

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 373**

**Representative Vitale**

**Cosponsors: Representatives Antani, Becker, Brenner, Brinkman, Dean,  
Goodman, Johnson, Hood, Householder, Keller, Koehler, Merrin, Riedel, Seitz,  
Schaffer, Sprague, Thompson, Zeltwanger**

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**A BILL**

To amend sections 105.41, 123.011, 2923.122, 1  
2923.123, and 2923.126 of the Revised Code to 2  
permit any person who holds a valid concealed 3  
handgun license to carry a concealed handgun in 4  
a courthouse, a courtroom, or a government 5  
facility of this state or in a government 6  
facility of a political subdivision of this 7  
state if the political subdivision has not 8  
enacted an ordinance or policy that prohibits a 9  
licensee from carrying a concealed handgun into 10  
the building or the court has not enacted a rule 11  
that prohibits a licensee from carrying a deadly 12  
weapon or dangerous ordnance into the courthouse 13  
or courtroom. 14

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

**Section 1.** That sections 105.41, 123.011, 2923.122, 15  
2923.123, and 2923.126 of the Revised Code be amended to read as 16  
follows: 17

**Sec. 105.41.** (A) There is hereby created in the 18  
legislative branch of government the capitol square review and 19  
advisory board, consisting of twelve members as follows: 20

(1) Two members of the senate, appointed by the president 21  
of the senate, both of whom shall not be members of the same 22  
political party; 23

(2) Two members of the house of representatives, appointed 24  
by the speaker of the house of representatives, both of whom 25  
shall not be members of the same political party; 26

(3) Four members appointed by the governor, with the 27  
advice and consent of the senate, not more than three of whom 28  
shall be members of the same political party, one of whom shall 29  
be the chief of staff of the governor's office, one of whom 30  
shall represent the Ohio arts council, one of whom shall 31  
represent the Ohio history connection, and one of whom shall 32  
represent the public at large; 33

(4) One member, who shall be a former president of the 34  
senate, appointed by the current president of the senate. If the 35  
current president of the senate, in the current president's 36  
discretion, decides for any reason not to make the appointment 37  
or if no person is eligible or available to serve, the seat 38  
shall remain vacant. 39

(5) One member, who shall be a former speaker of the house 40  
of representatives, appointed by the current speaker of the 41  
house of representatives. If the current speaker of the house of 42  
representatives, in the current speaker's discretion, decides 43  
for any reason not to make the appointment or if no person is 44  
eligible or available to serve, the seat shall remain vacant. 45

(6) The clerk of the senate and the clerk of the house of 46

representatives. 47

(B) Terms of office of each appointed member of the board 48  
shall be for three years, except that members of the general 49  
assembly appointed to the board shall be members of the board 50  
only so long as they are members of the general assembly and the 51  
chief of staff of the governor's office shall be a member of the 52  
board only so long as the appointing governor remains in office. 53  
Each member shall hold office from the date of the member's 54  
appointment until the end of the term for which the member was 55  
appointed. In case of a vacancy occurring on the board, the 56  
president of the senate, the speaker of the house of 57  
representatives, or the governor, as the case may be, shall in 58  
the same manner prescribed for the regular appointment to the 59  
commission, fill the vacancy by appointing a member. Any member 60  
appointed to fill a vacancy occurring prior to the expiration of 61  
the term for which the member's predecessor was appointed shall 62  
hold office for the remainder of the term. Any appointed member 63  
shall continue in office subsequent to the expiration date of 64  
the member's term until the member's successor takes office, or 65  
until a period of sixty days has elapsed, whichever occurs 66  
first. 67

(C) The board shall hold meetings in a manner and at times 68  
prescribed by the rules adopted by the board. A majority of the 69  
board constitutes a quorum, and no action shall be taken by the 70  
board unless approved by at least six members or by at least 71  
seven members if a person is appointed under division (A) (4) or 72  
(5) of this section. At its first meeting, the board shall adopt 73  
rules for the conduct of its business and the election of its 74  
officers, and shall organize by selecting officers other than a 75  
chairperson as it considers necessary. In odd-numbered years, 76  
the majority member from the senate shall serve as chairperson; 77

in even-numbered years, the majority member from the house of 78  
representatives shall serve as chairperson. Board members shall 79  
serve without compensation but shall be reimbursed for actual 80  
and necessary expenses incurred in the performance of their 81  
duties. 82

(D) The board may do any of the following: 83

(1) Employ or hire on a consulting basis professional, 84  
technical, and clerical employees as are necessary for the 85  
performance of its duties. All employees of the board are in the 86  
unclassified service and serve at the pleasure of the board. For 87  
purposes of section 4117.01 of the Revised Code, employees of 88  
the board shall be considered employees of the general assembly, 89  
except that employees who are covered by a collective bargaining 90  
agreement on September 29, 2011, shall remain subject to the 91  
agreement until the agreement expires on its terms, and the 92  
agreement shall not be extended or renewed. Upon expiration of 93  
the agreement, the employees are considered employees of the 94  
general assembly for purposes of section 4117.01 of the Revised 95  
Code and are in the unclassified service and serve at the 96  
pleasure of the board. 97

(2) Hold public hearings at times and places as determined 98  
by the board; 99

(3) Adopt, amend, or rescind rules necessary to accomplish 100  
the duties of the board as set forth in this section; 101

(4) Sponsor, conduct, and support such social events as 102  
the board may authorize and consider appropriate for the 103  
employees of the board, employees and members of the general 104  
assembly, employees of persons under contract with the board or 105  
otherwise engaged to perform services on the premises of capitol 106

square, or other persons as the board may consider appropriate. 107  
Subject to the requirements of Chapter 4303. of the Revised 108  
Code, the board may provide beer, wine, and intoxicating liquor, 109  
with or without charge, for those events and may use funds only 110  
from the sale of goods and services fund to purchase the beer, 111  
wine, and intoxicating liquor the board provides; 112

(5) Purchase a warehouse in which to store items of the 113  
capitol collection trust and, whenever necessary, equipment or 114  
other property of the board. 115

(E) The board shall do all of the following: 116

(1) Have sole authority to coordinate and approve any 117  
improvements, additions, and renovations that are made to the 118  
capitol square. The improvements shall include, but not be 119  
limited to, the placement of monuments and sculpture on the 120  
capitol grounds. 121

(2) Operate the capitol square, and have sole authority to 122  
regulate all uses of the capitol square. The uses shall include, 123  
but not be limited to, the casual and recreational use of the 124  
capitol square. 125

(3) Employ, fix the compensation of, and prescribe the 126  
duties of the executive director of the board and other 127  
employees the board considers necessary for the performance of 128  
its powers and duties; 129

(4) Establish and maintain the capitol collection trust. 130  
The capitol collection trust shall consist of furniture, 131  
antiques, and other items of personal property that the board 132  
shall store in suitable facilities until they are ready to be 133  
displayed in the capitol square. 134

(5) Perform repair, construction, contracting, purchasing, 135

maintenance, supervisory, and operating activities the board 136  
determines are necessary for the operation and maintenance of 137  
the capitol square; 138

(6) Maintain and preserve the capitol square, in 139  
accordance with guidelines issued by the United States secretary 140  
of the interior for application of the secretary's standards for 141  
rehabilitation adopted in 36 C.F.R. part 67; 142

(7) Plan and develop a center at the capitol building for 143  
the purpose of educating visitors about the history of Ohio, 144  
including its political, economic, and social development and 145  
the design and erection of the capitol building and its grounds. 146

(F) (1) The board shall lease capital facilities improved 147  
by the department of administrative services or financed by the 148  
treasurer of state pursuant to Chapter 154. of the Revised Code 149  
for the use of the board, and may enter into any other 150  
agreements with the department, the Ohio public facilities 151  
commission, or any other authorized governmental agency 152  
ancillary to improvement, financing, or leasing of those capital 153  
facilities, including, but not limited to, any agreement 154  
required by the applicable bond proceedings authorized by 155  
Chapter 154. of the Revised Code. Any lease of capital 156  
facilities authorized by this section shall be governed by 157  
Chapter 154. of the Revised Code. 158

(2) Fees, receipts, and revenues received by the board 159  
from the state underground parking garage constitute available 160  
receipts as defined in section 154.24 of the Revised Code, and 161  
may be pledged to the payment of bond service charges on 162  
obligations issued by the treasurer of state pursuant to Chapter 163  
154. of the Revised Code to improve, finance, or purchase 164  
capital facilities useful to the board. The treasurer of state 165

may, with the consent of the board, provide in the bond 166  
proceedings for a pledge of all or a portion of those fees, 167  
receipts, and revenues as the treasurer of state determines. The 168  
treasurer of state may provide in the bond proceedings or by 169  
separate agreement with the board for the transfer of those 170  
fees, receipts, and revenues to the appropriate bond service 171  
fund or bond service reserve fund as required to pay the bond 172  
service charges when due, and any such provision for the 173  
transfer of those fees, receipts, and revenues shall be 174  
controlling notwithstanding any other provision of law 175  
pertaining to those fees, receipts, and revenues. 176

(3) All moneys received by the treasurer of state on 177  
account of the board and required by the applicable bond 178  
proceedings or by separate agreement with the board to be 179  
deposited, transferred, or credited to the bond service fund or 180  
bond service reserve fund established by the bond proceedings 181  
shall be transferred by the treasurer of state to such fund, 182  
whether or not it is in the custody of the treasurer of state, 183  
without necessity for further appropriation. 184

(G) (1) Except as otherwise provided in division (G) (2) of 185  
this section, all fees, receipts, and revenues received by the 186  
board from the state underground parking garage shall be 187  
deposited into the state treasury to the credit of the 188  
underground parking garage operating fund, which is hereby 189  
created, to be used for the purposes specified in division (F) 190  
of this section and for the operation and maintenance of the 191  
garage. All investment earnings of the fund shall be credited to 192  
the fund. 193

(2) There is hereby created the parking garage automated 194  
equipment fund, which shall be in the custody of the treasurer 195

of state but shall not be part of the state treasury. Money in 196  
the fund shall be used to purchase the automated teller machine 197  
quality dollar bills needed for operation of the parking garage 198  
automated equipment. The fund shall consist of fees, receipts, 199  
or revenues received by the board from the state underground 200  
parking garage; provided, however, that the total amount 201  
deposited into the fund at any one time shall not exceed ten 202  
thousand dollars. All investment earnings of the fund shall be 203  
credited to the fund. 204

(H) All donations received by the board shall be deposited 205  
into the state treasury to the credit of the capitol square 206  
renovation gift fund, which is hereby created. The fund shall be 207  
used by the board as follows: 208

(1) To provide part or all of the funding related to 209  
construction, goods, or services for the renovation of the 210  
capitol square; 211

(2) To purchase art, antiques, and artifacts for display 212  
at the capitol square; 213

(3) To award contracts or make grants to organizations for 214  
educating the public regarding the historical background and 215  
governmental functions of the capitol square. Chapters 125., 216  
127., and 153. and section 3517.13 of the Revised Code do not 217  
apply to purchases made exclusively from the fund, 218  
notwithstanding anything to the contrary in those chapters or 219  
that section. All investment earnings of the fund shall be 220  
credited to the fund. 221

(I) Except as provided in divisions (G), (H), and (J) of 222  
this section, all fees, receipts, and revenues received by the 223  
board shall be deposited into the state treasury to the credit 224

of the sale of goods and services fund, which is hereby created. 225  
Money credited to the fund shall be used solely to pay costs of 226  
the board other than those specified in divisions (F) and (G) of 227  
this section. All investment earnings of the fund shall be 228  
credited to the fund. 229

(J) There is hereby created in the state treasury the 230  
capitol square improvement fund, to be used by the board to pay 231  
construction, renovation, and other costs related to the capitol 232  
square for which money is not otherwise available to the board. 233  
Whenever the board determines that there is a need to incur 234  
those costs and that the unencumbered, unobligated balance to 235  
the credit of the underground parking garage operating fund 236  
exceeds the amount needed for the purposes specified in division 237  
(F) of this section and for the operation and maintenance of the 238  
garage, the board may request the director of budget and 239  
management to transfer from the underground parking garage 240  
operating fund to the capitol square improvement fund the amount 241  
needed to pay such construction, renovation, or other costs. The 242  
director then shall transfer the amount needed from the excess 243  
balance of the underground parking garage operating fund. 244

(K) As the operation and maintenance of the capitol square 245  
constitute essential government functions of a public purpose, 246  
the board shall not be required to pay taxes or assessments upon 247  
the square, upon any property acquired or used by the board 248  
under this section, or upon any income generated by the 249  
operation of the square. 250

(L) As used in this section, "capitol square" means the 251  
capitol building, senate building, capitol atrium, capitol 252  
grounds, the state underground parking garage, and the warehouse 253  
owned by the board. 254

(M) The capitol annex shall be known as the senate 255  
building. 256

~~(N) Any person may possess a firearm in a motor vehicle in 257  
the state underground parking garage at the state capitol 258  
building, if the person's possession of the firearm in the motor 259  
vehicle is not in violation of section 2923.16 of the Revised 260  
Code or any other provision of the Revised Code. Any person may 261  
store or leave a firearm in a locked motor vehicle that is 262  
parked in the state underground parking garage at the state 263  
capitol building, if the person's transportation and possession 264  
of the firearm in the motor vehicle while traveling to the 265  
garage was not in violation of section 2923.16 of the Revised 266  
Code or any other provision of the Revised Code. 267~~

**Sec. 123.011.** ~~(A)~~The department of administrative 268  
services may: 269

~~(1) (A) Fix, alter, and charge rentals and other charges 270  
for the use and occupancy of its buildings, facilities, and 271  
other properties; 272~~

~~(2) (B) Provide for the persons occupying its buildings, 273  
facilities, and other properties, health clinics, medical 274  
services, food services, and such other services as such persons 275  
cannot provide for themselves; and, if the department determines 276  
that it is more advantageous, it may enter into contracts with 277  
persons, firms, or corporations or with any governmental agency, 278  
board, commission, or department to provide any of such clinics 279  
or services. 280~~

~~(B) Any person may possess a firearm in a motor vehicle in 281  
the parking garage at the Riffe center for government and the 282  
arts in Columbus, if the person's possession of the firearm in 283~~

~~the motor vehicle is not in violation of section 2923.16 of the~~ 284  
~~Revised Code or any other provision of the Revised Code. Any~~ 285  
~~person may store or leave a firearm in a locked motor vehicle~~ 286  
~~that is parked in the parking garage at the Riffe center for~~ 287  
~~government and the arts in Columbus, if the person's~~ 288  
~~transportation and possession of the firearm in the motor~~ 289  
~~vehicle while traveling to the garage was not in violation of~~ 290  
~~section 2923.16 of the Revised Code or any other provision of~~ 291  
~~the Revised Code.~~ 292

**Sec. 2923.122.** (A) No person shall knowingly convey, or 293  
attempt to convey, a deadly weapon or dangerous ordnance into a 294  
school safety zone. 295

(B) No person shall knowingly possess a deadly weapon or 296  
dangerous ordnance in a school safety zone. 297

(C) No person shall knowingly possess an object in a 298  
school safety zone if both of the following apply: 299

(1) The object is indistinguishable from a firearm, 300  
whether or not the object is capable of being fired. 301

(2) The person indicates that the person possesses the 302  
object and that it is a firearm, or the person knowingly 303  
displays or brandishes the object and indicates that it is a 304  
firearm. 305

(D) (1) This section does not apply to any of the 306  
following: 307

(a) An officer, agent, or employee of this or any other 308  
state or the United States who is authorized to carry deadly 309  
weapons or dangerous ordnance and is acting within the scope of 310  
the officer's, agent's, or employee's duties, a law enforcement 311  
officer who is authorized to carry deadly weapons or dangerous 312

ordnance, a security officer employed by a board of education or 313  
governing body of a school during the time that the security 314  
officer is on duty pursuant to that contract of employment, or 315  
any other person who has written authorization from the board of 316  
education or governing body of a school to convey deadly weapons 317  
or dangerous ordnance into a school safety zone or to possess a 318  
deadly weapon or dangerous ordnance in a school safety zone and 319  
who conveys or possesses the deadly weapon or dangerous ordnance 320  
in accordance with that authorization; 321

(b) Any person who is employed in this state, who is 322  
authorized to carry deadly weapons or dangerous ordnance, and 323  
who is subject to and in compliance with the requirements of 324  
section 109.801 of the Revised Code, unless the appointing 325  
authority of the person has expressly specified that the 326  
exemption provided in division (D)(1)(b) of this section does 327  
not apply to the person. 328

(2) Division (C) of this section does not apply to 329  
premises upon which home schooling is conducted. Division (C) of 330  
this section also does not apply to a school administrator, 331  
teacher, or employee who possesses an object that is 332  
indistinguishable from a firearm for legitimate school purposes 333  
during the course of employment, a student who uses an object 334  
that is indistinguishable from a firearm under the direction of 335  
a school administrator, teacher, or employee, or any other 336  
person who with the express prior approval of a school 337  
administrator possesses an object that is indistinguishable from 338  
a firearm for a legitimate purpose, including the use of the 339  
object in a ceremonial activity, a play, reenactment, or other 340  
dramatic presentation, school safety training, or a ROTC 341  
activity or another similar use of the object. 342

(3) This section does not apply to a person who conveys or 343  
attempts to convey a handgun into, or possesses a handgun in, a 344  
school safety zone if, at the time of that conveyance, attempted 345  
conveyance, or possession of the handgun, all of the following 346  
apply: 347

(a) The person does not enter into a school building or 348  
onto school premises and is not at a school activity. 349

(b) The person is carrying a valid concealed handgun 350  
license or the person is an active duty member of the armed 351  
forces of the United States and is carrying a valid military 352  
identification card and documentation of successful completion 353  
of firearms training that meets or exceeds the training 354  
requirements described in division (G) (1) of section 2923.125 of 355  
the Revised Code. 356

(c) The person is in the school safety zone in accordance 357  
with 18 U.S.C. 922(q) (2) (B). 358

(d) The person is not knowingly in a place described in 359  
division (B) (1) or (B) (3) to ~~(8)~~ (7) of section 2923.126 of the 360  
Revised Code. 361

(4) This section does not apply to a person who conveys or 362  
attempts to convey a handgun into, or possesses a handgun in, a 363  
school safety zone if at the time of that conveyance, attempted 364  
conveyance, or possession of the handgun all of the following 365  
apply: 366

(a) The person is carrying a valid concealed handgun 367  
license or the person is an active duty member of the armed 368  
forces of the United States and is carrying a valid military 369  
identification card and documentation of successful completion 370  
of firearms training that meets or exceeds the training 371

requirements described in division (G) (1) of section 2923.125 of 372  
the Revised Code. 373

(b) The person leaves the handgun in a motor vehicle. 374

(c) The handgun does not leave the motor vehicle. 375

(d) If the person exits the motor vehicle, the person 376  
locks the motor vehicle. 377

(E) (1) Whoever violates division (A) or (B) of this 378  
section is guilty of illegal conveyance or possession of a 379  
deadly weapon or dangerous ordnance in a school safety zone. 380  
Except as otherwise provided in this division, illegal 381  
conveyance or possession of a deadly weapon or dangerous 382  
ordnance in a school safety zone is a felony of the fifth 383  
degree. If the offender previously has been convicted of a 384  
violation of this section, illegal conveyance or possession of a 385  
deadly weapon or dangerous ordnance in a school safety zone is a 386  
felony of the fourth degree. 387

(2) Whoever violates division (C) of this section is 388  
guilty of illegal possession of an object indistinguishable from 389  
a firearm in a school safety zone. Except as otherwise provided 390  
in this division, illegal possession of an object 391  
indistinguishable from a firearm in a school safety zone is a 392  
misdemeanor of the first degree. If the offender previously has 393  
been convicted of a violation of this section, illegal 394  
possession of an object indistinguishable from a firearm in a 395  
school safety zone is a felony of the fifth degree. 396

(F) (1) In addition to any other penalty imposed upon a 397  
person who is convicted of or pleads guilty to a violation of 398  
this section and subject to division (F) (2) of this section, if 399  
the offender has not attained nineteen years of age, regardless 400

of whether the offender is attending or is enrolled in a school 401  
operated by a board of education or for which the state board of 402  
education prescribes minimum standards under section 3301.07 of 403  
the Revised Code, the court shall impose upon the offender a 404  
class four suspension of the offender's probationary driver's 405  
license, restricted license, driver's license, commercial 406  
driver's license, temporary instruction permit, or probationary 407  
commercial driver's license that then is in effect from the 408  
range specified in division (A)(4) of section 4510.02 of the 409  
Revised Code and shall deny the offender the issuance of any 410  
permit or license of that type during the period of the 411  
suspension. 412

If the offender is not a resident of this state, the court 413  
shall impose a class four suspension of the nonresident 414  
operating privilege of the offender from the range specified in 415  
division (A)(4) of section 4510.02 of the Revised Code. 416

(2) If the offender shows good cause why the court should 417  
not suspend one of the types of licenses, permits, or privileges 418  
specified in division (F)(1) of this section or deny the 419  
issuance of one of the temporary instruction permits specified 420  
in that division, the court in its discretion may choose not to 421  
impose the suspension, revocation, or denial required in that 422  
division, but the court, in its discretion, instead may require 423  
the offender to perform community service for a number of hours 424  
determined by the court. 425

(G) As used in this section, "object that is 426  
indistinguishable from a firearm" means an object made, 427  
constructed, or altered so that, to a reasonable person without 428  
specialized training in firearms, the object appears to be a 429  
firearm. 430

**Sec. 2923.123.** (A) No person shall knowingly convey or 431  
attempt to convey a deadly weapon or dangerous ordnance into a 432  
courthouse or into another building or structure in which a 433  
courtroom is located. 434

(B) No person shall knowingly possess or have under the 435  
person's control a deadly weapon or dangerous ordnance in a 436  
courthouse or in another building or structure in which a 437  
courtroom is located. 438

(C) This section does not apply to any of the following: 439

(1) Except as provided in division (E) of this section, a 440  
judge of a court of record of this state or a magistrate; 441

(2) A peace officer, officer of a law enforcement agency, 442  
or person who is in either of the following categories: 443

(a) Except as provided in division (E) of this section, a 444  
peace officer, or an officer of a law enforcement agency of 445  
another state, a political subdivision of another state, or the 446  
United States, who is authorized to carry a deadly weapon or 447  
dangerous ordnance, who possesses or has under that individual's 448  
control a deadly weapon or dangerous ordnance as a requirement 449  
of that individual's duties, and who is acting within the scope 450  
of that individual's duties at the time of that possession or 451  
control; 452

(b) Except as provided in division (E) of this section, a 453  
person who is employed in this state, who is authorized to carry 454  
a deadly weapon or dangerous ordnance, who possesses or has 455  
under that individual's control a deadly weapon or dangerous 456  
ordnance as a requirement of that person's duties, and who is 457  
subject to and in compliance with the requirements of section 458  
109.801 of the Revised Code, unless the appointing authority of 459

the person has expressly specified that the exemption provided 460  
in division (C) (2) (b) of this section does not apply to the 461  
person. 462

(3) A person who conveys, attempts to convey, possesses, 463  
or has under the person's control a deadly weapon or dangerous 464  
ordnance that is to be used as evidence in a pending criminal or 465  
civil action or proceeding; 466

(4) Except as provided in division (E) of this section, a 467  
bailiff or deputy bailiff of a court of record of this state who 468  
is authorized to carry a firearm pursuant to section 109.77 of 469  
the Revised Code, who possesses or has under that individual's 470  
control a firearm as a requirement of that individual's duties, 471  
and who is acting within the scope of that individual's duties 472  
at the time of that possession or control; 473

(5) Except as provided in division (E) of this section, a 474  
prosecutor, or a secret service officer appointed by a county 475  
prosecuting attorney, who is authorized to carry a deadly weapon 476  
or dangerous ordnance in the performance of the individual's 477  
duties, who possesses or has under that individual's control a 478  
deadly weapon or dangerous ordnance as a requirement of that 479  
individual's duties, and who is acting within the scope of that 480  
individual's duties at the time of that possession or control; 481

(6) Except as provided in division (E) of this section, a 482  
person who conveys or attempts to convey a handgun into a 483  
courthouse or into another building or structure in which a 484  
courtroom is located, who, at the time of the conveyance or 485  
attempt, either is carrying a valid concealed handgun license or 486  
is an active duty member of the armed forces of the United 487  
States and is carrying a valid military identification card and 488  
documentation of successful completion of firearms training that 489

meets or exceeds the training requirements described in division 490  
(G) (1) of section 2923.125 of the Revised Code, ~~and who~~ 491  
~~transfers possession of the handgun to the officer or officer's~~ 492  
~~designee who has charge of the courthouse or building. The~~ 493  
~~officer shall secure the handgun until the licensee is prepared~~ 494  
~~to leave the premises. The exemption described in this division~~ 495  
~~applies only if the officer who has charge of the courthouse or~~ 496  
~~building provides services of the nature described in this~~ 497  
~~division. An officer who has charge of the courthouse or~~ 498  
~~building is not required to offer services of the nature~~ 499  
~~described in this division.~~ 500

(D) (1) Whoever violates division (A) of this section is 501  
guilty of illegal conveyance of a deadly weapon or dangerous 502  
ordnance into a courthouse. Except as otherwise provided in this 503  
division, illegal conveyance of a deadly weapon or dangerous 504  
ordnance into a courthouse is a felony of the fifth degree. If 505  
the offender previously has been convicted of a violation of 506  
division (A) or (B) of this section, illegal conveyance of a 507  
deadly weapon or dangerous ordnance into a courthouse is a 508  
felony of the fourth degree. 509

(2) Whoever violates division (B) of this section is 510  
guilty of illegal possession or control of a deadly weapon or 511  
dangerous ordnance in a courthouse. Except as otherwise provided 512  
in this division, illegal possession or control of a deadly 513  
weapon or dangerous ordnance in a courthouse is a felony of the 514  
fifth degree. If the offender previously has been convicted of a 515  
violation of division (A) or (B) of this section, illegal 516  
possession or control of a deadly weapon or dangerous ordnance 517  
in a courthouse is a felony of the fourth degree. 518

(E) The exemptions described in divisions (C) (1), (2) (a), 519

(2) (b), (4), (5), and (6) of this section do not apply to any 520  
judge, magistrate, peace officer, officer of a law enforcement 521  
agency, bailiff, deputy bailiff, prosecutor, secret service 522  
officer, or other person described in any of those divisions if 523  
a rule of superintendence or another type of rule adopted by the 524  
supreme court pursuant to Article IV, Ohio Constitution, or an 525  
applicable local rule of court prohibits all persons from 526  
conveying or attempting to convey a deadly weapon or dangerous 527  
ordnance into a courthouse or into ~~another building or structure~~ 528  
~~in which~~ a courtroom that is located in another building or 529  
structure or from possessing or having under one's control a 530  
deadly weapon or dangerous ordnance in a courthouse or in 531  
~~another building or structure in which~~ a courtroom that is 532  
located in another building or structure. 533

(F) As used in this section: 534

(1) "Magistrate" means an individual who is appointed by a 535  
court of record of this state and who has the powers and may 536  
perform the functions specified in Civil Rule 53, Criminal Rule 537  
19, or Juvenile Rule 40. 538

(2) "Peace officer" and "prosecutor" have the same 539  
meanings as in section 2935.01 of the Revised Code. 540

**Sec. 2923.126.** (A) A concealed handgun license that is 541  
issued under section 2923.125 of the Revised Code shall expire 542  
five years after the date of issuance. A licensee who has been 543  
issued a license under that section shall be granted a grace 544  
period of thirty days after the licensee's license expires 545  
during which the licensee's license remains valid. Except as 546  
provided in divisions (B) and (C) of this section, a licensee 547  
who has been issued a concealed handgun license under section 548  
2923.125 or 2923.1213 of the Revised Code may carry a concealed 549

handgun anywhere in this state if the licensee also carries a 550  
valid license and valid identification when the licensee is in 551  
actual possession of a concealed handgun. The licensee shall 552  
give notice of any change in the licensee's residence address to 553  
the sheriff who issued the license within forty-five days after 554  
that change. 555

If a licensee is the driver or an occupant of a motor 556  
vehicle that is stopped as the result of a traffic stop or a 557  
stop for another law enforcement purpose and if the licensee is 558  
transporting or has a loaded handgun in the motor vehicle at 559  
that time, the licensee shall promptly inform any law 560  
enforcement officer who approaches the vehicle while stopped 561  
that the licensee has been issued a concealed handgun license 562  
and that the licensee currently possesses or has a loaded 563  
handgun; the licensee shall not knowingly disregard or fail to 564  
comply with lawful orders of a law enforcement officer given 565  
while the motor vehicle is stopped, knowingly fail to remain in 566  
the motor vehicle while stopped, or knowingly fail to keep the 567  
licensee's hands in plain sight after any law enforcement 568  
officer begins approaching the licensee while stopped and before 569  
the officer leaves, unless directed otherwise by a law 570  
enforcement officer; and the licensee shall not knowingly have 571  
contact with the loaded handgun by touching it with the 572  
licensee's hands or fingers, in any manner in violation of 573  
division (E) of section 2923.16 of the Revised Code, after any 574  
law enforcement officer begins approaching the licensee while 575  
stopped and before the officer leaves. Additionally, if a 576  
licensee is the driver or an occupant of a commercial motor 577  
vehicle that is stopped by an employee of the motor carrier 578  
enforcement unit for the purposes defined in section 5503.34 of 579  
the Revised Code and if the licensee is transporting or has a 580

loaded handgun in the commercial motor vehicle at that time, the 581  
licensee shall promptly inform the employee of the unit who 582  
approaches the vehicle while stopped that the licensee has been 583  
issued a concealed handgun license and that the licensee 584  
currently possesses or has a loaded handgun. 585

If a licensee is stopped for a law enforcement purpose and 586  
if the licensee is carrying a concealed handgun at the time the 587  
officer approaches, the licensee shall promptly inform any law 588  
enforcement officer who approaches the licensee while stopped 589  
that the licensee has been issued a concealed handgun license 590  
and that the licensee currently is carrying a concealed handgun; 591  
the licensee shall not knowingly disregard or fail to comply 592  
with lawful orders of a law enforcement officer given while the 593  
licensee is stopped or knowingly fail to keep the licensee's 594  
hands in plain sight after any law enforcement officer begins 595  
approaching the licensee while stopped and before the officer 596  
leaves, unless directed otherwise by a law enforcement officer; 597  
and the licensee shall not knowingly remove, attempt to remove, 598  
grasp, or hold the loaded handgun or knowingly have contact with 599  
the loaded handgun by touching it with the licensee's hands or 600  
fingers, in any manner in violation of division (B) of section 601  
2923.12 of the Revised Code, after any law enforcement officer 602  
begins approaching the licensee while stopped and before the 603  
officer leaves. 604

(B) A valid concealed handgun license does not authorize 605  
the licensee to carry a concealed handgun in any manner 606  
prohibited under division (B) of section 2923.12 of the Revised 607  
Code or in any manner prohibited under section 2923.16 of the 608  
Revised Code. A valid license does not authorize the licensee to 609  
carry a concealed handgun into any of the following places: 610

(1) A police station, sheriff's office, or state highway 611  
patrol station, premises controlled by the bureau of criminal 612  
identification and investigation; a state correctional 613  
institution, jail, workhouse, or other detention facility; any 614  
area of an airport passenger terminal that is beyond a passenger 615  
or property screening checkpoint or to which access is 616  
restricted through security measures by the airport authority or 617  
a public agency; or an institution that is maintained, operated, 618  
managed, and governed pursuant to division (A) of section 619  
5119.14 of the Revised Code or division (A) (1) of section 620  
5123.03 of the Revised Code; 621

(2) A school safety zone if the licensee's carrying the 622  
concealed handgun is in violation of section 2923.122 of the 623  
Revised Code; 624

~~(3) A courthouse or another building or structure in which~~ 625  
~~a courtroom is located, in violation of section 2923.123 of the~~ 626  
~~Revised Code;~~ 627

~~(4)~~ Any premises or open air arena for which a D permit 628  
has been issued under Chapter 4303. of the Revised Code if the 629  
licensee's carrying the concealed handgun is in violation of 630  
section 2923.121 of the Revised Code; 631

~~(5)~~ (4) Any premises owned or leased by any public or 632  
private college, university, or other institution of higher 633  
education, unless the handgun is in a locked motor vehicle or 634  
the licensee is in the immediate process of placing the handgun 635  
in a locked motor vehicle or unless the licensee is carrying the 636  
concealed handgun pursuant to a written policy, rule, or other 637  
authorization that is adopted by the institution's board of 638  
trustees or other governing body and that authorizes specific 639  
individuals or classes of individuals to carry a concealed 640

handgun on the premises; 641

~~(6)~~ (5) Any church, synagogue, mosque, or other place of 642  
worship, unless the church, synagogue, mosque, or other place of 643  
worship posts or permits otherwise; 644

~~(7)~~ (6) Any building that is a government facility of ~~this-~~ 645  
~~state or~~ a political subdivision of this state and that is not a 646  
building that is used primarily as a shelter, restroom, parking 647  
facility for motor vehicles, or rest facility ~~and is not a~~ 648  
~~courthouse or other building or structure in which a courtroom-~~ 649  
~~is located that is subject to division (B)(3) of this section,~~ 650  
~~unless if~~ the governing body with authority over the building 651  
has enacted ~~a statute, an ordinance,~~ or policy that ~~permits-~~ 652  
prohibits a licensee ~~to carry from carrying~~ a concealed handgun 653  
into the building. 654

~~(8)~~ (7) A place in which federal law prohibits the 655  
carrying of handguns. 656

(C) (1) Nothing in this section shall negate or restrict a 657  
rule, policy, or practice of a private employer that is not a 658  
private college, university, or other institution of higher 659  
education concerning or prohibiting the presence of firearms on 660  
the private employer's premises or property, including motor 661  
vehicles owned by the private employer. Nothing in this section 662  
shall require a private employer of that nature to adopt a rule, 663  
policy, or practice concerning or prohibiting the presence of 664  
firearms on the private employer's premises or property, 665  
including motor vehicles owned by the private employer. 666

(2) (a) A private employer shall be immune from liability 667  
in a civil action for any injury, death, or loss to person or 668  
property that allegedly was caused by or related to a licensee 669

bringing a handgun onto the premises or property of the private 670  
employer, including motor vehicles owned by the private 671  
employer, unless the private employer acted with malicious 672  
purpose. A private employer is immune from liability in a civil 673  
action for any injury, death, or loss to person or property that 674  
allegedly was caused by or related to the private employer's 675  
decision to permit a licensee to bring, or prohibit a licensee 676  
from bringing, a handgun onto the premises or property of the 677  
private employer. 678

(b) A political subdivision shall be immune from liability 679  
in a civil action, to the extent and in the manner provided in 680  
Chapter 2744. of the Revised Code, for any injury, death, or 681  
loss to person or property that allegedly was caused by or 682  
related to a licensee bringing a handgun onto any premises or 683  
property owned, leased, or otherwise under the control of the 684  
political subdivision. As used in this division, "political 685  
subdivision" has the same meaning as in section 2744.01 of the 686  
Revised Code. 687

(c) An institution of higher education shall be immune 688  
from liability in a civil action for any injury, death, or loss 689  
to person or property that allegedly was caused by or related to 690  
a licensee bringing a handgun onto the premises of the 691  
institution, including motor vehicles owned by the institution, 692  
unless the institution acted with malicious purpose. An 693  
institution of higher education is immune from liability in a 694  
civil action for any injury, death, or loss to person or 695  
property that allegedly was caused by or related to the 696  
institution's decision to permit a licensee or class of 697  
licensees to bring a handgun onto the premises of the 698  
institution. 699

(3) (a) Except as provided in division (C) (3) (b) of this 700  
section, the owner or person in control of private land or 701  
premises, and a private person or entity leasing land or 702  
premises owned by the state, the United States, or a political 703  
subdivision of the state or the United States, may post a sign 704  
in a conspicuous location on that land or on those premises 705  
prohibiting persons from carrying firearms or concealed firearms 706  
on or onto that land or those premises. Except as otherwise 707  
provided in this division, a person who knowingly violates a 708  
posted prohibition of that nature is guilty of criminal trespass 709  
in violation of division (A) (4) of section 2911.21 of the 710  
Revised Code and is guilty of a misdemeanor of the fourth 711  
degree. If a person knowingly violates a posted prohibition of 712  
that nature and the posted land or premises primarily was a 713  
parking lot or other parking facility, the person is not guilty 714  
of criminal trespass under section 2911.21 of the Revised Code 715  
or under any other criminal law of this state or criminal law, 716  
ordinance, or resolution of a political subdivision of this 717  
state, and instead is subject only to a civil cause of action 718  
for trespass based on the violation. 719

If a person knowingly violates a posted prohibition of the 720  
nature described in this division and the posted land or 721  
premises is a child day-care center, type A family day-care 722  
home, or type B family day-care home, unless the person is a 723  
licensee who resides in a type A family day-care home or type B 724  
family day-care home, the person is guilty of aggravated 725  
trespass in violation of section 2911.211 of the Revised Code. 726  
Except as otherwise provided in this division, the offender is 727  
guilty of a misdemeanor of the first degree. If the person 728  
previously has been convicted of a violation of this division or 729  
of any offense of violence, if the weapon involved is a firearm 730

that is either loaded or for which the offender has ammunition 731  
ready at hand, or if the weapon involved is dangerous ordnance, 732  
the offender is guilty of a felony of the fourth degree. 733

(b) A landlord may not prohibit or restrict a tenant who 734  
is a licensee and who on or after September 9, 2008, enters into 735  
a rental agreement with the landlord for the use of residential 736  
premises, and the tenant's guest while the tenant is present, 737  
from lawfully carrying or possessing a handgun on those 738  
residential premises. 739

(c) As used in division (C) (3) of this section: 740

(i) "Residential premises" has the same meaning as in 741  
section 5321.01 of the Revised Code, except "residential 742  
premises" does not include a dwelling unit that is owned or 743  
operated by a college or university. 744

(ii) "Landlord," "tenant," and "rental agreement" have the 745  
same meanings as in section 5321.01 of the Revised Code. 746

(D) A person who holds a valid concealed handgun license 747  
issued by another state that is recognized by the attorney 748  
general pursuant to a reciprocity agreement entered into 749  
pursuant to section 109.69 of the Revised Code or a person who 750  
holds a valid concealed handgun license under the circumstances 751  
described in division (B) of section 109.69 of the Revised Code 752  
has the same right to carry a concealed handgun in this state as 753  
a person who was issued a concealed handgun license under 754  
section 2923.125 of the Revised Code and is subject to the same 755  
restrictions that apply to a person who carries a license issued 756  
under that section. 757

(E) (1) A peace officer has the same right to carry a 758  
concealed handgun in this state as a person who was issued a 759

concealed handgun license under section 2923.125 of the Revised 760  
Code. For purposes of reciprocity with other states, a peace 761  
officer shall be considered to be a licensee in this state. 762

(2) An active duty member of the armed forces of the 763  
United States who is carrying a valid military identification 764  
card and documentation of successful completion of firearms 765  
training that meets or exceeds the training requirements 766  
described in division (G) (1) of section 2923.125 of the Revised 767  
Code has the same right to carry a concealed handgun in this 768  
state as a person who was issued a concealed handgun license 769  
under section 2923.125 of the Revised Code and is subject to the 770  
same restrictions as specified in this section. 771

(F) (1) A qualified retired peace officer who possesses a 772  
retired peace officer identification card issued pursuant to 773  
division (F) (2) of this section and a valid firearms 774  
requalification certification issued pursuant to division (F) (3) 775  
of this section has the same right to carry a concealed handgun 776  
in this state as a person who was issued a concealed handgun 777  
license under section 2923.125 of the Revised Code and is 778  
subject to the same restrictions that apply to a person who 779  
carries a license issued under that section. For purposes of 780  
reciprocity with other states, a qualified retired peace officer 781  
who possesses a retired peace officer identification card issued 782  
pursuant to division (F) (2) of this section and a valid firearms 783  
requalification certification issued pursuant to division (F) (3) 784  
of this section shall be considered to be a licensee in this 785  
state. 786

(2) (a) Each public agency of this state or of a political 787  
subdivision of this state that is served by one or more peace 788  
officers shall issue a retired peace officer identification card 789

to any person who retired from service as a peace officer with 790  
that agency, if the issuance is in accordance with the agency's 791  
policies and procedures and if the person, with respect to the 792  
person's service with that agency, satisfies all of the 793  
following: 794

(i) The person retired in good standing from service as a 795  
peace officer with the public agency, and the retirement was not 796  
for reasons of mental instability. 797

(ii) Before retiring from service as a peace officer with 798  
that agency, the person was authorized to engage in or supervise 799  
the prevention, detection, investigation, or prosecution of, or 800  
the incarceration of any person for, any violation of law and 801  
the person had statutory powers of arrest. 802

(iii) At the time of the person's retirement as a peace 803  
officer with that agency, the person was trained and qualified 804  
to carry firearms in the performance of the peace officer's 805  
duties. 806

(iv) Before retiring from service as a peace officer with 807  
that agency, the person was regularly employed as a peace 808  
officer for an aggregate of fifteen years or more, or, in the 809  
alternative, the person retired from service as a peace officer 810  
with that agency, after completing any applicable probationary 811  
period of that service, due to a service-connected disability, 812  
as determined by the agency. 813

(b) A retired peace officer identification card issued to 814  
a person under division (F)(2)(a) of this section shall identify 815  
the person by name, contain a photograph of the person, identify 816  
the public agency of this state or of the political subdivision 817  
of this state from which the person retired as a peace officer 818

and that is issuing the identification card, and specify that 819  
the person retired in good standing from service as a peace 820  
officer with the issuing public agency and satisfies the 821  
criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 822  
section. In addition to the required content specified in this 823  
division, a retired peace officer identification card issued to 824  
a person under division (F) (2) (a) of this section may include 825  
the firearms requalification certification described in division 826  
(F) (3) of this section, and if the identification card includes 827  
that certification, the identification card shall serve as the 828  
firearms requalification certification for the retired peace 829  
officer. If the issuing public agency issues credentials to 830  
active law enforcement officers who serve the agency, the agency 831  
may comply with division (F) (2) (a) of this section by issuing 832  
the same credentials to persons who retired from service as a 833  
peace officer with the agency and who satisfy the criteria set 834  
forth in divisions (F) (2) (a) (i) to (iv) of this section, 835  
provided that the credentials so issued to retired peace 836  
officers are stamped with the word "RETIRED." 837

(c) A public agency of this state or of a political 838  
subdivision of this state may charge persons who retired from 839  
service as a peace officer with the agency a reasonable fee for 840  
issuing to the person a retired peace officer identification 841  
card pursuant to division (F) (2) (a) of this section. 842

(3) If a person retired from service as a peace officer 843  
with a public agency of this state or of a political subdivision 844  
of this state and the person satisfies the criteria set forth in 845  
divisions (F) (2) (a) (i) to (iv) of this section, the public 846  
agency may provide the retired peace officer with the 847  
opportunity to attend a firearms requalification program that is 848  
approved for purposes of firearms requalification required under 849

section 109.801 of the Revised Code. The retired peace officer 850  
may be required to pay the cost of the course. 851

If a retired peace officer who satisfies the criteria set 852  
forth in divisions (F) (2) (a) (i) to (iv) of this section attends 853  
a firearms requalification program that is approved for purposes 854  
of firearms requalification required under section 109.801 of 855  
the Revised Code, the retired peace officer's successful 856  
completion of the firearms requalification program requalifies 857  
the retired peace officer for purposes of division (F) of this 858  
section for five years from the date on which the program was 859  
successfully completed, and the requalification is valid during 860  
that five-year period. If a retired peace officer who satisfies 861  
the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 862  
section satisfactorily completes such a firearms requalification 863  
program, the retired peace officer shall be issued a firearms 864  
requalification certification that identifies the retired peace 865  
officer by name, identifies the entity that taught the program, 866  
specifies that the retired peace officer successfully completed 867  
the program, specifies the date on which the course was 868  
successfully completed, and specifies that the requalification 869  
is valid for five years from that date of successful completion. 870  
The firearms requalification certification for a retired peace 871  
officer may be included in the retired peace officer 872  
identification card issued to the retired peace officer under 873  
division (F) (2) of this section. 874

A retired peace officer who attends a firearms 875  
requalification program that is approved for purposes of 876  
firearms requalification required under section 109.801 of the 877  
Revised Code may be required to pay the cost of the program. 878

(G) As used in this section: 879

(1) "Qualified retired peace officer" means a person who 880  
satisfies all of the following: 881

(a) The person satisfies the criteria set forth in 882  
divisions (F) (2) (a) (i) to (v) of this section. 883

(b) The person is not under the influence of alcohol or 884  
another intoxicating or hallucinatory drug or substance. 885

(c) The person is not prohibited by federal law from 886  
receiving firearms. 887

(2) "Retired peace officer identification card" means an 888  
identification card that is issued pursuant to division (F) (2) 889  
of this section to a person who is a retired peace officer. 890

(3) "Government facility of ~~this state or~~ a political 891  
subdivision of this state" means any of the following: 892

(a) A building or part of a building that is owned or 893  
leased by the government of ~~this state or~~ a political 894  
subdivision of this state and where employees of the government 895  
of ~~this state or~~ the political subdivision regularly are present 896  
for the purpose of performing their official duties as employees 897  
of the ~~state or~~ political subdivision; 898

(b) The office of a deputy registrar serving pursuant to 899  
Chapter 4503. of the Revised Code that is used to perform deputy 900  
registrar functions. 901

(4) "Governing body" has the same meaning as in section 902  
154.01 of the Revised Code. 903

**Section 2.** That existing sections 105.41, 123.011, 904  
2923.122, 2923.123, and 2923.126 of the Revised Code are hereby 905  
repealed. 906