1826  
organization, the training so specified, other than the training 1827  
that requires the person receiving the training to demonstrate 1828  
handling abilities, may be provided online or as a combination 1829  
of in-person and online training, as long as the online training 1830  
includes an interactive component that regularly engages the 1831  
person. 1832

(b) Except as otherwise provided in this division, the 1833  
written section of the competency examination specified in 1834  
division (G) (2) (a) of this section shall be administered to the 1835  
person taking the competency examination in person by an 1836  
instructor. If the training specified in division (G) (1) (a) of 1837  
this section is provided to the person receiving the training by 1838  
a course, class, or program described in division (B) (3) (a) of 1839  
this section, or it is provided by a course, class, or program 1840  
described in division (B) (3) (b), (c), or (e) of this section and 1841  
the instructor is a qualified instructor certified by a national 1842  
gun advocacy organization, the written section of the competency 1843  
examination specified in division (G) (2) (a) of this section may 1844  
be administered online, as long as the online training includes 1845  
an interactive component that regularly engages the person. 1846

(4) The competency certification described in division (B) 1847  
(3) (a), (b), (c), or (e) of this section shall be dated and 1848  
shall attest that the course, class, or program the applicant 1849  
successfully completed met the requirements described in 1850  
division (G) (1) of this section and that the applicant passed 1851

the competency examination described in division (G) (2) of this section. 1852  
1853

(H) Upon deciding to issue a concealed handgun license, 1854  
deciding to issue a replacement concealed handgun license, or 1855  
deciding to renew a concealed handgun license pursuant to this 1856  
section, and before actually issuing or renewing the license, 1857  
the sheriff shall make available through the law enforcement 1858  
automated data system all information contained on the license. 1859  
If the license subsequently is suspended under division (A) (1) 1860  
or (2) of section 2923.128 of the Revised Code, revoked pursuant 1861  
to division (B) (1) of section 2923.128 of the Revised Code, or 1862  
lost or destroyed, the sheriff also shall make available through 1863  
the law enforcement automated data system a notation of that 1864  
fact. The superintendent of the state highway patrol shall 1865  
ensure that the law enforcement automated data system is so 1866  
configured as to permit the transmission through the system of 1867  
the information specified in this division. 1868

(I) A sheriff shall accept a completed application form or 1869  
renewal application, and the fee, items, materials, and 1870  
information specified in divisions (B) (1) to (5) or division (F) 1871  
of this section, whichever is applicable, and shall provide an 1872  
application form or renewal application to any person during at 1873  
least fifteen hours a week and shall provide the web site 1874  
address at which a printable version of the application form 1875  
that can be downloaded and the pamphlet described in division 1876  
(B) of section 109.731 of the Revised Code may be found at any 1877  
time, upon request. The sheriff shall post notice of the hours 1878  
during which the sheriff is available to accept or provide the 1879  
information described in this division. 1880

**Sec. 2923.126.** (A) A concealed handgun license that is 1881

issued under section 2923.125 of the Revised Code shall expire 1882  
five years after the date of issuance. A licensee who has been 1883  
issued a license under that section shall be granted a grace 1884  
period of thirty days after the licensee's license expires 1885  
during which the licensee's license remains valid. Except as 1886  
provided in divisions (B) and (C) of this section, a licensee 1887  
who has been issued a concealed handgun license under section 1888  
2923.125 or 2923.1213 of the Revised Code, regardless of whether 1889  
the license was issued prior to, on, or after the effective date 1890  
of this amendment, may carry a concealed ~~handgun~~ firearm that is 1891  
not a restricted firearm anywhere in this state if the licensee 1892  
also carries a valid license and valid identification when the 1893  
licensee is in actual possession of ~~a the concealed handgun~~ 1894  
firearm. ~~The~~ A licensee who has been issued a concealed handgun 1895  
license under section 2923.125 or 2923.1213 of the Revised Code 1896  
shall give notice of any change in the licensee's residence 1897  
address to the sheriff who issued the license within forty-five 1898  
days after that change. 1899

If a licensee is the driver or an occupant of a motor 1900  
vehicle that is stopped as the result of a traffic stop or a 1901  
stop for another law enforcement purpose and if the licensee is 1902  
transporting or has a loaded ~~handgun~~ firearm that is not a 1903  
restricted firearm in the motor vehicle at that time, ~~the~~ 1904  
~~licensee shall promptly inform any law enforcement officer who~~ 1905  
~~approaches the vehicle while stopped that the licensee has been~~ 1906  
~~issued a concealed handgun license and that the licensee~~ 1907  
~~currently possesses or has a loaded handgun;~~ the licensee shall 1908  
not knowingly disregard or fail to comply with lawful orders of 1909  
a law enforcement officer given while the motor vehicle is 1910  
stopped, knowingly fail to remain in the motor vehicle while 1911  
stopped, or knowingly fail to keep the licensee's hands in plain 1912

sight after any law enforcement officer begins approaching the 1913  
licensee while stopped and before the officer leaves, unless 1914  
directed otherwise by a law enforcement officer; and the 1915  
licensee shall not knowingly have contact with the loaded 1916  
~~handgun~~ firearm by touching it with the licensee's hands or 1917  
fingers, in any manner in violation of division (E) of section 1918  
2923.16 of the Revised Code, after any law enforcement officer 1919  
begins approaching the licensee while stopped and before the 1920  
officer leaves. ~~Additionally, if a licensee is the driver or an~~ 1921  
~~occupant of a commercial motor vehicle that is stopped by an~~ 1922  
~~employee of the motor carrier enforcement unit for the purposes~~ 1923  
~~defined in section 5503.34 of the Revised Code and if the~~ 1924  
~~licensee is transporting or has a loaded handgun in the~~ 1925  
~~commercial motor vehicle at that time, the licensee shall~~ 1926  
~~promptly inform the employee of the unit who approaches the~~ 1927  
~~vehicle while stopped that the licensee has been issued a~~ 1928  
~~concealed handgun license and that the licensee currently~~ 1929  
~~possesses or has a loaded handgun.~~ 1930

If a licensee is stopped for a law enforcement purpose and 1931  
if the licensee is carrying a concealed ~~handgun~~ firearm that is 1932  
not a restricted firearm at the time the officer approaches, ~~the~~ 1933  
~~licensee shall promptly inform any law enforcement officer who~~ 1934  
~~approaches the licensee while stopped that the licensee has been~~ 1935  
~~issued a concealed handgun license and that the licensee~~ 1936  
~~currently is carrying a concealed handgun;~~ the licensee shall 1937  
not knowingly disregard or fail to comply with lawful orders of 1938  
a law enforcement officer given while the licensee is stopped or 1939  
knowingly fail to keep the licensee's hands in plain sight after 1940  
any law enforcement officer begins approaching the licensee 1941  
while stopped and before the officer leaves, unless directed 1942  
otherwise by a law enforcement officer; and the licensee shall 1943

not knowingly remove, attempt to remove, grasp, or hold the 1944  
loaded ~~handgun~~-firearm or knowingly have contact with the loaded 1945  
~~handgun~~-firearm by touching it with the licensee's hands or 1946  
fingers, in any manner in violation of division (B) of section 1947  
2923.12 of the Revised Code, after any law enforcement officer 1948  
begins approaching the licensee while stopped and before the 1949  
officer leaves. 1950

(B) ~~A valid~~ The right to carry a concealed firearm that is 1951  
granted under division (A) of this section to a licensee who has 1952  
been issued a concealed handgun license, or that is granted 1953  
under division (A) of section 2923.111 of the Revised Code to a 1954  
licensee who is deemed under division (C) of that section to 1955  
have been issued a concealed handgun license under section 1956  
2923.125 of the Revised Code, does not authorize the licensee to 1957  
carry any restricted firearm, does not authorize the licensee to 1958  
carry a firearm or a concealed ~~handgun~~-firearm in any manner 1959  
prohibited under division (B) of section 2923.12 of the Revised 1960  
Code or in any manner prohibited under section 1547.69, 2921.36, 1961  
2923.12, 2923.121, 2923.122, 2923.123, 2923.13, 2923.131, 1962  
2923.15, or 2923.16 of the Revised Code. ~~A valid license,~~ and 1963  
does not authorize the licensee to carry a concealed ~~handgun~~- 1964  
firearm into any of the following places: 1965

(1) A police station, sheriff's office, or state highway 1966  
patrol station, premises controlled by the bureau of criminal 1967  
identification and investigation; a state correctional 1968  
institution, jail, workhouse, or other detention facility; any 1969  
area of an airport passenger terminal that is beyond a passenger 1970  
or property screening checkpoint or to which access is 1971  
restricted through security measures by the airport authority or 1972  
a public agency; or an institution that is maintained, operated, 1973  
managed, and governed pursuant to division (A) of section 1974

5119.14 of the Revised Code or division (A) (1) of section	1975
5123.03 of the Revised Code;	1976
(2) A school safety zone if the licensee's carrying the	1977
concealed <del>handgun</del> - <u>firearm</u> is in violation of section 2923.122 of	1978
the Revised Code;	1979
(3) A courthouse or another building or structure in which	1980
a courtroom is located, <u>if the licensee's carrying the concealed</u>	1981
<u>firearm is</u> in violation of section 2923.123 of the Revised Code;	1982
(4) Any premises or open air arena for which a D permit	1983
has been issued under Chapter 4303. of the Revised Code if the	1984
licensee's carrying the concealed <del>handgun</del> - <u>firearm</u> is in	1985
violation of section 2923.121 of the Revised Code;	1986
(5) Any premises owned or leased by any public or private	1987
college, university, or other institution of higher education,	1988
unless the <del>handgun</del> - <u>firearm</u> is in a locked motor vehicle <del>or,</del> the	1989
licensee is in the immediate process of placing the <del>handgun</del> -	1990
<u>firearm</u> in a locked motor vehicle, <del>or unless</del> the licensee is	1991
carrying the concealed <del>handgun</del> - <u>firearm</u> pursuant to a written	1992
policy, rule, or other authorization that is adopted by the	1993
institution's board of trustees or other governing body and that	1994
authorizes specific individuals or classes of individuals to	1995
carry a concealed <del>handgun</del> - <u>firearm</u> on the premises;	1996
(6) Any church, synagogue, mosque, or other place of	1997
worship, unless the church, synagogue, mosque, or other place of	1998
worship posts or permits otherwise;	1999
(7) Any building that is a government facility of this	2000
state or a political subdivision of this state and that is not a	2001
building that is used primarily as a shelter, restroom, parking	2002
facility for motor vehicles, or rest facility and is not a	2003

courthouse or other building or structure in which a courtroom 2004  
is located that is subject to division (B) (3) of this section, 2005  
unless the governing body with authority over the building has 2006  
enacted a statute, ordinance, or policy that permits a licensee 2007  
to carry a concealed ~~handgun~~ firearm into the building; 2008

(8) A place in which federal law prohibits the carrying of 2009  
~~handguns~~ firearms. 2010

(C) (1) Nothing in this section or section 2923.111 of the 2011  
Revised Code shall negate or restrict a rule, policy, or 2012  
practice of a private employer that is not a private college, 2013  
university, or other institution of higher education concerning 2014  
or prohibiting the presence of firearms on the private 2015  
employer's premises or property, including motor vehicles owned 2016  
by the private employer. Nothing in this section or section 2017  
2923.111 of the Revised Code shall require a private employer of 2018  
that nature to adopt a rule, policy, or practice concerning or 2019  
prohibiting the presence of firearms on the private employer's 2020  
premises or property, including motor vehicles owned by the 2021  
private employer. 2022

(2) (a) A private employer shall be immune from liability 2023  
in a civil action for any injury, death, or loss to person or 2024  
property that allegedly was caused by or related to a licensee 2025  
bringing a ~~handgun~~ firearm onto the premises or property of the 2026  
private employer, including motor vehicles owned by the private 2027  
employer, unless the private employer acted with malicious 2028  
purpose. A private employer is immune from liability in a civil 2029  
action for any injury, death, or loss to person or property that 2030  
allegedly was caused by or related to the private employer's 2031  
decision to permit a licensee to bring, or prohibit a licensee 2032  
from bringing, a ~~handgun~~ firearm onto the premises or property 2033

of the private employer. 2034

(b) A political subdivision shall be immune from liability 2035  
in a civil action, to the extent and in the manner provided in 2036  
Chapter 2744. of the Revised Code, for any injury, death, or 2037  
loss to person or property that allegedly was caused by or 2038  
related to a licensee bringing a ~~handgun~~-firearm onto any 2039  
premises or property owned, leased, or otherwise under the 2040  
control of the political subdivision. As used in this division, 2041  
"political subdivision" has the same meaning as in section 2042  
2744.01 of the Revised Code. 2043

(c) An institution of higher education shall be immune 2044  
from liability in a civil action for any injury, death, or loss 2045  
to person or property that allegedly was caused by or related to 2046  
a licensee bringing a ~~handgun~~-firearm onto the premises of the 2047  
institution, including motor vehicles owned by the institution, 2048  
unless the institution acted with malicious purpose. An 2049  
institution of higher education is immune from liability in a 2050  
civil action for any injury, death, or loss to person or 2051  
property that allegedly was caused by or related to the 2052  
institution's decision to permit a licensee or class of 2053  
licensees to bring a ~~handgun~~-firearm onto the premises of the 2054  
institution. 2055

(3) (a) Except as provided in division (C) (3) (b) of this 2056  
section, the owner or person in control of private land or 2057  
premises, and a private person or entity leasing land or 2058  
premises owned by the state, the United States, or a political 2059  
subdivision of the state or the United States, may post a sign 2060  
in a conspicuous location on that land or on those premises 2061  
prohibiting persons from carrying firearms or concealed firearms 2062  
on or onto that land or those premises. Except as otherwise 2063

provided in this division, a person who knowingly violates a 2064  
posted prohibition of that nature is guilty of criminal trespass 2065  
in violation of division (A) (4) of section 2911.21 of the 2066  
Revised Code and is guilty of a misdemeanor of the fourth 2067  
degree. If a person knowingly violates a posted prohibition of 2068  
that nature and the posted land or premises primarily was a 2069  
parking lot or other parking facility, the person is not guilty 2070  
of criminal trespass under section 2911.21 of the Revised Code 2071  
or under any other criminal law of this state or criminal law, 2072  
ordinance, or resolution of a political subdivision of this 2073  
state, and instead is subject only to a civil cause of action 2074  
for trespass based on the violation. 2075

If a person knowingly violates a posted prohibition of the 2076  
nature described in this division and the posted land or 2077  
premises is a child day-care center, type A family day-care 2078  
home, or type B family day-care home, unless the person is a 2079  
licensee who resides in a type A family day-care home or type B 2080  
family day-care home, the person is guilty of aggravated 2081  
trespass in violation of section 2911.211 of the Revised Code. 2082  
Except as otherwise provided in this division, the offender is 2083  
guilty of a misdemeanor of the first degree. If the ~~person~~ 2084  
offender previously has been convicted of a violation of this 2085  
division or of any offense of violence, if the weapon involved 2086  
is a firearm that is either loaded or for which the offender has 2087  
ammunition ready at hand, or if the weapon involved is dangerous 2088  
ordnance, the offender is guilty of a felony of the fourth 2089  
degree. 2090

(b) A landlord may not prohibit or restrict a tenant who 2091  
is a licensee and who on or after September 9, 2008, enters into 2092  
a rental agreement with the landlord for the use of residential 2093  
premises, and the tenant's guest while the tenant is present, 2094

from lawfully carrying or possessing a handgun on those 2095  
residential premises. A landlord may not prohibit or restrict a 2096  
tenant who is a licensee and who on or after the effective date 2097  
of this amendment enters into a rental agreement with the 2098  
landlord for the use of residential premises and the tenant's 2099  
guest while the tenant is present from lawfully carrying or 2100  
possessing a firearm that is not a restricted firearm on those 2101  
premises. 2102

(c) As used in division (C) (3) of this section: 2103

(i) "Residential premises" has the same meaning as in 2104  
section 5321.01 of the Revised Code, except "residential 2105  
premises" does not include a dwelling unit that is owned or 2106  
operated by a college or university. 2107

(ii) "Landlord," "tenant," and "rental agreement" have the 2108  
same meanings as in section 5321.01 of the Revised Code. 2109

(D) A person who holds a valid concealed handgun license 2110  
issued by another state that is recognized by the attorney 2111  
general pursuant to a reciprocity agreement entered into 2112  
pursuant to section 109.69 of the Revised Code ~~or,~~ a person who 2113  
holds a valid concealed handgun license under the circumstances 2114  
described in division (B) of section 109.69 of the Revised Code,  2115  
or a person who is deemed under division (C) of section 2923.111 2116  
of the Revised Code to have been issued a concealed handgun 2117  
license under section 2923.125 of the Revised Code has the same 2118  
right to carry a concealed ~~handgun~~ firearm that is not a 2119  
restricted firearm in this state as a person who was issued a 2120  
concealed handgun license under section 2923.125 of the Revised 2121  
Code and is subject to the same restrictions that apply to a 2122  
person who carries a license issued under that section. 2123

(E) (1) A peace officer has the same right to carry a 2124  
concealed ~~handgun~~ firearm that is not a restricted firearm in 2125  
this state as a person who was issued a concealed handgun 2126  
license under section 2923.125 of the Revised Code. For purposes 2127  
of reciprocity with other states, a peace officer shall be 2128  
considered to be a licensee in this state who has been issued 2129  
such a license under that section. 2130

(2) An active duty member of the armed forces of the 2131  
United States who is carrying a valid military identification 2132  
card and documentation of successful completion of firearms 2133  
training that meets or exceeds the training requirements 2134  
described in division (G) (1) of section 2923.125 of the Revised 2135  
Code has the same right to carry a concealed ~~handgun~~ firearm 2136  
that is not a restricted firearm in this state as a person who 2137  
was issued a concealed handgun license under section 2923.125 of 2138  
the Revised Code and is subject to the same restrictions as 2139  
specified in this section. 2140

(F) (1) A qualified retired peace officer who possesses a 2141  
retired peace officer identification card issued pursuant to 2142  
division (F) (2) of this section and a valid firearms 2143  
requalification certification issued pursuant to division (F) (3) 2144  
of this section has the same right to carry a concealed ~~handgun~~ 2145  
firearm that is not a restricted firearm in this state as a 2146  
person who was issued a concealed handgun license under section 2147  
2923.125 of the Revised Code and is subject to the same 2148  
restrictions that apply to a person who carries a license issued 2149  
under that section. For purposes of reciprocity with other 2150  
states, a qualified retired peace officer who possesses a 2151  
retired peace officer identification card issued pursuant to 2152  
division (F) (2) of this section and a valid firearms 2153  
requalification certification issued pursuant to division (F) (3) 2154

of this section shall be considered to be a licensee in this 2155  
state who has been issued a concealed handgun license under 2156  
section 2923.125 of the Revised Code. 2157

(2) (a) Each public agency of this state or of a political 2158  
subdivision of this state that is served by one or more peace 2159  
officers shall issue a retired peace officer identification card 2160  
to any person who retired from service as a peace officer with 2161  
that agency, if the issuance is in accordance with the agency's 2162  
policies and procedures and if the person, with respect to the 2163  
person's service with that agency, satisfies all of the 2164  
following: 2165

(i) The person retired in good standing from service as a 2166  
peace officer with the public agency, and the retirement was not 2167  
for reasons of mental instability. 2168

(ii) Before retiring from service as a peace officer with 2169  
that agency, the person was authorized to engage in or supervise 2170  
the prevention, detection, investigation, or prosecution of, or 2171  
the incarceration of any person for, any violation of law and 2172  
the person had statutory powers of arrest. 2173

(iii) At the time of the person's retirement as a peace 2174  
officer with that agency, the person was trained and qualified 2175  
to carry firearms in the performance of the peace officer's 2176  
duties. 2177

(iv) Before retiring from service as a peace officer with 2178  
that agency, the person was regularly employed as a peace 2179  
officer for an aggregate of fifteen years or more, or, in the 2180  
alternative, the person retired from service as a peace officer 2181  
with that agency, after completing any applicable probationary 2182  
period of that service, due to a service-connected disability, 2183

as determined by the agency. 2184

(b) A retired peace officer identification card issued to 2185  
a person under division (F) (2) (a) of this section shall identify 2186  
the person by name, contain a photograph of the person, identify 2187  
the public agency of this state or of the political subdivision 2188  
of this state from which the person retired as a peace officer 2189  
and that is issuing the identification card, and specify that 2190  
the person retired in good standing from service as a peace 2191  
officer with the issuing public agency and satisfies the 2192  
criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 2193  
section. In addition to the required content specified in this 2194  
division, a retired peace officer identification card issued to 2195  
a person under division (F) (2) (a) of this section may include 2196  
the firearms requalification certification described in division 2197  
(F) (3) of this section, and if the identification card includes 2198  
that certification, the identification card shall serve as the 2199  
firearms requalification certification for the retired peace 2200  
officer. If the issuing public agency issues credentials to 2201  
active law enforcement officers who serve the agency, the agency 2202  
may comply with division (F) (2) (a) of this section by issuing 2203  
the same credentials to persons who retired from service as a 2204  
peace officer with the agency and who satisfy the criteria set 2205  
forth in divisions (F) (2) (a) (i) to (iv) of this section, 2206  
provided that the credentials so issued to retired peace 2207  
officers are stamped with the word "RETIRED." 2208

(c) A public agency of this state or of a political 2209  
subdivision of this state may charge persons who retired from 2210  
service as a peace officer with the agency a reasonable fee for 2211  
issuing to the person a retired peace officer identification 2212  
card pursuant to division (F) (2) (a) of this section. 2213

(3) If a person retired from service as a peace officer 2214  
with a public agency of this state or of a political subdivision 2215  
of this state and the person satisfies the criteria set forth in 2216  
divisions (F) (2) (a) (i) to (iv) of this section, the public 2217  
agency may provide the retired peace officer with the 2218  
opportunity to attend a firearms requalification program that is 2219  
approved for purposes of firearms requalification required under 2220  
section 109.801 of the Revised Code. The retired peace officer 2221  
may be required to pay the cost of the course. 2222

If a retired peace officer who satisfies the criteria set 2223  
forth in divisions (F) (2) (a) (i) to (iv) of this section attends 2224  
a firearms requalification program that is approved for purposes 2225  
of firearms requalification required under section 109.801 of 2226  
the Revised Code, the retired peace officer's successful 2227  
completion of the firearms requalification program requalifies 2228  
the retired peace officer for purposes of division (F) of this 2229  
section for five years from the date on which the program was 2230  
successfully completed, and the requalification is valid during 2231  
that five-year period. If a retired peace officer who satisfies 2232  
the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 2233  
section satisfactorily completes such a firearms requalification 2234  
program, the retired peace officer shall be issued a firearms 2235  
requalification certification that identifies the retired peace 2236  
officer by name, identifies the entity that taught the program, 2237  
specifies that the retired peace officer successfully completed 2238  
the program, specifies the date on which the course was 2239  
successfully completed, and specifies that the requalification 2240  
is valid for five years from that date of successful completion. 2241  
The firearms requalification certification for a retired peace 2242  
officer may be included in the retired peace officer 2243  
identification card issued to the retired peace officer under 2244

division (F) (2) of this section.	2245
A retired peace officer who attends a firearms	2246
requalification program that is approved for purposes of	2247
firearms requalification required under section 109.801 of the	2248
Revised Code may be required to pay the cost of the program.	2249
(G) As used in this section:	2250
(1) "Qualified retired peace officer" means a person who	2251
satisfies all of the following:	2252
(a) The person satisfies the criteria set forth in	2253
divisions (F) (2) (a) (i) to (v) of this section.	2254
(b) The person is not under the influence of alcohol or	2255
another intoxicating or hallucinatory drug or substance.	2256
(c) The person is not prohibited by federal law from	2257
receiving firearms.	2258
(2) "Retired peace officer identification card" means an	2259
identification card that is issued pursuant to division (F) (2)	2260
of this section to a person who is a retired peace officer.	2261
(3) "Government facility of this state or a political	2262
subdivision of this state" means any of the following:	2263
(a) A building or part of a building that is owned or	2264
leased by the government of this state or a political	2265
subdivision of this state and where employees of the government	2266
of this state or the political subdivision regularly are present	2267
for the purpose of performing their official duties as employees	2268
of the state or political subdivision;	2269
(b) The office of a deputy registrar serving pursuant to	2270
Chapter 4503. of the Revised Code that is used to perform deputy	2271

registrar functions. 2272

(4) "Governing body" has the same meaning as in section 2273  
154.01 of the Revised Code. 2274

**Sec. 2923.128.** (A) (1) (a) If a licensee holding a valid 2275  
concealed handgun license is arrested for or otherwise charged 2276  
with an offense described in division (D) (1) (d) of section 2277  
2923.125 of the Revised Code or with a violation of section 2278  
2923.15 of the Revised Code or becomes subject to a temporary 2279  
protection order or to a protection order issued by a court of 2280  
another state that is substantially equivalent to a temporary 2281  
protection order, the sheriff who issued the license shall 2282  
suspend it and shall comply with division (A) (3) of this section 2283  
upon becoming aware of the arrest, charge, or protection order. 2284  
Upon suspending the license, the sheriff also shall comply with 2285  
division (H) of section 2923.125 of the Revised Code. 2286

(b) A suspension under division (A) (1) (a) of this section 2287  
shall be considered as beginning on the date that the licensee 2288  
is arrested for or otherwise charged with an offense described 2289  
in that division or on the date the appropriate court issued the 2290  
protection order described in that division, irrespective of 2291  
when the sheriff notifies the licensee under division (A) (3) of 2292  
this section. The suspension shall end on the date on which the 2293  
charges are dismissed or the licensee is found not guilty of the 2294  
offense described in division (A) (1) (a) of this section or, 2295  
subject to division (B) of this section, on the date the 2296  
appropriate court terminates the protection order described in 2297  
that division. If the suspension so ends, the sheriff shall 2298  
return the license or temporary emergency license to the 2299  
licensee. 2300

(2) (a) If a licensee holding a valid concealed handgun 2301

license is convicted of or pleads guilty to a misdemeanor 2302  
violation of division (B) (1), ~~(2)~~, or ~~(4)~~ (3) of section 2923.12 2303  
of the Revised Code or of division (E) (1), ~~(2)~~, ~~(3)~~, or ~~(5)~~ (3) 2304  
of section 2923.16 of the Revised Code, ~~except as provided in~~ 2305  
~~division (A) (2) (c) of this section and subject to division (C)~~ 2306  
~~of this section,~~ the sheriff who issued the license shall 2307  
suspend it and shall comply with division (A) (3) of this section 2308  
upon becoming aware of the conviction or guilty plea. Upon 2309  
suspending the license, the sheriff also shall comply with 2310  
division (H) of section 2923.125 of the Revised Code. 2311

(b) A suspension under division (A) (2) (a) of this section 2312  
shall be considered as beginning on the date that the licensee 2313  
is convicted of or pleads guilty to the offense described in 2314  
that division, irrespective of when the sheriff notifies the 2315  
licensee under division (A) (3) of this section. If the 2316  
suspension is imposed for a misdemeanor violation of division 2317  
(B) (1) ~~or (2)~~ of section 2923.12 of the Revised Code or of 2318  
division (E) (1), ~~(2)~~, ~~or (3)~~ of section 2923.16 of the Revised 2319  
Code, it shall end on the date that is one year after the date 2320  
that the licensee is convicted of or pleads guilty to that 2321  
violation. If the suspension is imposed for a misdemeanor 2322  
violation of division (B) ~~(4)~~ (3) of section 2923.12 of the 2323  
Revised Code or of division (E) ~~(5)~~ (3) of section 2923.16 of the 2324  
Revised Code, it shall end on the date that is two years after 2325  
the date that the licensee is convicted of or pleads guilty to 2326  
that violation. If the licensee's license was issued under 2327  
section 2923.125 of the Revised Code and the license remains 2328  
valid after the suspension ends as described in this division, 2329  
when the suspension ends, the sheriff shall return the license 2330  
to the licensee. If the licensee's license was issued under 2331  
section 2923.125 of the Revised Code and the license expires 2332

before the suspension ends as described in this division, or if 2333  
the licensee's license was issued under section 2923.1213 of the 2334  
Revised Code, the licensee is not eligible to apply for a new 2335  
license under section 2923.125 or 2923.1213 of the Revised Code 2336  
or to renew the license under section 2923.125 of the Revised 2337  
Code until after the suspension ends as described in this 2338  
division. 2339

~~(c) The license of a licensee who is convicted of or 2340  
pleads guilty to a violation of division (B) (1) of section 2341  
2923.12 or division (E) (1) or (2) of section 2923.16 of the 2342  
Revised Code shall not be suspended pursuant to division (A) (2) 2343  
(a) of this section if, at the time of the stop of the licensee 2344  
for a law enforcement purpose, for a traffic stop, or for a 2345  
purpose defined in section 5503.34 of the Revised Code that was 2346  
the basis of the violation, any law enforcement officer involved 2347  
with the stop or the employee of the motor carrier enforcement 2348  
unit who made the stop had actual knowledge of the licensee's 2349  
status as a licensee. 2350~~

(3) Upon becoming aware of an arrest, charge, or 2351  
protection order described in division (A) (1) (a) of this section 2352  
with respect to a licensee who was issued a concealed handgun 2353  
license, or a conviction of or plea of guilty to a misdemeanor 2354  
offense described in division (A) (2) (a) of this section with 2355  
respect to a licensee who was issued a concealed handgun license 2356  
~~and with respect to which division (A) (2) (c) of this section 2357  
does not apply,~~ subject to division (C) of this section, the 2358  
sheriff who issued the licensee's license shall notify the 2359  
licensee, by certified mail, return receipt requested, at the 2360  
licensee's last known residence address that the license has 2361  
been suspended and that the licensee is required to surrender 2362  
the license at the sheriff's office within ten days of the date 2363

on which the notice was mailed. If the suspension is pursuant to 2364  
division (A) (2) of this section, the notice shall identify the 2365  
date on which the suspension ends. 2366

(B) (1) A sheriff who issues a concealed handgun license to 2367  
a licensee shall revoke the license in accordance with division 2368  
(B) (2) of this section upon becoming aware that the licensee 2369  
satisfies any of the following: 2370

(a) The licensee is under twenty-one years of age. 2371

(b) Subject to division (C) of this section, at the time 2372  
of the issuance of the license, the licensee did not satisfy the 2373  
eligibility requirements of division (D) (1) (c), (d), (e), (f), 2374  
(g), or (h) of section 2923.125 of the Revised Code. 2375

(c) Subject to division (C) of this section, on or after 2376  
the date on which the license was issued, the licensee is 2377  
convicted of or pleads guilty to a violation of section 2923.15 2378  
of the Revised Code or an offense described in division (D) (1) 2379  
(e), (f), (g), or (h) of section 2923.125 of the Revised Code. 2380

(d) On or after the date on which the license was issued, 2381  
the licensee becomes subject to a civil protection order or to a 2382  
protection order issued by a court of another state that is 2383  
substantially equivalent to a civil protection order. 2384

(e) The licensee knowingly carries a concealed ~~handgun~~ 2385  
firearm into a place that the licensee knows is an unauthorized 2386  
place specified in division (B) of section 2923.126 of the 2387  
Revised Code, knowingly carries a concealed firearm in any 2388  
prohibited manner listed in that division, or knowingly carries 2389  
under alleged authority as a licensee a concealed restricted 2390  
firearm. 2391

(f) On or after the date on which the license was issued, 2392

the licensee is adjudicated as a mental defective or is 2393  
committed to a mental institution. 2394

(g) At the time of the issuance of the license, the 2395  
licensee did not meet the residency requirements described in 2396  
division (D) (1) of section 2923.125 of the Revised Code and 2397  
currently does not meet the residency requirements described in 2398  
that division. 2399

(h) Regarding a license issued under section 2923.125 of 2400  
the Revised Code, the competency certificate the licensee 2401  
submitted was forged or otherwise was fraudulent. 2402

(2) Upon becoming aware of any circumstance listed in 2403  
division (B) (1) of this section that applies to a particular 2404  
licensee who was issued a concealed handgun license, subject to 2405  
division (C) of this section, the sheriff who issued the license 2406  
to the licensee shall notify the licensee, by certified mail, 2407  
return receipt requested, at the licensee's last known residence 2408  
address that the license is subject to revocation and that the 2409  
licensee may come to the sheriff's office and contest the 2410  
sheriff's proposed revocation within fourteen days of the date 2411  
on which the notice was mailed. After the fourteen-day period 2412  
and after consideration of any information that the licensee 2413  
provides during that period, if the sheriff determines on the 2414  
basis of the information of which the sheriff is aware that the 2415  
licensee is described in division (B) (1) of this section and no 2416  
longer satisfies the requirements described in division (D) (1) 2417  
of section 2923.125 of the Revised Code that are applicable to 2418  
the licensee's type of license, the sheriff shall revoke the 2419  
license, notify the licensee of that fact, and require the 2420  
licensee to surrender the license. Upon revoking the license, 2421  
the sheriff also shall comply with division (H) of section 2422

2923.125 of the Revised Code. 2423

(C) If a sheriff who issues a concealed handgun license to 2424  
a licensee becomes aware that at the time of the issuance of the 2425  
license the licensee had been convicted of or pleaded guilty to 2426  
an offense identified in division (D)(1)(e), (f), or (h) of 2427  
section 2923.125 of the Revised Code or had been adjudicated a 2428  
delinquent child for committing an act or violation identified 2429  
in any of those divisions or becomes aware that on or after the 2430  
date on which the license was issued the licensee has been 2431  
convicted of or pleaded guilty to an offense identified in 2432  
division (A)(2)(a) or (B)(1)(c) of this section, the sheriff 2433  
shall not consider that conviction, guilty plea, or adjudication 2434  
as having occurred for purposes of divisions (A)(2), (A)(3), (B) 2435  
(1), and (B)(2) of this section if a court has ordered the 2436  
sealing or expungement of the records of that conviction, guilty 2437  
plea, or adjudication pursuant to sections 2151.355 to 2151.358 2438  
or sections 2953.31 to 2953.36 of the Revised Code or the 2439  
licensee has been relieved under operation of law or legal 2440  
process from the disability imposed pursuant to section 2923.13 2441  
of the Revised Code relative to that conviction, guilty plea, or 2442  
adjudication. 2443

(D) As used in this section, "motor carrier enforcement 2444  
unit" has the same meaning as in section 2923.16 of the Revised 2445  
Code. 2446

**Sec. 2923.129.** (A)(1) If a sheriff, the superintendent of 2447  
the bureau of criminal identification and investigation, the 2448  
employees of the bureau, the Ohio peace officer training 2449  
commission, or the employees of the commission make a good faith 2450  
effort in performing the duties imposed upon the sheriff, the 2451  
superintendent, the bureau's employees, the commission, or the 2452

commission's employees by sections 109.731, 311.41, and 2923.124 2453  
to 2923.1213 of the Revised Code, in addition to the personal 2454  
immunity provided by section 9.86 of the Revised Code or 2455  
division (A) (6) of section 2744.03 of the Revised Code and the 2456  
governmental immunity of sections 2744.02 and 2744.03 of the 2457  
Revised Code and in addition to any other immunity possessed by 2458  
the bureau, the commission, and their employees, the sheriff, 2459  
the sheriff's office, the county in which the sheriff has 2460  
jurisdiction, the bureau, the superintendent of the bureau, the 2461  
bureau's employees, the commission, and the commission's 2462  
employees are immune from liability in a civil action for 2463  
injury, death, or loss to person or property that allegedly was 2464  
caused by or related to any of the following: 2465

(a) The issuance, renewal, suspension, or revocation of a 2466  
concealed handgun license; 2467

(b) The failure to issue, renew, suspend, or revoke a 2468  
concealed handgun license; 2469

(c) Any action or misconduct with a ~~handgun~~firearm 2470  
committed by a licensee. 2471

(2) Any action of a sheriff relating to the issuance, 2472  
renewal, suspension, or revocation of a concealed handgun 2473  
license shall be considered to be a governmental function for 2474  
purposes of Chapter 2744. of the Revised Code. 2475

(3) An entity that or instructor who provides a competency 2476  
certification of a type described in division (B) (3) of section 2477  
2923.125 of the Revised Code is immune from civil liability that 2478  
might otherwise be incurred or imposed for any death or any 2479  
injury or loss to person or property that is caused by or 2480  
related to a person to whom the entity or instructor has issued 2481

the competency certificate if all of the following apply:	2482
(a) The alleged liability of the entity or instructor	2483
relates to the training provided in the course, class, or	2484
program covered by the competency certificate.	2485
(b) The entity or instructor makes a good faith effort in	2486
determining whether the person has satisfactorily completed the	2487
course, class, or program and makes a good faith effort in	2488
assessing the person in the competency examination conducted	2489
pursuant to division (G) (2) of section 2923.125 of the Revised	2490
Code.	2491
(c) The entity or instructor did not issue the competency	2492
certificate with malicious purpose, in bad faith, or in a wanton	2493
or reckless manner.	2494
(4) An entity that or instructor who, prior to March 27,	2495
2013, provides a renewed competency certification of a type	2496
described in division (G) (4) of section 2923.125 of the Revised	2497
Code as it existed prior to March 27, 2013, is immune from civil	2498
liability that might otherwise be incurred or imposed for any	2499
death or any injury or loss to person or property that is caused	2500
by or related to a person to whom the entity or instructor has	2501
issued the renewed competency certificate if all of the	2502
following apply:	2503
(a) The entity or instructor makes a good faith effort in	2504
assessing the person in the physical demonstrations or the	2505
competency examination conducted pursuant to division (G) (4) of	2506
section 2923.125 of the Revised Code as it existed prior to	2507
March 27, 2013.	2508
(b) The entity or instructor did not issue the renewed	2509
competency certificate with malicious purpose, in bad faith, or	2510

in a wanton or reckless manner. 2511

(5) A law enforcement agency that employs a peace officer 2512  
is immune from liability in a civil action to recover damages 2513  
for injury, death, or loss to person or property allegedly 2514  
caused by any act of that peace officer if the act occurred 2515  
while the peace officer carried a concealed ~~handgun~~ firearm and 2516  
was off duty and if the act allegedly involved the peace 2517  
officer's use of the concealed ~~handgun~~ firearm. Sections 9.86 2518  
and 9.87, and Chapter 2744., of the Revised Code apply to any 2519  
civil action involving a peace officer's use of a concealed 2520  
~~handgun~~ firearm in the performance of the peace officer's 2521  
official duties while the peace officer is off duty. 2522

(B) Notwithstanding section 149.43 of the Revised Code, 2523  
the records that a sheriff keeps relative to the issuance, 2524  
renewal, suspension, or revocation of a concealed handgun 2525  
license, including, but not limited to, completed applications 2526  
for the issuance or renewal of a license, completed affidavits 2527  
submitted regarding an application for a license on a temporary 2528  
emergency basis, reports of criminal records checks and 2529  
incompetency records checks under section 311.41 of the Revised 2530  
Code, and applicants' social security numbers and fingerprints 2531  
that are obtained under division (A) of section 311.41 of the 2532  
Revised Code, are confidential and are not public records. No 2533  
person shall release or otherwise disseminate records that are 2534  
confidential under this division unless required to do so 2535  
pursuant to a court order. 2536

(C) Each sheriff shall report to the Ohio peace officer 2537  
training commission the number of concealed handgun licenses 2538  
that the sheriff issued, renewed, suspended, revoked, or denied 2539  
under section 2923.125 of the Revised Code during the previous 2540

quarter of the calendar year, the number of applications for 2541  
those licenses for which processing was suspended in accordance 2542  
with division (D) (3) of section 2923.125 of the Revised Code 2543  
during the previous quarter of the calendar year, and the number 2544  
of concealed handgun licenses on a temporary emergency basis 2545  
that the sheriff issued, suspended, revoked, or denied under 2546  
section 2923.1213 of the Revised Code during the previous 2547  
quarter of the calendar year. The sheriff shall not include in 2548  
the report the name or any other identifying information of an 2549  
applicant or licensee. The sheriff shall report that information 2550  
in a manner that permits the commission to maintain the 2551  
statistics described in division (C) of section 109.731 of the 2552  
Revised Code and to timely prepare the statistical report 2553  
described in that division. The information that is received by 2554  
the commission under this division is a public record kept by 2555  
the commission for the purposes of section 149.43 of the Revised 2556  
Code. 2557

(D) Law enforcement agencies may use the information a 2558  
sheriff makes available through the use of the law enforcement 2559  
automated data system pursuant to division (H) of section 2560  
2923.125 or division (B) (2) or (D) of section 2923.1213 of the 2561  
Revised Code for law enforcement purposes only. The information 2562  
is confidential and is not a public record. A person who 2563  
releases or otherwise disseminates this information obtained 2564  
through the law enforcement automated data system in a manner 2565  
not described in this division is guilty of a violation of 2566  
section 2913.04 of the Revised Code. 2567

(E) Whoever violates division (B) of this section is 2568  
guilty of illegal release of confidential concealed handgun 2569  
license records, a felony of the fifth degree. In addition to 2570  
any penalties imposed under Chapter 2929. of the Revised Code 2571

for a violation of division (B) of this section or a violation 2572  
of section 2913.04 of the Revised Code described in division (D) 2573  
of this section, if the offender is a sheriff, an employee of a 2574  
sheriff, or any other public officer or employee, and if the 2575  
violation was willful and deliberate, the offender shall be 2576  
subject to a civil fine of one thousand dollars. Any person who 2577  
is harmed by a violation of division (B) or (C) of this section 2578  
or a violation of section 2913.04 of the Revised Code described 2579  
in division (D) of this section has a private cause of action 2580  
against the offender for any injury, death, or loss to person or 2581  
property that is a proximate result of the violation and may 2582  
recover court costs and attorney's fees related to the action. 2583

**Sec. 2923.1210.** (A) A business entity, property owner, or 2584  
public or private employer may not establish, maintain, or 2585  
enforce a policy or rule that prohibits or has the effect of 2586  
prohibiting a person who has been issued a valid concealed 2587  
handgun license, or a person who is deemed under division (C) of 2588  
section 2923.111 of the Revised Code to have been issued a 2589  
concealed handgun license under section 2923.125 of the Revised 2590  
Code, from transporting or storing a firearm or ammunition when 2591  
both of the following conditions are met: 2592

(1) Each firearm and all of the ammunition remains inside 2593  
the person's privately owned motor vehicle while the person is 2594  
physically present inside the motor vehicle, or each firearm and 2595  
all of the ammunition is locked within the trunk, glove box, or 2596  
other enclosed compartment or container within or on the 2597  
person's privately owned motor vehicle; 2598

(2) The vehicle is in a location where it is otherwise 2599  
permitted to be. 2600

(B) No business entity, property owner, or public or 2601

private employer shall be held liable in any civil action for 2602  
damages, injuries, or death resulting from or arising out of 2603  
another person's actions involving a firearm or ammunition 2604  
transported or stored pursuant to division (A) of this section, 2605  
including the theft of a firearm from an employee's or invitee's 2606  
automobile, unless the business entity, property owner, or 2607  
public or private employer intentionally solicited or procured 2608  
the other person's injurious actions. 2609

**Sec. 2923.1213.** (A) As used in this section: 2610

(1) "Evidence of imminent danger" means any of the 2611  
following: 2612

(a) A statement sworn by the person seeking to carry a 2613  
concealed ~~handgun~~ firearm other than a restricted firearm that 2614  
is made under threat of perjury and that states that the person 2615  
has reasonable cause to fear a criminal attack upon the person 2616  
or a member of the person's family, such as would justify a 2617  
prudent person in going armed; 2618

(b) A written document prepared by a governmental entity 2619  
or public official describing the facts that give the person 2620  
seeking to carry a concealed ~~handgun~~ firearm other than a 2621  
restricted firearm reasonable cause to fear a criminal attack 2622  
upon the person or a member of the person's family, such as 2623  
would justify a prudent person in going armed. Written documents 2624  
of this nature include, but are not limited to, any temporary 2625  
protection order, civil protection order, protection order 2626  
issued by another state, or other court order, any court report, 2627  
and any report filed with or made by a law enforcement agency or 2628  
prosecutor. 2629

(2) "Prosecutor" has the same meaning as in section 2630

2935.01 of the Revised Code. 2631

(B) (1) A person seeking a concealed handgun license on a 2632  
temporary emergency basis shall submit to the sheriff of the 2633  
county in which the person resides or, if the person usually 2634  
resides in another state, to the sheriff of the county in which 2635  
the person is temporarily staying, all of the following: 2636

(a) Evidence of imminent danger to the person or a member 2637  
of the person's family; 2638

(b) A sworn affidavit that contains all of the information 2639  
required to be on the license and attesting that the person is 2640  
legally living in the United States; is at least twenty-one 2641  
years of age; is not a fugitive from justice; is not under 2642  
indictment for or otherwise charged with an offense identified 2643  
in division (D) (1) (d) of section 2923.125 of the Revised Code; 2644  
has not been convicted of or pleaded guilty to an offense, and 2645  
has not been adjudicated a delinquent child for committing an 2646  
act, identified in division (D) (1) (e) of that section and to 2647  
which division (B) (3) of this section does not apply; within 2648  
three years of the date of the submission, has not been 2649  
convicted of or pleaded guilty to an offense, and has not been 2650  
adjudicated a delinquent child for committing an act, identified 2651  
in division (D) (1) (f) of that section and to which division (B) 2652  
(3) of this section does not apply; within five years of the 2653  
date of the submission, has not been convicted of, pleaded 2654  
guilty, or adjudicated a delinquent child for committing two or 2655  
more violations identified in division (D) (1) (g) of that 2656  
section; within ten years of the date of the submission, has not 2657  
been convicted of, pleaded guilty, or adjudicated a delinquent 2658  
child for committing a violation identified in division (D) (1) 2659  
(h) of that section and to which division (B) (3) of this section 2660

does not apply; has not been adjudicated as a mental defective, 2661  
has not been committed to any mental institution, is not under 2662  
adjudication of mental incompetence, has not been found by a 2663  
court to be a mentally ill person subject to court order, and is 2664  
not an involuntary patient other than one who is a patient only 2665  
for purposes of observation, as described in division (D)(1)(i) 2666  
of that section; is not currently subject to a civil protection 2667  
order, a temporary protection order, or a protection order 2668  
issued by a court of another state, as described in division (D) 2669  
(1)(j) of that section; is not currently subject to a suspension 2670  
imposed under division (A)(2) of section 2923.128 of the Revised 2671  
Code of a concealed handgun license that previously was issued 2672  
to the person or a similar suspension imposed by another state 2673  
regarding a concealed handgun license issued by that state; is 2674  
not an unlawful user of or addicted to any controlled substance 2675  
as defined in 21 U.S.C. 802; if applicable, is an alien and has 2676  
not been admitted to the United States under a nonimmigrant 2677  
visa, as defined in the "Immigration and Nationality Act," 8 2678  
U.S.C. 1101(a)(26); has not been discharged from the armed 2679  
forces of the United States under dishonorable conditions; if 2680  
applicable, has not renounced the applicant's United States 2681  
citizenship; and has not been convicted of, pleaded guilty to, 2682  
or been adjudicated a delinquent child for committing a 2683  
violation identified in division (D)(1)(s) of section 2923.125 2684  
of the Revised Code; 2685

(c) A nonrefundable temporary emergency license fee as 2686  
described in either of the following: 2687

(i) For an applicant who has been a resident of this state 2688  
for five or more years, a fee of fifteen dollars plus the actual 2689  
cost of having a background check performed by the bureau of 2690  
criminal identification and investigation pursuant to section 2691

311.41 of the Revised Code; 2692

(ii) For an applicant who has been a resident of this 2693  
state for less than five years or who is not a resident of this 2694  
state, but is temporarily staying in this state, a fee of 2695  
fifteen dollars plus the actual cost of having background checks 2696  
performed by the federal bureau of investigation and the bureau 2697  
of criminal identification and investigation pursuant to section 2698  
311.41 of the Revised Code. 2699

(d) A set of fingerprints of the applicant provided as 2700  
described in section 311.41 of the Revised Code through use of 2701  
an electronic fingerprint reading device or, if the sheriff to 2702  
whom the application is submitted does not possess and does not 2703  
have ready access to the use of an electronic fingerprint 2704  
reading device, on a standard impression sheet prescribed 2705  
pursuant to division (C) (2) of section 109.572 of the Revised 2706  
Code. If the fingerprints are provided on a standard impression 2707  
sheet, the person also shall provide the person's social 2708  
security number to the sheriff. 2709

(2) A sheriff shall accept the evidence of imminent 2710  
danger, the sworn affidavit, the fee, and the set of 2711  
fingerprints required under division (B) (1) of this section at 2712  
the times and in the manners described in division (I) of this 2713  
section. Upon receipt of the evidence of imminent danger, the 2714  
sworn affidavit, the fee, and the set of fingerprints required 2715  
under division (B) (1) of this section, the sheriff, in the 2716  
manner specified in section 311.41 of the Revised Code, 2717  
immediately shall conduct or cause to be conducted the criminal 2718  
records check and the incompetency records check described in 2719  
section 311.41 of the Revised Code. Immediately upon receipt of 2720  
the results of the records checks, the sheriff shall review the 2721

information and shall determine whether the criteria set forth 2722  
in divisions (D)(1)(a) to (j) and (m) to (s) of section 2923.125 2723  
of the Revised Code apply regarding the person. If the sheriff 2724  
determines that all of the criteria set forth in divisions (D) 2725  
(1)(a) to (j) and (m) to (s) of section 2923.125 of the Revised 2726  
Code apply regarding the person, the sheriff shall immediately 2727  
make available through the law enforcement automated data system 2728  
all information that will be contained on the temporary 2729  
emergency license for the person if one is issued, and the 2730  
superintendent of the state highway patrol shall ensure that the 2731  
system is so configured as to permit the transmission through 2732  
the system of that information. Upon making that information 2733  
available through the law enforcement automated data system, the 2734  
sheriff shall immediately issue to the person a concealed 2735  
handgun license on a temporary emergency basis. 2736

If the sheriff denies the issuance of a license on a 2737  
temporary emergency basis to the person, the sheriff shall 2738  
specify the grounds for the denial in a written notice to the 2739  
person. The person may appeal the denial, or challenge criminal 2740  
records check results that were the basis of the denial if 2741  
applicable, in the same manners specified in division (D)(2) of 2742  
section 2923.125 and in section 2923.127 of the Revised Code, 2743  
regarding the denial of an application for a concealed handgun 2744  
license under that section. 2745

The license on a temporary emergency basis issued under 2746  
this division shall be in the form, and shall include all of the 2747  
information, described in divisions (A)(2)(a) and (d) of section 2748  
109.731 of the Revised Code, and also shall include a unique 2749  
combination of identifying letters and numbers in accordance 2750  
with division (A)(2)(c) of that section. 2751

The license on a temporary emergency basis issued under 2752  
this division is valid for ninety days and may not be renewed. A 2753  
person who has been issued a license on a temporary emergency 2754  
basis under this division shall not be issued another license on 2755  
a temporary emergency basis unless at least four years has 2756  
expired since the issuance of the prior license on a temporary 2757  
emergency basis. 2758

(3) If a person seeking a concealed handgun license on a 2759  
temporary emergency basis has been convicted of or pleaded 2760  
guilty to an offense identified in division (D) (1) (e), (f), or 2761  
(h) of section 2923.125 of the Revised Code or has been 2762  
adjudicated a delinquent child for committing an act or 2763  
violation identified in any of those divisions, and if a court 2764  
has ordered the sealing or expungement of the records of that 2765  
conviction, guilty plea, or adjudication pursuant to sections 2766  
2151.355 to 2151.358 or sections 2953.31 to 2953.36 of the 2767  
Revised Code or the applicant has been relieved under operation 2768  
of law or legal process from the disability imposed pursuant to 2769  
section 2923.13 of the Revised Code relative to that conviction, 2770  
guilty plea, or adjudication, the conviction, guilty plea, or 2771  
adjudication shall not be relevant for purposes of the sworn 2772  
affidavit described in division (B) (1) (b) of this section, and 2773  
the person may complete, and swear to the truth of, the 2774  
affidavit as if the conviction, guilty plea, or adjudication 2775  
never had occurred. 2776

(4) The sheriff shall waive the payment pursuant to 2777  
division (B) (1) (c) of this section of the license fee in 2778  
connection with an application that is submitted by an applicant 2779  
who is a retired peace officer, a retired person described in 2780  
division (B) (1) (b) of section 109.77 of the Revised Code, or a 2781  
retired federal law enforcement officer who, prior to 2782

retirement, was authorized under federal law to carry a firearm 2783  
in the course of duty, unless the retired peace officer, person, 2784  
or federal law enforcement officer retired as the result of a 2785  
mental disability. 2786

The sheriff shall deposit all fees paid by an applicant 2787  
under division (B)(1)(c) of this section into the sheriff's 2788  
concealed handgun license issuance fund established pursuant to 2789  
section 311.42 of the Revised Code. 2790

(C) A person who holds a concealed handgun license on a 2791  
temporary emergency basis, regardless of whether the license was 2792  
issued prior to, on, or after the effective date of this 2793  
amendment, has the same right to carry a concealed ~~handgun-~~ 2794  
firearm that is not a restricted firearm as a person who was 2795  
issued a concealed handgun license under section 2923.125 of the 2796  
Revised Code, ~~and any exceptions to the prohibitions contained-~~ 2797  
~~in section 1547.69 and sections 2923.12 to 2923.16 of the~~ 2798  
~~Revised Code for a licensee under section 2923.125 of the~~ 2799  
~~Revised Code apply to a licensee under this section.~~ The person 2800  
is subject to the same restrictions, and to all other 2801  
procedures, duties, and sanctions, that apply to a person who 2802  
carries a license issued under section 2923.125 of the Revised 2803  
Code, other than the license renewal procedures set forth in 2804  
that section. 2805

(D) A sheriff who issues a concealed handgun license on a 2806  
temporary emergency basis under this section shall not require a 2807  
person seeking to carry a concealed ~~handgun-~~firearm that is not 2808  
a restricted firearm in accordance with this section to submit a 2809  
competency certificate as a prerequisite for issuing the license 2810  
and shall comply with division (H) of section 2923.125 of the 2811  
Revised Code in regards to the license. The sheriff shall 2812

suspend or revoke the license in accordance with section 2813  
2923.128 of the Revised Code. In addition to the suspension or 2814  
revocation procedures set forth in section 2923.128 of the 2815  
Revised Code, the sheriff may revoke the license upon receiving 2816  
information, verifiable by public documents, that the person is 2817  
not eligible to possess a firearm under either the laws of this 2818  
state or of the United States or that the person committed 2819  
perjury in obtaining the license; if the sheriff revokes a 2820  
license under this additional authority, the sheriff shall 2821  
notify the person, by certified mail, return receipt requested, 2822  
at the person's last known residence address that the license 2823  
has been revoked and that the person is required to surrender 2824  
the license at the sheriff's office within ten days of the date 2825  
on which the notice was mailed. Division (H) of section 2923.125 2826  
of the Revised Code applies regarding any suspension or 2827  
revocation of a concealed handgun license on a temporary 2828  
emergency basis. 2829

(E) A sheriff who issues a concealed handgun license on a 2830  
temporary emergency basis under this section shall retain, for 2831  
the entire period during which the license is in effect, the 2832  
evidence of imminent danger that the person submitted to the 2833  
sheriff and that was the basis for the license, or a copy of 2834  
that evidence, as appropriate. 2835

(F) If a concealed handgun license on a temporary 2836  
emergency basis issued under this section is lost or is 2837  
destroyed, the licensee may obtain from the sheriff who issued 2838  
that license a duplicate license upon the payment of a fee of 2839  
fifteen dollars and the submission of an affidavit attesting to 2840  
the loss or destruction of the license. The sheriff, in 2841  
accordance with the procedures prescribed in section 109.731 of 2842  
the Revised Code, shall place on the replacement license a 2843

combination of identifying numbers different from the 2844  
combination on the license that is being replaced. 2845

(G) The attorney general shall prescribe, and shall make 2846  
available to sheriffs, a standard form to be used under division 2847  
(B) of this section by a person who applies for a concealed 2848  
handgun license on a temporary emergency basis on the basis of 2849  
imminent danger of a type described in division (A) (1) (a) of 2850  
this section. The attorney general shall design the form to 2851  
enable applicants to provide the information that is required by 2852  
law to be collected, and shall update the form as necessary. 2853  
Burdens or restrictions to obtaining a concealed handgun license 2854  
that are not expressly prescribed in law shall not be 2855  
incorporated into the form. The attorney general shall post a 2856  
printable version of the form on the web site of the attorney 2857  
general and shall provide the address of the web site to any 2858  
person who requests the form. 2859

(H) A sheriff who receives any fees paid by a person under 2860  
this section shall deposit all fees so paid into the sheriff's 2861  
concealed handgun license issuance expense fund established 2862  
under section 311.42 of the Revised Code. 2863

(I) A sheriff shall accept evidence of imminent danger, a 2864  
sworn affidavit, the fee, and the set of fingerprints specified 2865  
in division (B) (1) of this section at any time during normal 2866  
business hours. In no case shall a sheriff require an 2867  
appointment, or designate a specific period of time, for the 2868  
submission or acceptance of evidence of imminent danger, a sworn 2869  
affidavit, the fee, and the set of fingerprints specified in 2870  
division (B) (1) of this section, or for the provision to any 2871  
person of a standard form to be used for a person to apply for a 2872  
concealed handgun license on a temporary emergency basis. 2873

**Sec. 2923.16.** (A) No person shall knowingly discharge a 2874  
firearm while in or on a motor vehicle. 2875

(B) No person shall knowingly transport or have a loaded 2876  
firearm in a motor vehicle in such a manner that the firearm is 2877  
accessible to the operator or any passenger without leaving the 2878  
vehicle. 2879

(C) No person shall knowingly transport or have a firearm 2880  
in a motor vehicle, unless the person may lawfully possess that 2881  
firearm under applicable law of this state or the United States, 2882  
the firearm is unloaded, and the firearm is carried in one of 2883  
the following ways: 2884

(1) In a closed package, box, or case; 2885

(2) In a compartment that can be reached only by leaving 2886  
the vehicle; 2887

(3) In plain sight and secured in a rack or holder made 2888  
for the purpose; 2889

(4) If the firearm is at least twenty-four inches in 2890  
overall length as measured from the muzzle to the part of the 2891  
stock furthest from the muzzle and if the barrel is at least 2892  
eighteen inches in length, either in plain sight with the action 2893  
open or the weapon stripped, or, if the firearm is of a type on 2894  
which the action will not stay open or which cannot easily be 2895  
stripped, in plain sight. 2896

(D) No person shall knowingly transport or have a loaded 2897  
~~handgun~~-firearm in a motor vehicle if, at the time of that 2898  
transportation or possession, any of the following applies: 2899

(1) The person is under the influence of alcohol, a drug 2900  
of abuse, or a combination of them. 2901

(2) The person's whole blood, blood serum or plasma, 2902  
breath, or urine contains a concentration of alcohol, a listed 2903  
controlled substance, or a listed metabolite of a controlled 2904  
substance prohibited for persons operating a vehicle, as 2905  
specified in division (A) of section 4511.19 of the Revised 2906  
Code, regardless of whether the person at the time of the 2907  
transportation or possession as described in this division is 2908  
the operator of or a passenger in the motor vehicle. 2909

(E) No person who has been issued a concealed handgun 2910  
license, who is deemed under division (C) of section 2923.111 of 2911  
the Revised Code to have been issued a concealed handgun license 2912  
under section 2923.125 of the Revised Code, or who is an active 2913  
duty member of the armed forces of the United States and is 2914  
carrying a valid military identification card and documentation 2915  
of successful completion of firearms training that meets or 2916  
exceeds the training requirements described in division (G) (1) 2917  
of section 2923.125 of the Revised Code, who is the driver or an 2918  
occupant of a motor vehicle that is stopped as a result of a 2919  
traffic stop or a stop for another law enforcement purpose or is 2920  
the driver or an occupant of a commercial motor vehicle that is 2921  
stopped by an employee of the motor carrier enforcement unit for 2922  
the purposes defined in section 5503.34 of the Revised Code, and 2923  
who is transporting or has a loaded ~~handgun~~ firearm that is not 2924  
a restricted firearm in the motor vehicle or commercial motor 2925  
vehicle in any manner, shall do any of the following: 2926

~~(1) Fail to promptly inform any law enforcement officer~~ 2927  
~~who approaches the vehicle while stopped that the person has~~ 2928  
~~been issued a concealed handgun license or is authorized to~~ 2929  
~~carry a concealed handgun as an active duty member of the armed~~ 2930  
~~forces of the United States and that the person then possesses~~ 2931  
~~or has a loaded handgun in the motor vehicle;~~ 2932

~~(2) Fail to promptly inform the employee of the unit who approaches the vehicle while stopped that the person has been issued a concealed handgun license or is authorized to carry a concealed handgun as an active duty member of the armed forces of the United States and that the person then possesses or has a loaded handgun in the commercial motor vehicle;~~ 2933  
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~~(3)~~ Knowingly fail to remain in the motor vehicle while stopped or knowingly fail to keep the person's hands in plain sight at any time after any law enforcement officer begins approaching the person while stopped and before the law enforcement officer leaves, unless the failure is pursuant to and in accordance with directions given by a law enforcement officer; 2939  
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~~(4)~~ (2) Knowingly have contact with the loaded ~~handgun~~ firearm by touching it with the person's hands or fingers in the motor vehicle at any time after the law enforcement officer begins approaching and before the law enforcement officer leaves, unless the person has contact with the loaded ~~handgun~~ firearm pursuant to and in accordance with directions given by the law enforcement officer; 2946  
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~~(5)~~ (3) 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. 2953  
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(F) (1) Divisions (A), (B), (C), and (E) of this section do not apply to any of the following: 2958  
2959

(a) An officer, agent, or employee of this or any other state or the United States, or a law enforcement officer, when 2960  
2961

authorized to carry or have loaded or accessible firearms in 2962  
motor vehicles and acting within the scope of the officer's, 2963  
agent's, or employee's duties; 2964

(b) Any person who is employed in this state, who is 2965  
authorized to carry or have loaded or accessible firearms in 2966  
motor vehicles, and who is subject to and in compliance with the 2967  
requirements of section 109.801 of the Revised Code, unless the 2968  
appointing authority of the person has expressly specified that 2969  
the exemption provided in division (F) (1) (b) of this section 2970  
does not apply to the person. 2971

(2) Division (A) of this section does not apply to a 2972  
person if all of the following circumstances apply: 2973

(a) The person discharges a firearm from a motor vehicle 2974  
at a coyote or groundhog, the discharge is not during the deer 2975  
gun hunting season as set by the chief of the division of 2976  
wildlife of the department of natural resources, and the 2977  
discharge at the coyote or groundhog, but for the operation of 2978  
this section, is lawful. 2979

(b) The motor vehicle from which the person discharges the 2980  
firearm is on real property that is located in an unincorporated 2981  
area of a township and that either is zoned for agriculture or 2982  
is used for agriculture. 2983

(c) The person owns the real property described in 2984  
division (F) (2) (b) of this section, is the spouse or a child of 2985  
another person who owns that real property, is a tenant of 2986  
another person who owns that real property, or is the spouse or 2987  
a child of a tenant of another person who owns that real 2988  
property. 2989

(d) The person does not discharge the firearm in any of 2990

the following manners: 2991

(i) While under the influence of alcohol, a drug of abuse, 2992  
or alcohol and a drug of abuse; 2993

(ii) In the direction of a street, highway, or other 2994  
public or private property used by the public for vehicular 2995  
traffic or parking; 2996

(iii) At or into an occupied structure that is a permanent 2997  
or temporary habitation; 2998

(iv) In the commission of any violation of law, including, 2999  
but not limited to, a felony that includes, as an essential 3000  
element, purposely or knowingly causing or attempting to cause 3001  
the death of or physical harm to another and that was committed 3002  
by discharging a firearm from a motor vehicle. 3003

(3) Division (A) of this section does not apply to a 3004  
person if all of the following apply: 3005

(a) The person possesses a valid electric-powered all- 3006  
purpose vehicle permit issued under section 1533.103 of the 3007  
Revised Code by the chief of the division of wildlife. 3008

(b) The person discharges a firearm at a wild quadruped or 3009  
game bird as defined in section 1531.01 of the Revised Code 3010  
during the open hunting season for the applicable wild quadruped 3011  
or game bird. 3012

(c) The person discharges a firearm from a stationary 3013  
electric-powered all-purpose vehicle as defined in section 3014  
1531.01 of the Revised Code or a motor vehicle that is parked on 3015  
a road that is owned or administered by the division of 3016  
wildlife, provided that the road is identified by an electric- 3017  
powered all-purpose vehicle sign. 3018

(d) The person does not discharge the firearm in any of 3019  
the following manners: 3020

(i) While under the influence of alcohol, a drug of abuse, 3021  
or alcohol and a drug of abuse; 3022

(ii) In the direction of a street, a highway, or other 3023  
public or private property that is used by the public for 3024  
vehicular traffic or parking; 3025

(iii) At or into an occupied structure that is a permanent 3026  
or temporary habitation; 3027

(iv) In the commission of any violation of law, including, 3028  
but not limited to, a felony that includes, as an essential 3029  
element, purposely or knowingly causing or attempting to cause 3030  
the death of or physical harm to another and that was committed 3031  
by discharging a firearm from a motor vehicle. 3032

(4) Divisions (B) and (C) of this section do not apply to 3033  
a person if all of the following circumstances apply: 3034

(a) At the time of the alleged violation of either of 3035  
those divisions, the person is the operator of or a passenger in 3036  
a motor vehicle. 3037

(b) The motor vehicle is on real property that is located 3038  
in an unincorporated area of a township and that either is zoned 3039  
for agriculture or is used for agriculture. 3040

(c) The person owns the real property described in 3041  
division (D)(4)(b) of this section, is the spouse or a child of 3042  
another person who owns that real property, is a tenant of 3043  
another person who owns that real property, or is the spouse or 3044  
a child of a tenant of another person who owns that real 3045  
property. 3046

(d) The person, prior to arriving at the real property 3047  
described in division (D) (4) (b) of this section, did not 3048  
transport or possess a firearm in the motor vehicle in a manner 3049  
prohibited by division (B) or (C) of this section while the 3050  
motor vehicle was being operated on a street, highway, or other 3051  
public or private property used by the public for vehicular 3052  
traffic or parking. 3053

(5) Divisions (B) and (C) of this section do not apply to 3054  
a person who transports or possesses a ~~handgun~~ firearm that is 3055  
not a restricted firearm in a motor vehicle if, at the time of 3056  
that transportation or possession, both of the following apply: 3057

(a) The person transporting or possessing the ~~handgun~~ 3058  
firearm is ~~either~~ carrying a valid concealed handgun license, is 3059  
deemed under division (C) of section 2923.111 of the Revised 3060  
Code to have been issued a concealed handgun license under 3061  
section 2923.125 of the Revised Code, or is an active duty 3062  
member of the armed forces of the United States and is carrying 3063  
a valid military identification card and documentation of 3064  
successful completion of firearms training that meets or exceeds 3065  
the training requirements described in division (G) (1) of 3066  
section 2923.125 of the Revised Code. 3067

(b) The person transporting or possessing the ~~handgun~~ 3068  
firearm is not knowingly in ~~a~~ an unauthorized place described 3069  
specified in division (B) of section 2923.126 of the Revised 3070  
Code and is not knowingly transporting or possessing the firearm 3071  
in any prohibited manner listed in that division. 3072

(6) Divisions (B) and (C) of this section do not apply to 3073  
a person if all of the following apply: 3074

(a) The person possesses a valid electric-powered all- 3075

purpose vehicle permit issued under section 1533.103 of the Revised Code by the chief of the division of wildlife.

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

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

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

(G) (1) The affirmative defenses authorized in divisions (D) (1) and (2) of section 2923.12 of the Revised Code are affirmative defenses to a charge under division (B) or (C) of this section that involves a firearm other than a handgun if division (E) (3) of this section does not apply to the person charged.

(2) It is an affirmative defense to a charge under division (B) or (C) of this section of improperly handling firearms in a motor vehicle that the actor transported or had

the firearm in the motor vehicle for any lawful purpose and 3105  
while the motor vehicle was on the actor's own property, 3106  
provided that this affirmative defense is not available unless 3107  
the person, immediately prior to arriving at the actor's own 3108  
property, did not transport or possess the firearm in a motor 3109  
vehicle in a manner prohibited by division (B) or (C) of this 3110  
section while the motor vehicle was being operated on a street, 3111  
highway, or other public or private property used by the public 3112  
for vehicular traffic. 3113

(H) (1) No person who is charged with a violation of 3114  
division (B), (C), or (D) of this section shall be required to 3115  
obtain a concealed handgun license as a condition for the 3116  
dismissal of the charge. 3117

(2) (a) If a person is convicted of, was convicted of, 3118  
pleads guilty to, or has pleaded guilty to a violation of 3119  
division (E) of this section as it existed prior to September 3120  
30, 2011, and ~~if~~ the conduct that was the basis of the violation 3121  
no longer would be a violation of division (E) of this section 3122  
on or after September 30, 2011, or if a person is convicted of, 3123  
was convicted of, pleads guilty to, or has pleaded guilty to a 3124  
violation of division (E) (1) or (2) of this section as it 3125  
existed prior to the effective date of this amendment, the 3126  
person may file an application under section 2953.37 of the 3127  
Revised Code requesting the expungement of the record of 3128  
conviction. 3129

If a person is convicted of, was convicted of, pleads 3130  
guilty to, or has pleaded guilty to a violation of division (B) 3131  
or (C) of this section as the division existed prior to 3132  
September 30, 2011, and if the conduct that was the basis of the 3133  
violation no longer would be a violation of division (B) or (C) 3134

of this section on or after September 30, 2011, due to the 3135  
application of division (F)(5) of this section as it exists on 3136  
and after September 30, 2011, the person may file an application 3137  
under section 2953.37 of the Revised Code requesting the 3138  
expungement of the record of conviction. 3139

(b) The attorney general shall develop a public media 3140  
advisory that summarizes the expungement procedure established 3141  
under section 2953.37 of the Revised Code and the offenders 3142  
identified in division (H)(2)(a) of this section and those 3143  
identified in division (E)(2) of section 2923.12 of the Revised 3144  
Code who are authorized to apply for the expungement. Within 3145  
thirty days after September 30, 2011, with respect to violations 3146  
of divisions (B), (C), or (E) of this section as they existed 3147  
prior to that date, and within thirty days after the effective 3148  
date of this amendment with respect to a violation of division 3149  
(E)(1) or (2) of this section or division (B)(1) of section 3150  
2923.12 of the Revised Code as they existed prior to the 3151  
effective date of this amendment, the attorney general shall 3152  
provide a copy of the advisory to each daily newspaper published 3153  
in this state and each television station that broadcasts in 3154  
this state. The attorney general may provide the advisory in a 3155  
tangible form, an electronic form, or in both tangible and 3156  
electronic forms. 3157

(I) Whoever violates this section is guilty of improperly 3158  
handling firearms in a motor vehicle. Violation of division (A) 3159  
of this section is a felony of the fourth degree. Violation of 3160  
division (C) of this section is a misdemeanor of the fourth 3161  
degree. A violation of division (D) of this section is a felony 3162  
of the fifth degree or, if the loaded handgun is concealed on 3163  
the person's person, a felony of the fourth degree. ~~Except as~~ 3164  
~~otherwise provided in this division, a violation of division (E)~~ 3165

~~(1) or (2) of this section is a misdemeanor of the first degree,~~ 3166  
~~and, in addition to any other penalty or sanction imposed for~~ 3167  
~~the violation, the offender's concealed handgun license shall be~~ 3168  
~~suspended pursuant to division (A) (2) of section 2923.128 of the~~ 3169  
~~Revised Code. If at the time of the stop of the offender for a~~ 3170  
~~traffic stop, for another law enforcement purpose, or for a~~ 3171  
~~purpose defined in section 5503.34 of the Revised Code that was~~ 3172  
~~the basis of the violation any law enforcement officer involved~~ 3173  
~~with the stop or the employee of the motor carrier enforcement~~ 3174  
~~unit who made the stop had actual knowledge of the offender's~~ 3175  
~~status as a licensee, a violation of division (E) (1) or (2) of~~ 3176  
~~this section is a minor misdemeanor, and the offender's~~ 3177  
~~concealed handgun license shall not be suspended pursuant to~~ 3178  
~~division (A) (2) of section 2923.128 of the Revised Code. A~~ 3179  
violation of division (E) ~~(4)~~ (2) of this section is a felony of 3180  
the fifth degree. A violation of division (E) ~~(3)~~ (1) or ~~(5)~~ (3) of 3181  
this section is a misdemeanor of the first degree or, if the 3182  
offender previously has been convicted of or pleaded guilty to a 3183  
violation of division (E) ~~(3)~~ (1) or ~~(5)~~ (3) of this section, a 3184  
felony of the fifth degree. In addition to any other penalty or 3185  
sanction imposed for a misdemeanor violation of division (E) ~~(3)~~ 3186  
(1) or (5) (3) of this section, if the offender has been issued a 3187  
concealed handgun license, the offender's ~~concealed handgun~~ 3188  
license shall be suspended pursuant to division (A) (2) of 3189  
section 2923.128 of the Revised Code. A violation of division 3190  
(B) of this section is a felony of the fourth degree. 3191

(J) If a law enforcement officer stops a motor vehicle for 3192  
a traffic stop or any other purpose, if any person in the motor 3193  
vehicle surrenders a firearm to the officer, either voluntarily 3194  
or pursuant to a request or demand of the officer, and if the 3195  
officer does not charge the person with a violation of this 3196

section or arrest the person for any offense, the person is not 3197  
otherwise prohibited by law from possessing the firearm, and the 3198  
firearm is not contraband, the officer shall return the firearm 3199  
to the person at the termination of the stop. If a court orders 3200  
a law enforcement officer to return a firearm to a person 3201  
pursuant to the requirement set forth in this division, division 3202  
(B) of section 2923.163 of the Revised Code applies. 3203

(K) As used in this section: 3204

(1) "Motor vehicle," "street," and "highway" have the same 3205  
meanings as in section 4511.01 of the Revised Code. 3206

(2) "Occupied structure" has the same meaning as in 3207  
section 2909.01 of the Revised Code. 3208

(3) "Agriculture" has the same meaning as in section 3209  
519.01 of the Revised Code. 3210

(4) "Tenant" has the same meaning as in section 1531.01 of 3211  
the Revised Code. 3212

(5) (a) "Unloaded" means, with respect to a firearm other 3213  
than a firearm described in division (K) (6) of this section, 3214  
that no ammunition is in the firearm in question, no magazine or 3215  
speed loader containing ammunition is inserted into the firearm 3216  
in question, and one of the following applies: 3217

(i) There is no ammunition in a magazine or speed loader 3218  
that is in the vehicle in question and that may be used with the 3219  
firearm in question. 3220

(ii) Any magazine or speed loader that contains ammunition 3221  
and that may be used with the firearm in question is stored in a 3222  
compartment within the vehicle in question that cannot be 3223  
accessed without leaving the vehicle or is stored in a container 3224

that provides complete and separate enclosure. 3225

(b) For the purposes of division (K) (5) (a) (ii) of this 3226  
section, a "container that provides complete and separate 3227  
enclosure" includes, but is not limited to, any of the 3228  
following: 3229

(i) A package, box, or case with multiple compartments, as 3230  
long as the loaded magazine or speed loader and the firearm in 3231  
question either are in separate compartments within the package, 3232  
box, or case, or, if they are in the same compartment, the 3233  
magazine or speed loader is contained within a separate 3234  
enclosure in that compartment that does not contain the firearm 3235  
and that closes using a snap, button, buckle, zipper, hook and 3236  
loop closing mechanism, or other fastener that must be opened to 3237  
access the contents or the firearm is contained within a 3238  
separate enclosure of that nature in that compartment that does 3239  
not contain the magazine or speed loader; 3240

(ii) A pocket or other enclosure on the person of the 3241  
person in question that closes using a snap, button, buckle, 3242  
zipper, hook and loop closing mechanism, or other fastener that 3243  
must be opened to access the contents. 3244

(c) For the purposes of divisions (K) (5) (a) and (b) of 3245  
this section, ammunition held in stripper-clips or in en-bloc 3246  
clips is not considered ammunition that is loaded into a 3247  
magazine or speed loader. 3248

(6) "Unloaded" means, with respect to a firearm employing 3249  
a percussion cap, flintlock, or other obsolete ignition system, 3250  
when the weapon is uncapped or when the priming charge is 3251  
removed from the pan. 3252

(7) "Commercial motor vehicle" has the same meaning as in 3253

division (A) of section 4506.25 of the Revised Code. 3254

(8) "Motor carrier enforcement unit" means the motor 3255  
carrier enforcement unit in the department of public safety, 3256  
division of state highway patrol, that is created by section 3257  
5503.34 of the Revised Code. 3258

(L) Divisions (K) (5) (a) and (b) of this section do not 3259  
affect the authority of a person who is carrying a valid 3260  
concealed handgun license or who is deemed under division (C) of 3261  
section 2923.111 of the Revised Code to have been issued a 3262  
concealed handgun license under section 2923.125 of the Revised 3263  
Code to have one or more magazines or speed loaders containing 3264  
ammunition anywhere in a vehicle, without being transported as 3265  
described in those divisions, as long as no ammunition is in a 3266  
firearm, other than a handgun, in the vehicle other than as 3267  
permitted under any other provision of this chapter. A person 3268  
who is carrying a valid concealed handgun license or who is 3269  
deemed under division (C) of section 2923.111 of the Revised 3270  
Code to have been issued a concealed handgun license under 3271  
section 2923.125 of the Revised Code may have one or more 3272  
magazines or speed loaders containing ammunition anywhere in a 3273  
vehicle without further restriction, as long as no ammunition is 3274  
in a firearm, other than a handgun, in the vehicle other than as 3275  
permitted under any provision of this chapter. 3276

**Sec. 2953.37.** (A) As used in this section: 3277

(1) "Expunge" means to destroy, delete, and erase a record 3278  
as appropriate for the record's physical or electronic form or 3279  
characteristic so that the record is permanently irretrievable. 3280

(2) "Official records" has the same meaning as in section 3281  
2953.51 of the Revised Code. 3282

(3) "Prosecutor" has the same meaning as in section 3283  
2953.31 of the Revised Code. 3284

(4) "Record of conviction" means the record related to a 3285  
conviction of or plea of guilty to an offense. 3286

(B) Any person who is convicted of, was convicted of, 3287  
pleads guilty to, or has pleaded guilty to a violation of 3288  
division (B), (C), or (E) of section 2923.16 of the Revised Code 3289  
as the division existed prior to September 30, 2011, or a 3290  
violation of division (E) (1) or (2) of section 2923.16 of the 3291  
Revised Code as the division existed prior to the effective date 3292  
of this amendment, and who is authorized by division (H) (2) (a) 3293  
of that section to file an application under this section for 3294  
the expungement of the conviction record may apply to the 3295  
sentencing court for the expungement of the record of 3296  
conviction. Any person who is convicted of, was convicted of, 3297  
pleads guilty to, or has pleaded guilty to a violation of 3298  
division (B) (1) of section 2923.12 of the Revised Code as it 3299  
existed prior to the effective date of this amendment and who is 3300  
authorized by division (E) (2) of that section may apply to the 3301  
sentencing court for the expungement of the record of 3302  
conviction. The person may file the application at any time on 3303  
or after September 30, 2011, with respect to violations of 3304  
division (B), (C), or (E) of section 2923.16 of the Revised Code 3305  
as they existed prior to that date, or at any time on or after 3306  
the effective date of this amendment with respect to a violation 3307  
of division (B) (1) of section 2923.12 or of division (E) (1) or 3308  
(2) of section 2923.16 of the Revised Code as the particular 3309  
division existed prior to the effective date of this amendment. 3310  
The application shall do all of the following: 3311

(1) Identify the applicant, the offense for which the 3312

expungement is sought, the date of the conviction of or plea of 3313  
guilty to that offense, and the court in which the conviction 3314  
occurred or the plea of guilty was entered; 3315

(2) Include evidence that the offense was a violation of 3316  
division (B), (C), or (E) of section 2923.16 of the Revised Code 3317  
as the division existed prior to September 30, 2011, or was a 3318  
violation of division (B) (1) of section 2923.12 or of division 3319  
(E) (1) or (2) of section 2923.16 of the Revised Code as the 3320  
particular division existed prior to the effective date of this 3321  
amendment, and that the applicant is authorized by division (H) 3322  
(2) (a) of ~~that~~ section 2923.16 or division (E) (2) of section 3323  
2923.12, whichever is applicable, to file an application under 3324  
this section; 3325

(3) Include a request for expungement of the record of 3326  
conviction of that offense under this section. 3327

(C) Upon the filing of an application under division (B) 3328  
of this section and the payment of the fee described in division 3329  
(D) (3) of this section if applicable, the court shall set a date 3330  
for a hearing and shall notify the prosecutor for the case of 3331  
the hearing on the application. The prosecutor may object to the 3332  
granting of the application by filing an objection with the 3333  
court prior to the date set for the hearing. The prosecutor 3334  
shall specify in the objection the reasons for believing a 3335  
denial of the application is justified. The court shall direct 3336  
its regular probation officer, a state probation officer, or the 3337  
department of probation of the county in which the applicant 3338  
resides to make inquiries and written reports as the court 3339  
requires concerning the applicant. The court shall hold the 3340  
hearing scheduled under this division. 3341

(D) (1) At the hearing held under division (C) of this 3342

section, the court shall do each of the following: 3343

(a) Determine whether the applicant has been convicted of 3344  
or pleaded guilty to a violation of division (E) of section 3345  
2923.16 of the Revised Code as the division existed prior to 3346  
September 30, 2011, and whether the conduct that was the basis 3347  
of the violation no longer would be a violation of that division 3348  
on or after September 30, 2011; 3349

(b) Determine whether the applicant has been convicted of 3350  
or pleaded guilty to a violation of division (B) or (C) of 3351  
section 2923.16 of the Revised Code as the division existed 3352  
prior to September 30, 2011, and whether the conduct that was 3353  
the basis of the violation no longer would be a violation of 3354  
that division on or after September 30, 2011, due to the 3355  
application of division (F) (5) of that section as it exists on 3356  
and after September 30, 2011; 3357

(c) Determine whether the applicant has been convicted of 3358  
or pleaded guilty to a violation of division (B) (1) of section 3359  
2923.12 of the Revised Code or of division (E) (1) or (2) of 3360  
section 2923.16 of the Revised Code as the particular division 3361  
existed prior to the effective date of this amendment; 3362

(d) If the prosecutor has filed an objection in accordance 3363  
with division (C) of this section, consider the reasons against 3364  
granting the application specified by the prosecutor in the 3365  
objection; 3366

~~(d)~~ (e) Weigh the interests of the applicant in having the 3367  
records pertaining to the applicant's conviction or guilty plea 3368  
expunged against the legitimate needs, if any, of the government 3369  
to maintain those records. 3370

(2) (a) The court may order the expungement of all official 3371

records pertaining to the case and the deletion of all index 3372  
references to the case and, if it does order the expungement, 3373  
shall send notice of the order to each public office or agency 3374  
that the court has reason to believe may have an official record 3375  
pertaining to the case if the court, after complying with 3376  
division (D) (1) of this section, determines both of the 3377  
following: 3378

(i) That the applicant has been convicted of or pleaded 3379  
guilty to a violation of division (E) of section 2923.16 of the 3380  
Revised Code as it existed prior to September 30, 2011, and the 3381  
conduct that was the basis of the violation no longer would be a 3382  
violation of that division on or after September 30, 2011,~~or;~~ 3383  
that the applicant has been convicted of or pleaded guilty to a 3384  
violation of division (B) or (C) of section 2923.16 of the 3385  
Revised Code as the division existed prior to September 30, 3386  
2011, and the conduct that was the basis of the violation no 3387  
longer would be a violation of that division on or after 3388  
September 30, 2011, due to the application of division (F) (5) of 3389  
that section as it exists on and after September 30, 2011;or 3390  
that the applicant has been convicted of or pleaded guilty to a 3391  
violation of division (B) (1) of section 2923.12 of the Revised 3392  
Code or of division (E) (1) or (2) of section 2923.16 of the 3393  
Revised Code as the particular division existed prior to the 3394  
effective date of this amendment; 3395

(ii) That the interests of the applicant in having the 3396  
records pertaining to the applicant's conviction or guilty plea 3397  
expunged are not outweighed by any legitimate needs of the 3398  
government to maintain those records. 3399

(b) The proceedings in the case that is the subject of an 3400  
order issued under division (D) (2) (a) of this section shall be 3401

considered not to have occurred and the conviction or guilty 3402  
plea of the person who is the subject of the proceedings shall 3403  
be expunged. The record of the conviction shall not be used for 3404  
any purpose, including, but not limited to, a criminal records 3405  
check under section 109.572 of the Revised Code or a 3406  
determination under section 2923.125 or 2923.1212 of the Revised 3407  
Code of eligibility for a concealed handgun license. The 3408  
applicant may, and the court shall, reply that no record exists 3409  
with respect to the applicant upon any inquiry into the matter. 3410

(3) Upon the filing of an application under this section, 3411  
the applicant, unless indigent, shall pay a fee of fifty 3412  
dollars. The court shall pay thirty dollars of the fee into the 3413  
state treasury and shall pay twenty dollars of the fee into the 3414  
county general revenue fund. 3415

**Sec. 4749.10.** (A) No class A, B, or C licensee and no 3416  
registered employee of a class A, B, or C licensee shall carry a 3417  
firearm, as defined in section 2923.11 of the Revised Code, in 3418  
the course of engaging in the business of private investigation, 3419  
the business of security services, or both businesses, unless 3420  
all of the following apply: 3421

(1) The licensee or employee either has successfully 3422  
completed a basic firearm training program at a training school 3423  
approved by the Ohio peace officer training commission, which 3424  
program includes twenty hours of training in handgun use and, if 3425  
any firearm other than a handgun is to be used, five hours of 3426  
training in the use of other firearms, and has received a 3427  
certificate of satisfactory completion of that program from the 3428  
executive director of the commission; the licensee or employee 3429  
has, within three years prior to November 27, 1985, 3430  
satisfactorily completed firearms training that has been 3431

approved by the commission as being equivalent to such a program 3432  
and has received written evidence of approval of that training 3433  
from the executive director of the commission; or the licensee 3434  
or employee is a former peace officer, as defined in section 3435  
109.71 of the Revised Code, who previously had successfully 3436  
completed a firearms training course at a training school 3437  
approved by the Ohio peace officer training commission and has 3438  
received a certificate or other evidence of satisfactory 3439  
completion of that course from the executive director of the 3440  
commission. 3441

(2) The licensee or employee submits an application to the 3442  
director of public safety, on a form prescribed by the director, 3443  
in which the licensee or employee requests registration as a 3444  
class A, B, or C licensee or employee who may carry a firearm. 3445  
The application shall be accompanied by a copy of the 3446  
certificate or the written evidence or other evidence described 3447  
in division (A) (1) of this section, the identification card 3448  
issued pursuant to section 4749.03 or 4749.06 of the Revised 3449  
Code if one has previously been issued, a statement of the 3450  
duties that will be performed while the licensee or employee is 3451  
armed, and a fee the director determines, not to exceed fifteen 3452  
dollars. In the case of a registered employee, the statement 3453  
shall be prepared by the employing class A, B, or C licensee. 3454

(3) The licensee or employee receives a notation on the 3455  
licensee's or employee's identification card that the licensee 3456  
or employee is a firearm-bearer and carries the identification 3457  
card whenever the licensee or employee carries a firearm in the 3458  
course of engaging in the business of private investigation, the 3459  
business of security services, or both businesses. 3460

(4) At any time within the immediately preceding twelve- 3461

month period, the licensee or employee has requalified in 3462  
firearms use on a firearms training range at a firearms 3463  
requalification program certified by the Ohio peace officer 3464  
training commission or on a firearms training range under the 3465  
supervision of an instructor certified by the commission and has 3466  
received a certificate of satisfactory requalification from the 3467  
certified program or certified instructor, provided that this 3468  
division does not apply to any licensee or employee prior to the 3469  
expiration of eighteen months after the licensee's or employee's 3470  
completion of the program described in division (A) (1) of this 3471  
section. A certificate of satisfactory requalification is valid 3472  
and remains in effect for twelve months from the date of the 3473  
requalification. 3474

(5) If division (A) (4) of this section applies to the 3475  
licensee or employee, the licensee or employee carries the 3476  
certificate of satisfactory requalification that then is in 3477  
effect or any other evidence of requalification issued or 3478  
provided by the director. 3479

(B) (1) The director of public safety shall register an 3480  
applicant under division (A) of this section who satisfies 3481  
divisions (A) (1) and (2) of this section, and place a notation 3482  
on the applicant's identification card indicating that the 3483  
applicant is a firearm-bearer and the date on which the 3484  
applicant completed the program described in division (A) (1) of 3485  
this section. 3486

(2) A firearms requalification training program or 3487  
instructor certified by the commission for the annual 3488  
requalification of class A, B, or C licensees or employees who 3489  
are authorized to carry a firearm under section 4749.10 of the 3490  
Revised Code shall award a certificate of satisfactory 3491

requalification to each class A, B, or C licensee or registered 3492  
employee of a class A, B, or C licensee who satisfactorily 3493  
requalifies in firearms training. The certificate shall identify 3494  
the licensee or employee and indicate the date of the 3495  
requalification. A licensee or employee who receives such a 3496  
certificate shall submit a copy of it to the director of public 3497  
safety. A licensee shall submit the copy of the requalification 3498  
certificate at the same time that the licensee makes application 3499  
for renewal of the licensee's class A, B, or C license. The 3500  
director shall keep a record of all copies of requalification 3501  
certificates the director receives under this division and shall 3502  
establish a procedure for the updating of identification cards 3503  
to provide evidence of compliance with the annual 3504  
requalification requirement. The procedure for the updating of 3505  
identification cards may provide for the issuance of a new card 3506  
containing the evidence, the entry of a new notation containing 3507  
the evidence on the existing card, the issuance of a separate 3508  
card or paper containing the evidence, or any other procedure 3509  
determined by the director to be reasonable. Each person who is 3510  
issued a requalification certificate under this division 3511  
promptly shall pay to the Ohio peace officer training commission 3512  
established by section 109.71 of the Revised Code a fee the 3513  
director determines, not to exceed fifteen dollars, which fee 3514  
shall be transmitted to the treasurer of state for deposit in 3515  
the peace officer private security fund established by section 3516  
109.78 of the Revised Code. 3517

(C) Nothing in this section prohibits a private 3518  
investigator or a security guard provider from carrying a 3519  
concealed ~~handgun~~ firearm that is not a restricted firearm if 3520  
the private investigator or security guard provider complies 3521  
with sections 2923.124 to 2923.1213 of the Revised Code. 3522

**Section 2.** That existing sections 109.69, 109.731, 3523  
1547.69, 2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 3524  
2923.124, 2923.125, 2923.126, 2923.128, 2923.129, 2923.1210, 3525  
2923.1213, 2923.16, 2953.37, and 4749.10 of the Revised Code are 3526  
hereby repealed. 3527

**Section 3.** The General Assembly, applying the principle 3528  
stated in division (B) of section 1.52 of the Revised Code that 3529  
amendments are to be harmonized if reasonably capable of 3530  
simultaneous operation, finds that the following sections, 3531  
presented in this act as composites of the sections as amended 3532  
by the acts indicated, are the resulting versions of the 3533  
sections in effect prior to the effective date of the sections 3534  
as presented in this act: 3535

Section 2923.125 of the Revised Code as amended by both 3536  
Am. Sub. H.B. 234 and Am. Sub. S.B. 43 of the 130th General 3537  
Assembly. 3538

Section 2923.1213 of the Revised Code as amended by both 3539  
Am. Sub. H.B. 234 and Am. Sub. S.B. 43 of the 130th General 3540  
Assembly. 3541