

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**S. B. No. 279**

**Senators Tavares, Sykes**

**Cosponsors: Senators Thomas, Skindell, Schiavoni, Williams, Brown**

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**A BILL**

To amend sections 2923.125, 2923.13, 2923.14, and 1  
2923.25 and to enact section 2923.191 of the 2  
Revised Code to prohibit a person from 3  
improperly storing or leaving a firearm if the 4  
person knows that a minor is able to gain access 5  
to the firearm and to provide criminal 6  
penalties, including forfeiture of firearms, if 7  
a minor gains unauthorized access to an 8  
improperly stored firearm. 9

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

**Section 1.** That sections 2923.125, 2923.13, 2923.14, and 10  
2923.25 be amended and section 2923.191 of the Revised Code be 11  
enacted to read as follows: 12

**Sec. 2923.125.** It is the intent of the general assembly 13  
that Ohio concealed handgun license law be compliant with the 14  
national instant criminal background check system, that the 15  
bureau of alcohol, tobacco, firearms, and explosives is able to 16  
determine that Ohio law is compliant with the national instant 17  
criminal background check system, and that no person shall be 18

eligible to receive a concealed handgun license permit under 19  
section 2923.125 or 2923.1213 of the Revised Code unless the 20  
person is eligible lawfully to receive or possess a firearm in 21  
the United States. 22

(A) This section applies with respect to the application 23  
for and issuance by this state of concealed handgun licenses 24  
other than concealed handgun licenses on a temporary emergency 25  
basis that are issued under section 2923.1213 of the Revised 26  
Code. Upon the request of a person who wishes to obtain a 27  
concealed handgun license with respect to which this section 28  
applies or to renew a concealed handgun license with respect to 29  
which this section applies, a sheriff, as provided in division 30  
(I) of this section, shall provide to the person free of charge 31  
an application form and the web site address at which a 32  
printable version of the application form that can be downloaded 33  
and the pamphlet described in division (B) of section 109.731 of 34  
the Revised Code may be found. A sheriff shall accept a 35  
completed application form and the fee, items, materials, and 36  
information specified in divisions (B) (1) to (5) of this section 37  
at the times and in the manners described in division (I) of 38  
this section. 39

(B) An applicant for a concealed handgun license who is a 40  
resident of this state shall submit a completed application form 41  
and all of the material and information described in divisions 42  
(B) (1) to (6) of this section to the sheriff of the county in 43  
which the applicant resides or to the sheriff of any county 44  
adjacent to the county in which the applicant resides. An 45  
applicant for a license who resides in another state shall 46  
submit a completed application form and all of the material and 47  
information described in divisions (B) (1) to (7) of this section 48  
to the sheriff of the county in which the applicant is employed 49

or to the sheriff of any county adjacent to the county in which 50  
the applicant is employed: 51

(1) (a) A nonrefundable license fee as described in either 52  
of the following: 53

(i) For an applicant who has been a resident of this state 54  
for five or more years, a fee of sixty-seven dollars; 55

(ii) For an applicant who has been a resident of this 56  
state for less than five years or who is not a resident of this 57  
state, but who is employed in this state, a fee of sixty-seven 58  
dollars plus the actual cost of having a background check 59  
performed by the federal bureau of investigation. 60

(b) No sheriff shall require an applicant to pay for the 61  
cost of a background check performed by the bureau of criminal 62  
identification and investigation. 63

(c) A sheriff shall waive the payment of the license fee 64  
described in division (B) (1) (a) of this section in connection 65  
with an initial or renewal application for a license that is 66  
submitted by an applicant who is a retired peace officer, a 67  
retired person described in division (B) (1) (b) of section 109.77 68  
of the Revised Code, or a retired federal law enforcement 69  
officer who, prior to retirement, was authorized under federal 70  
law to carry a firearm in the course of duty, unless the retired 71  
peace officer, person, or federal law enforcement officer 72  
retired as the result of a mental disability. 73

(d) The sheriff shall deposit all fees paid by an 74  
applicant under division (B) (1) (a) of this section into the 75  
sheriff's concealed handgun license issuance fund established 76  
pursuant to section 311.42 of the Revised Code. The county shall 77  
distribute the fees in accordance with section 311.42 of the 78

Revised Code.	79
(2) A color photograph of the applicant that was taken	80
within thirty days prior to the date of the application;	81
(3) One or more of the following competency	82
certifications, each of which shall reflect that, regarding a	83
certification described in division (B) (3) (a), (b), (c), (e), or	84
(f) of this section, within the three years immediately	85
preceding the application the applicant has performed that to	86
which the competency certification relates and that, regarding a	87
certification described in division (B) (3) (d) of this section,	88
the applicant currently is an active or reserve member of the	89
armed forces of the United States or within the ten years	90
immediately preceding the application the honorable discharge or	91
retirement to which the competency certification relates	92
occurred:	93
(a) An original or photocopy of a certificate of	94
completion of a firearms safety, training, or requalification or	95
firearms safety instructor course, class, or program that was	96
offered by or under the auspices of a national gun advocacy	97
organization and that complies with the requirements set forth	98
in division (G) of this section;	99
(b) An original or photocopy of a certificate of	100
completion of a firearms safety, training, or requalification or	101
firearms safety instructor course, class, or program that	102
satisfies all of the following criteria:	103
(i) It was open to members of the general public.	104
(ii) It utilized qualified instructors who were certified	105
by a national gun advocacy organization, the executive director	106
of the Ohio peace officer training commission pursuant to	107

section 109.75 or 109.78 of the Revised Code, or a governmental 108  
official or entity of another state. 109

(iii) It was offered by or under the auspices of a law 110  
enforcement agency of this or another state or the United 111  
States, a public or private college, university, or other 112  
similar postsecondary educational institution located in this or 113  
another state, a firearms training school located in this or 114  
another state, or another type of public or private entity or 115  
organization located in this or another state. 116

(iv) It complies with the requirements set forth in 117  
division (G) of this section. 118

(c) An original or photocopy of a certificate of 119  
completion of a state, county, municipal, or department of 120  
natural resources peace officer training school that is approved 121  
by the executive director of the Ohio peace officer training 122  
commission pursuant to section 109.75 of the Revised Code and 123  
that complies with the requirements set forth in division (G) of 124  
this section, or the applicant has satisfactorily completed and 125  
been issued a certificate of completion of a basic firearms 126  
training program, a firearms requalification training program, 127  
or another basic training program described in section 109.78 or 128  
109.801 of the Revised Code that complies with the requirements 129  
set forth in division (G) of this section; 130

(d) A document that evidences both of the following: 131

(i) That the applicant is an active or reserve member of 132  
the armed forces of the United States, has retired from or was 133  
honorably discharged from military service in the active or 134  
reserve armed forces of the United States, is a retired trooper 135  
of the state highway patrol, or is a retired peace officer or 136

federal law enforcement officer described in division (B) (1) of 137  
this section or a retired person described in division (B) (1) (b) 138  
of section 109.77 of the Revised Code and division (B) (1) of 139  
this section; 140

(ii) That, through participation in the military service 141  
or through the former employment described in division (B) (3) (d) 142  
(i) of this section, the applicant acquired experience with 143  
handling handguns or other firearms, and the experience so 144  
acquired was equivalent to training that the applicant could 145  
have acquired in a course, class, or program described in 146  
division (B) (3) (a), (b), or (c) of this section. 147

(e) A certificate or another similar document that 148  
evidences satisfactory completion of a firearms training, 149  
safety, or requalification or firearms safety instructor course, 150  
class, or program that is not otherwise described in division 151  
(B) (3) (a), (b), (c), or (d) of this section, that was conducted 152  
by an instructor who was certified by an official or entity of 153  
the government of this or another state or the United States or 154  
by a national gun advocacy organization, and that complies with 155  
the requirements set forth in division (G) of this section; 156

(f) An affidavit that attests to the applicant's 157  
satisfactory completion of a course, class, or program described 158  
in division (B) (3) (a), (b), (c), or (e) of this section and that 159  
is subscribed by the applicant's instructor or an authorized 160  
representative of the entity that offered the course, class, or 161  
program or under whose auspices the course, class, or program 162  
was offered; 163

(g) A document that evidences that the applicant has 164  
successfully completed the Ohio peace officer training program 165  
described in section 109.79 of the Revised Code. 166

(4) A certification by the applicant that the applicant 167  
has read the pamphlet prepared by the Ohio peace officer 168  
training commission pursuant to section 109.731 of the Revised 169  
Code that reviews firearms, dispute resolution, and use of 170  
deadly force matters. 171

(5) A set of fingerprints of the applicant provided as 172  
described in section 311.41 of the Revised Code through use of 173  
an electronic fingerprint reading device or, if the sheriff to 174  
whom the application is submitted does not possess and does not 175  
have ready access to the use of such a reading device, on a 176  
standard impression sheet prescribed pursuant to division (C) (2) 177  
of section 109.572 of the Revised Code. 178

(6) If the applicant is not a citizen or national of the 179  
United States, the name of the applicant's country of 180  
citizenship and the applicant's alien registration number issued 181  
by the United States citizenship and immigration services 182  
agency. 183

(7) If the applicant resides in another state, adequate 184  
proof of employment in Ohio. 185

(C) Upon receipt of the completed application form, 186  
supporting documentation, and, if not waived, license fee of an 187  
applicant under this section, a sheriff, in the manner specified 188  
in section 311.41 of the Revised Code, shall conduct or cause to 189  
be conducted the criminal records check and the incompetency 190  
records check described in section 311.41 of the Revised Code. 191

(D) (1) Except as provided in division (D) (3) of this 192  
section, within forty-five days after a sheriff's receipt of an 193  
applicant's completed application form for a concealed handgun 194  
license under this section, the supporting documentation, and, 195

if not waived, the license fee, the sheriff shall make available 196  
through the law enforcement automated data system in accordance 197  
with division (H) of this section the information described in 198  
that division and, upon making the information available through 199  
the system, shall issue to the applicant a concealed handgun 200  
license that shall expire as described in division (D)(2)(a) of 201  
this section if all of the following apply: 202

(a) The applicant is legally living in the United States. 203  
For purposes of division (D)(1)(a) of this section, if a person 204  
is absent from the United States in compliance with military or 205  
naval orders as an active or reserve member of the armed forces 206  
of the United States and if prior to leaving the United States 207  
the person was legally living in the United States, the person, 208  
solely by reason of that absence, shall not be considered to 209  
have lost the person's status as living in the United States. 210

(b) The applicant is at least twenty-one years of age. 211

(c) The applicant is not a fugitive from justice. 212

(d) The applicant is not under indictment for or otherwise 213  
charged with a felony; an offense under Chapter 2925., 3719., or 214  
4729. of the Revised Code that involves the illegal possession, 215  
use, sale, administration, or distribution of or trafficking in 216  
a drug of abuse; a misdemeanor offense of violence; or a 217  
violation of section 2903.14 ~~or~~, 2923.1211, or 2923.191 of the 218  
Revised Code. 219

(e) Except as otherwise provided in division (D)(4) or (5) 220  
of this section, the applicant has not been convicted of or 221  
pleaded guilty to a felony or an offense under Chapter 2925., 222  
3719., or 4729. of the Revised Code that involves the illegal 223  
possession, use, sale, administration, or distribution of or 224

trafficking in a drug of abuse; has not been adjudicated a 225  
delinquent child for committing an act that if committed by an 226  
adult would be a felony or would be an offense under Chapter 227  
2925., 3719., or 4729. of the Revised Code that involves the 228  
illegal possession, use, sale, administration, or distribution 229  
of or trafficking in a drug of abuse; has not been convicted of, 230  
pleaded guilty to, or adjudicated a delinquent child for 231  
committing a violation of section 2903.13 of the Revised Code 232  
when the victim of the violation is a peace officer, regardless 233  
of whether the applicant was sentenced under division (C) (4) of 234  
that section; and has not been convicted of, pleaded guilty to, 235  
or adjudicated a delinquent child for committing any other 236  
offense that is not previously described in this division that 237  
is a misdemeanor punishable by imprisonment for a term exceeding 238  
one year. 239

(f) Except as otherwise provided in division (D) (4) or (5) 240  
of this section, the applicant, within three years of the date 241  
of the application, has not been convicted of or pleaded guilty 242  
to a misdemeanor offense of violence other than a misdemeanor 243  
violation of section 2921.33 of the Revised Code or a violation 244  
of section 2903.13 of the Revised Code when the victim of the 245  
violation is a peace officer, or a misdemeanor violation of 246  
section 2923.1211 of the Revised Code; and has not been 247  
adjudicated a delinquent child for committing an act that if 248  
committed by an adult would be a misdemeanor offense of violence 249  
other than a misdemeanor violation of section 2921.33 of the 250  
Revised Code or a violation of section 2903.13 of the Revised 251  
Code when the victim of the violation is a peace officer or for 252  
committing an act that if committed by an adult would be a 253  
misdemeanor violation of section 2923.1211 of the Revised Code. 254

(g) Except as otherwise provided in division (D) (1) (e) of 255

this section, the applicant, within five years of the date of 256  
the application, has not been convicted of, pleaded guilty to, 257  
or adjudicated a delinquent child for committing two or more 258  
violations of section 2903.13 or 2903.14 of the Revised Code. 259

(h) Except as otherwise provided in division (D)(4) or (5) 260  
of this section, the applicant, within ten years of the date of 261  
the application, has not been convicted of, pleaded guilty to, 262  
or adjudicated a delinquent child for committing a violation of 263  
section 2921.33 of the Revised Code. 264

(i) The applicant has not been adjudicated as a mental 265  
defective, has not been committed to any mental institution, is 266  
not under adjudication of mental incompetence, has not been 267  
found by a court to be a mentally ill person subject to court 268  
order, and is not an involuntary patient other than one who is a 269  
patient only for purposes of observation. As used in this 270  
division, "mentally ill person subject to court order" and 271  
"patient" have the same meanings as in section 5122.01 of the 272  
Revised Code. 273

(j) The applicant is not currently subject to a civil 274  
protection order, a temporary protection order, or a protection 275  
order issued by a court of another state. 276

(k) The applicant certifies that the applicant desires a 277  
legal means to carry a concealed handgun for defense of the 278  
applicant or a member of the applicant's family while engaged in 279  
lawful activity. 280

(l) The applicant submits a competency certification of 281  
the type described in division (B)(3) of this section and 282  
submits a certification of the type described in division (B)(4) 283  
of this section regarding the applicant's reading of the 284

pamphlet prepared by the Ohio peace officer training commission	285
pursuant to section 109.731 of the Revised Code.	286
(m) The applicant currently is not subject to a suspension	287
imposed under division (A) (2) of section 2923.128 of the Revised	288
Code of a concealed handgun license that previously was issued	289
to the applicant under this section or section 2923.1213 of the	290
Revised Code or a similar suspension imposed by another state	291
regarding a concealed handgun license issued by that state.	292
(n) If the applicant resides in another state, the	293
applicant is employed in this state.	294
(o) The applicant certifies that the applicant is not an	295
unlawful user of or addicted to any controlled substance as	296
defined in 21 U.S.C. 802.	297
(p) If the applicant is not a United States citizen, the	298
applicant is an alien and has not been admitted to the United	299
States under a nonimmigrant visa, as defined in the "Immigration	300
and Nationality Act," 8 U.S.C. 1101(a) (26) .	301
(q) The applicant has not been discharged from the armed	302
forces of the United States under dishonorable conditions.	303
(r) The applicant certifies that the applicant has not	304
renounced the applicant's United States citizenship, if	305
applicable.	306
(s) The applicant has not been convicted of, pleaded	307
guilty to, or adjudicated a delinquent child for committing a	308
violation of section 2919.25 of the Revised Code or a similar	309
violation in another state.	310
(2) (a) A concealed handgun license that a sheriff issues	311
under division (D) (1) of this section shall expire five years	312

after the date of issuance. 313

If a sheriff issues a license under this section, the 314  
sheriff shall place on the license a unique combination of 315  
letters and numbers identifying the license in accordance with 316  
the procedure prescribed by the Ohio peace officer training 317  
commission pursuant to section 109.731 of the Revised Code. 318

(b) If a sheriff denies an application under this section 319  
because the applicant does not satisfy the criteria described in 320  
division (D)(1) of this section, the sheriff shall specify the 321  
grounds for the denial in a written notice to the applicant. The 322  
applicant may appeal the denial pursuant to section 119.12 of 323  
the Revised Code in the county served by the sheriff who denied 324  
the application. If the denial was as a result of the criminal 325  
records check conducted pursuant to section 311.41 of the 326  
Revised Code and if, pursuant to section 2923.127 of the Revised 327  
Code, the applicant challenges the criminal records check 328  
results using the appropriate challenge and review procedure 329  
specified in that section, the time for filing the appeal 330  
pursuant to section 119.12 of the Revised Code and this division 331  
is tolled during the pendency of the request or the challenge 332  
and review. 333

(c) If the court in an appeal under section 119.12 of the 334  
Revised Code and division (D)(2)(b) of this section enters a 335  
judgment sustaining the sheriff's refusal to grant to the 336  
applicant a concealed handgun license, the applicant may file a 337  
new application beginning one year after the judgment is 338  
entered. If the court enters a judgment in favor of the 339  
applicant, that judgment shall not restrict the authority of a 340  
sheriff to suspend or revoke the license pursuant to section 341  
2923.128 or 2923.1213 of the Revised Code or to refuse to renew 342

the license for any proper cause that may occur after the date 343  
the judgment is entered. In the appeal, the court shall have 344  
full power to dispose of all costs. 345

(3) If the sheriff with whom an application for a 346  
concealed handgun license was filed under this section becomes 347  
aware that the applicant has been arrested for or otherwise 348  
charged with an offense that would disqualify the applicant from 349  
holding the license, the sheriff shall suspend the processing of 350  
the application until the disposition of the case arising from 351  
the arrest or charge. 352

(4) If an applicant has been convicted of or pleaded 353  
guilty to an offense identified in division (D) (1) (e), (f), or 354  
(h) of this section or has been adjudicated a delinquent child 355  
for committing an act or violation identified in any of those 356  
divisions, and if a court has ordered the sealing or expungement 357  
of the records of that conviction, guilty plea, or adjudication 358  
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 359  
2953.36, or section 2953.37 of the Revised Code or the applicant 360  
has been relieved under operation of law or legal process from 361  
the disability imposed pursuant to section 2923.13 of the 362  
Revised Code relative to that conviction, guilty plea, or 363  
adjudication, the sheriff with whom the application was 364  
submitted shall not consider the conviction, guilty plea, or 365  
adjudication in making a determination under division (D) (1) or 366  
(F) of this section or, in relation to an application for a 367  
concealed handgun license on a temporary emergency basis 368  
submitted under section 2923.1213 of the Revised Code, in making 369  
a determination under division (B) (2) of that section. 370

(5) If an applicant has been convicted of or pleaded 371  
guilty to a minor misdemeanor offense or has been adjudicated a 372

delinquent child for committing an act or violation that is a 373  
minor misdemeanor offense, the sheriff with whom the application 374  
was submitted shall not consider the conviction, guilty plea, or 375  
adjudication in making a determination under division (D) (1) or 376  
(F) of this section or, in relation to an application for a 377  
concealed handgun license on a temporary basis submitted under 378  
section 2923.1213 of the Revised Code, in making a determination 379  
under division (B) (2) of that section. 380

(E) If a concealed handgun license issued under this 381  
section is lost or is destroyed, the licensee may obtain from 382  
the sheriff who issued that license a duplicate license upon the 383  
payment of a fee of fifteen dollars and the submission of an 384  
affidavit attesting to the loss or destruction of the license. 385  
The sheriff, in accordance with the procedures prescribed in 386  
section 109.731 of the Revised Code, shall place on the 387  
replacement license a combination of identifying numbers 388  
different from the combination on the license that is being 389  
replaced. 390

(F) (1) (a) Except as provided in division (F) (1) (b) of this 391  
section, a licensee who wishes to renew a concealed handgun 392  
license issued under this section shall do so not earlier than 393  
ninety days before the expiration date of the license or at any 394  
time after the expiration date of the license by filing with the 395  
sheriff of the county in which the applicant resides or with the 396  
sheriff of an adjacent county, or in the case of ~~a~~ an applicant 397  
who resides in another state with the sheriff of the county that 398  
issued the applicant's previous concealed handgun license an 399  
application for renewal of the license obtained pursuant to 400  
division (D) of this section, a certification by the applicant 401  
that, subsequent to the issuance of the license, the applicant 402  
has reread the pamphlet prepared by the Ohio peace officer 403

training commission pursuant to section 109.731 of the Revised 404  
Code that reviews firearms, dispute resolution, and use of 405  
deadly force matters, and a nonrefundable license renewal fee in 406  
an amount determined pursuant to division (F)(4) of this section 407  
unless the fee is waived. 408

(b) A person on active duty in the armed forces of the 409  
United States or in service with the peace corps, volunteers in 410  
service to America, or the foreign service of the United States 411  
is exempt from the license requirements of this section for the 412  
period of the person's active duty or service and for six months 413  
thereafter, provided the person was a licensee under this 414  
section at the time the person commenced the person's active 415  
duty or service or had obtained a license while on active duty 416  
or service. The spouse or a dependent of any such person on 417  
active duty or in service also is exempt from the license 418  
requirements of this section for the period of the person's 419  
active duty or service and for six months thereafter, provided 420  
the spouse or dependent was a licensee under this section at the 421  
time the person commenced the active duty or service or had 422  
obtained a license while the person was on active duty or 423  
service, and provided further that the person's active duty or 424  
service resulted in the spouse or dependent relocating outside 425  
of this state during the period of the active duty or service. 426  
This division does not prevent such a person or the person's 427  
spouse or dependent from making an application for the renewal 428  
of a concealed handgun license during the period of the person's 429  
active duty or service. 430

(2) A sheriff shall accept a completed renewal 431  
application, the license renewal fee, and the information 432  
specified in division (F)(1) of this section at the times and in 433  
the manners described in division (I) of this section. Upon 434

receipt of a completed renewal application, of certification 435  
that the applicant has reread the specified pamphlet prepared by 436  
the Ohio peace officer training commission, and of a license 437  
renewal fee unless the fee is waived, a sheriff, in the manner 438  
specified in section 311.41 of the Revised Code shall conduct or 439  
cause to be conducted the criminal records check and the 440  
incompetency records check described in section 311.41 of the 441  
Revised Code. The sheriff shall renew the license if the sheriff 442  
determines that the applicant continues to satisfy the 443  
requirements described in division (D) (1) of this section, 444  
except that the applicant is not required to meet the 445  
requirements of division (D) (1) (1) of this section. A renewed 446  
license shall expire five years after the date of issuance. A 447  
renewed license is subject to division (E) of this section and 448  
sections 2923.126 and 2923.128 of the Revised Code. A sheriff 449  
shall comply with divisions (D) (2) and (3) of this section when 450  
the circumstances described in those divisions apply to a 451  
requested license renewal. If a sheriff denies the renewal of a 452  
concealed handgun license, the applicant may appeal the denial, 453  
or challenge the criminal record check results that were the 454  
basis of the denial if applicable, in the same manner as 455  
specified in division (D) (2) (b) of this section and in section 456  
2923.127 of the Revised Code, regarding the denial of a license 457  
under this section. 458

(3) A renewal application submitted pursuant to division 459  
(F) of this section shall only require the licensee to list on 460  
the application form information and matters occurring since the 461  
date of the licensee's last application for a license pursuant 462  
to division (B) or (F) of this section. A sheriff conducting the 463  
criminal records check and the incompetency records check 464  
described in section 311.41 of the Revised Code shall conduct 465

the check only from the date of the licensee's last application 466  
for a license pursuant to division (B) or (F) of this section 467  
through the date of the renewal application submitted pursuant 468  
to division (F) of this section. 469

(4) An applicant for a renewal concealed handgun license 470  
under this section shall submit to the sheriff of the county in 471  
which the applicant resides or to the sheriff of any county 472  
adjacent to the county in which the applicant resides, or in the 473  
case of an applicant who resides in another state to the sheriff 474  
of the county that issued the applicant's previous concealed 475  
handgun license, a nonrefundable license fee as described in 476  
either of the following: 477

(a) For an applicant who has been a resident of this state 478  
for five or more years, a fee of fifty dollars; 479

(b) For an applicant who has been a resident of this state 480  
for less than five years or who is not a resident of this state 481  
but who is employed in this state, a fee of fifty dollars plus 482  
the actual cost of having a background check performed by the 483  
federal bureau of investigation. 484

(5) The concealed handgun license of a licensee who is no 485  
longer a resident of this state or no longer employed in this 486  
state, as applicable, is valid until the date of expiration on 487  
the license, and the licensee is prohibited from renewing the 488  
concealed handgun license. 489

(G)(1) Each course, class, or program described in 490  
division (B)(3)(a), (b), (c), or (e) of this section shall 491  
provide to each person who takes the course, class, or program 492  
the web site address at which the pamphlet prepared by the Ohio 493  
peace officer training commission pursuant to section 109.731 of 494

the Revised Code that reviews firearms, dispute resolution, and 495  
use of deadly force matters may be found. Each such course, 496  
class, or program described in one of those divisions shall 497  
include at least eight hours of training in the safe handling 498  
and use of a firearm that shall include training, provided as 499  
described in division (G) (3) of this section, on all of the 500  
following: 501

(a) The ability to name, explain, and demonstrate the 502  
rules for safe handling of a handgun and proper storage 503  
practices for handguns and ammunition; 504

(b) The ability to demonstrate and explain how to handle 505  
ammunition in a safe manner; 506

(c) The ability to demonstrate the knowledge, skills, and 507  
attitude necessary to shoot a handgun in a safe manner; 508

(d) Gun handling training; 509

(e) A minimum of two hours of in-person training that 510  
consists of range time and live-fire training. 511

(2) To satisfactorily complete the course, class, or 512  
program described in division (B) (3) (a), (b), (c), or (e) of 513  
this section, the applicant shall pass a competency examination 514  
that shall include both of the following: 515

(a) A written section, provided as described in division 516  
(G) (3) of this section, on the ability to name and explain the 517  
rules for the safe handling of a handgun and proper storage 518  
practices for handguns and ammunition; 519

(b) An in-person physical demonstration of competence in 520  
the use of a handgun and in the rules for safe handling and 521  
storage of a handgun and a physical demonstration of the 522

attitude necessary to shoot a handgun in a safe manner. 523

(3) (a) Except as otherwise provided in this division, the 524  
training specified in division (G) (1) (a) of this section shall 525  
be provided to the person receiving the training in person by an 526  
instructor. If the training specified in division (G) (1) (a) of 527  
this section is provided by a course, class, or program 528  
described in division (B) (3) (a) of this section, or it is 529  
provided by a course, class, or program described in division 530  
(B) (3) (b), (c), or (e) of this section and the instructor is a 531  
qualified instructor certified by a national gun advocacy 532  
organization, the training so specified, other than the training 533  
that requires the person receiving the training to demonstrate 534  
handling abilities, may be provided online or as a combination 535  
of in-person and online training, as long as the online training 536  
includes an interactive component that regularly engages the 537  
person. 538

(b) Except as otherwise provided in this division, the 539  
written section of the competency examination specified in 540  
division (G) (2) (a) of this section shall be administered to the 541  
person taking the competency examination in person by an 542  
instructor. If the training specified in division (G) (1) (a) of 543  
this section is provided to the person receiving the training by 544  
a course, class, or program described in division (B) (3) (a) of 545  
this section, or it is provided by a course, class, or program 546  
described in division (B) (3) (b), (c), or (e) of this section and 547  
the instructor is a qualified instructor certified by a national 548  
gun advocacy organization, the written section of the competency 549  
examination specified in division (G) (2) (a) of this section may 550  
be administered online, as long as the online training includes 551  
an interactive component that regularly engages the person. 552

(4) The competency certification described in division (B) 553  
(3) (a), (b), (c), or (e) of this section shall be dated and 554  
shall attest that the course, class, or program the applicant 555  
successfully completed met the requirements described in 556  
division (G) (1) of this section and that the applicant passed 557  
the competency examination described in division (G) (2) of this 558  
section. 559

(H) Upon deciding to issue a concealed handgun license, 560  
deciding to issue a replacement concealed handgun license, or 561  
deciding to renew a concealed handgun license pursuant to this 562  
section, and before actually issuing or renewing the license, 563  
the sheriff shall make available through the law enforcement 564  
automated data system all information contained on the license. 565  
If the license subsequently is suspended under division (A) (1) 566  
or (2) of section 2923.128 of the Revised Code, revoked pursuant 567  
to division (B) (1) of section 2923.128 of the Revised Code, or 568  
lost or destroyed, the sheriff also shall make available through 569  
the law enforcement automated data system a notation of that 570  
fact. The superintendent of the state highway patrol shall 571  
ensure that the law enforcement automated data system is so 572  
configured as to permit the transmission through the system of 573  
the information specified in this division. 574

(I) A sheriff shall accept a completed application form or 575  
renewal application, and the fee, items, materials, and 576  
information specified in divisions (B) (1) to (5) or division (F) 577  
of this section, whichever is applicable, and shall provide an 578  
application form or renewal application to any person during at 579  
least fifteen hours a week and shall provide the web site 580  
address at which a printable version of the application form 581  
that can be downloaded and the pamphlet described in division 582  
(B) of section 109.731 of the Revised Code may be found at any 583

time, upon request. The sheriff shall post notice of the hours 584  
during which the sheriff is available to accept or provide the 585  
information described in this division. 586

**Sec. 2923.13.** (A) Unless relieved from disability under 587  
operation of law or legal process, no person shall knowingly 588  
acquire, have, carry, or use any firearm or dangerous ordnance, 589  
if any of the following apply: 590

(1) The person is a fugitive from justice. 591

(2) The person is under indictment for or has been 592  
convicted of any felony offense of violence or has been 593  
adjudicated a delinquent child for the commission of an offense 594  
that, if committed by an adult, would have been a felony offense 595  
of violence. 596

(3) The person is under indictment for or has been 597  
convicted of any felony offense involving the illegal 598  
possession, use, sale, administration, distribution, or 599  
trafficking in any drug of abuse or has been adjudicated a 600  
delinquent child for the commission of an offense that, if 601  
committed by an adult, would have been a felony offense 602  
involving the illegal possession, use, sale, administration, 603  
distribution, or trafficking in any drug of abuse. 604

(4) The person is under indictment for or has been 605  
convicted of criminally negligent storage of a firearm in 606  
violation of section 2923.191 of the Revised Code. 607

(5) The person is drug dependent, in danger of drug 608  
dependence, or a chronic alcoholic. 609

~~(5)~~ (6) The person is under adjudication of mental 610  
incompetence, has been adjudicated as a mental defective, has 611  
been committed to a mental institution, has been found by a 612

court to be a mentally ill person subject to court order, or is 613  
an involuntary patient other than one who is a patient only for 614  
purposes of observation. As used in this division, "mentally ill 615  
person subject to court order" and "patient" have the same 616  
meanings as in section 5122.01 of the Revised Code. 617

(B) Whoever violates this section is guilty of having 618  
weapons while under disability, a felony of the third degree. 619

(C) For the purposes of this section, "under operation of 620  
law or legal process" shall not itself include mere completion, 621  
termination, or expiration of a sentence imposed as a result of 622  
a criminal conviction. 623

**Sec. 2923.14.** (A) (1) Except as otherwise provided in 624  
division (A) (2) of this section, any person who is prohibited 625  
from acquiring, having, carrying, or using firearms may apply to 626  
the court of common pleas in the county in which the person 627  
resides for relief from such prohibition. 628

(2) Division (A) (1) of this section does not apply to a 629  
person who has been convicted of or pleaded guilty to a 630  
violation of section 2923.132 of the Revised Code or to a person 631  
who, two or more times, has been convicted of or pleaded guilty 632  
to a felony and a specification of the type described in section 633  
2941.141, 2941.144, 2941.145, 2941.146, 2941.1412, or 2941.1424 634  
of the Revised Code. 635

(B) The application shall recite the following: 636

(1) All indictments, convictions, or adjudications upon 637  
which the applicant's disability is based, the sentence imposed 638  
and served, and any release granted under a community control 639  
sanction, post-release control sanction, or parole, any partial 640  
or conditional pardon granted, or other disposition of each 641

case, or, if the disability is based upon a factor other than an indictment, a conviction, or an adjudication, the factor upon which the disability is based and all details related to that factor;

(2) Facts showing the applicant to be a fit subject for relief under this section.

(C) A copy of the application shall be served on the county prosecutor. The county prosecutor shall cause the matter to be investigated and shall raise before the court any objections to granting relief that the investigation reveals.

(D) Upon hearing, the court may grant the applicant relief pursuant to this section, if all of the following apply:

(1) One of the following applies:

(a) If the disability is based upon an indictment, a conviction, or an adjudication, the applicant has been fully discharged from imprisonment, community control, post-release control, and parole, or, if the applicant is under indictment, has been released on bail or recognizance.

(b) If the disability is based upon a factor other than an indictment, a conviction, or an adjudication, that factor no longer is applicable to the applicant.

(2) The applicant has led a law-abiding life since discharge or release, and appears likely to continue to do so.

(3) The applicant is not otherwise prohibited by law from acquiring, having, or using firearms.

(E) Costs of the proceeding shall be charged as in other civil cases, and taxed to the applicant.

(F) Relief from disability granted pursuant to this 669  
section restores the applicant to all civil firearm rights to 670  
the full extent enjoyed by any citizen, and is subject to the 671  
following conditions: 672

(1) Applies only with respect to indictments, convictions, 673  
or adjudications, or to the other factor, recited in the 674  
application as the basis for the applicant's disability; 675

(2) Applies only with respect to firearms lawfully 676  
acquired, possessed, carried, or used by the applicant; 677

(3) May be revoked by the court at any time for good cause 678  
shown and upon notice to the applicant; 679

(4) Is automatically void upon commission by the applicant 680  
of any offense set forth in division (A) (2) ~~or, (3), or (4)~~ of 681  
section 2923.13 of the Revised Code, or upon the applicant's 682  
becoming one of the class of persons named in division (A) (1), 683  
~~(4) (5), or (5) (6)~~ of that section. 684

(G) As used in this section: 685

(1) "Community control sanction" has the same meaning as 686  
in section 2929.01 of the Revised Code. 687

(2) "Post-release control" and "post-release control 688  
sanction" have the same meanings as in section 2967.01 of the 689  
Revised Code. 690

Sec. 2923.191. (A) (1) No person shall store or leave a 691  
firearm in a manner or location, other than as described in 692  
division (A) (2) of this section, where the person knows or 693  
reasonably should know that a minor is able to gain access to 694  
the firearm. 695

(2) (a) This section does not apply to a person who stores 696

or leaves a firearm in a locked container that can only be 697  
unlocked with a key or combination, or that is secured with a 698  
trigger lock while not carried or under the immediate possession 699  
or control of the owner. 700

(b) This section does not apply to a person who stores or 701  
leaves a firearm in any location if a minor gains access to the 702  
firearm as a result of any person's unlawful entry into that 703  
location. 704

(B) (1) Whoever violates this section is guilty of 705  
criminally negligent storage of a firearm, regardless of whether 706  
the firearm is loaded or unloaded where it is stored. 707

(2) Except as provided in divisions (B) (3) and (4) of this 708  
section, a violation of this section is a misdemeanor of the 709  
third degree. 710

(3) Except as provided in division (B) (4) of this section, 711  
if a minor gains access to the firearm as a result of the 712  
violation without the lawful permission of the minor's parent, 713  
guardian, or custodian, a violation of this section is a 714  
misdemeanor of the first degree. 715

(4) If a minor gains access to the firearm as a result of 716  
the violation without the lawful permission of the minor's 717  
parent, guardian, or custodian and uses the firearm to cause 718  
personal injury or death, other than in self-defense, a 719  
violation of this section is a felony of the third degree. 720

(C) (1) Upon indictment for a violation of this section, a 721  
person charged with violating this section shall forfeit all 722  
firearms in the person's possession to the state or a political 723  
subdivision pursuant to Chapter 2981. of the Revised Code. 724

(2) Unless relieved from disability under section 2923.14 725

of the Revised Code, a person indicted for or convicted of a 726  
violation of this section is prohibited from acquiring, having, 727  
carrying, or using any firearm or dangerous ordnance under 728  
section 2923.13 of the Revised Code. 729

(D) Nothing in this section prohibits a person from 730  
carrying a firearm on the person's person or placing a firearm 731  
in a location that is under the person's immediate control. 732

**Sec. 2923.25.** (A) Each federally licensed firearms dealer 733  
who sells any firearm, at the time of the sale of the firearm, 734  
shall offer for sale to the purchaser of the firearm a trigger 735  
lock, gun lock, or gun locking device that is appropriate for 736  
that firearm. Each federally licensed firearms dealer shall post 737  
in a conspicuous location in the dealer's place of business the 738  
poster furnished to the dealer pursuant to section 5502.63 of 739  
the Revised Code and shall make available to all purchasers of 740  
firearms from the dealer the brochure furnished to the dealer 741  
pursuant to that section. 742

(B) Each federally licensed firearms dealer who sells any 743  
firearm shall inform the purchaser at the time of sale that it 744  
is a violation of state law under section 2923.191 of the 745  
Revised Code to improperly store a firearm in a manner or 746  
location accessible to a minor. The firearms dealer shall inform 747  
the purchaser of the method of storage prescribed by that 748  
section. 749

(C) As used in this section, "federally licensed firearms 750  
dealer" has the same meaning as in section 5502.63 of the 751  
Revised Code. 752

**Section 2.** That existing sections 2923.125, 2923.13, 753  
2923.14, and 2923.25 of the Revised Code are hereby repealed. 754

**Section 3.** Section 2923.125 of the Revised Code is 755  
presented in this act as a composite of the section as amended 756  
by both Am. Sub. H.B. 234 and Am. Sub. S.B. 43 of the 130th 757  
General Assembly. The General Assembly, applying the principle 758  
stated in division (B) of section 1.52 of the Revised Code that 759  
amendments are to be harmonized if reasonably capable of 760  
simultaneous operation, finds that the composite is the 761  
resulting version of the section in effect prior to the 762  
effective date of the section as presented in this act. 763

Section 2923.13 of the Revised Code is presented in this 764  
act as a composite of the section as amended by both Am. Sub. 765  
H.B. 234 and Am. Sub. S.B. 43 of the 130th General Assembly. The 766  
General Assembly, applying the principle stated in division (B) 767  
of section 1.52 of the Revised Code that amendments are to be 768  
harmonized if reasonably capable of simultaneous operation, 769  
finds that the composite is the resulting version of the section 770  
in effect prior to the effective date of the section as 771  
presented in this act. 772