

**As Passed by the Senate**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**S. B. No. 81**

**Senator Terhar**

**Cosponsors: Senators Coley, Bacon, Balderson, Beagle, Brown, Burke, Dolan, Eklund, Hackett, Hoagland, Hottinger, Huffman, Jordan, LaRose, Lehner, Manning, McColley, Obhof, O'Brien, Oelslager, Sykes, Thomas, Uecker, Williams, Wilson**

**A BILL**

To amend section 2923.125 of the Revised Code to  
waive the concealed carry license fee for active  
members of the armed forces and retired and  
honorably discharged veterans, to accept  
military experience with firearms as proof of  
competency with firearms regardless of when the  
applicant for a license acquired the experience,  
to permit a licensee to renew a concealed  
handgun license at any time before the  
expiration of the license, and to require the  
Attorney General to monitor the number of  
license fees waived and cap the total amount  
allowed to be waived at \$1.5 million.

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

**Section 1.** That section 2923.125 of the Revised Code be  
amended to read as follows:

**Sec. 2923.125.** It is the intent of the general assembly  
that Ohio concealed handgun license law be compliant with the  
national instant criminal background check system, that the

bureau of alcohol, tobacco, firearms, and explosives is able to 19  
determine that Ohio law is compliant with the national instant 20  
criminal background check system, and that no person shall be 21  
eligible to receive a concealed handgun license permit under 22  
section 2923.125 or 2923.1213 of the Revised Code unless the 23  
person is eligible lawfully to receive or possess a firearm in 24  
the United States. 25

(A) This section applies with respect to the application 26  
for and issuance by this state of concealed handgun licenses 27  
other than concealed handgun licenses on a temporary emergency 28  
basis that are issued under section 2923.1213 of the Revised 29  
Code. Upon the request of a person who wishes to obtain a 30  
concealed handgun license with respect to which this section 31  
applies or to renew a concealed handgun license with respect to 32  
which this section applies, a sheriff, as provided in division 33  
(I) of this section, shall provide to the person free of charge 34  
an application form and the web site address at which a 35  
printable version of the application form that can be downloaded 36  
and the pamphlet described in division (B) of section 109.731 of 37  
the Revised Code may be found. A sheriff shall accept a 38  
completed application form and the fee, items, materials, and 39  
information specified in divisions (B) (1) to (5) of this section 40  
at the times and in the manners described in division (I) of 41  
this section. 42

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

submit a completed application form and all of the material and 50  
information described in divisions (B) (1) to (7) of this section 51  
to the sheriff of the county in which the applicant is employed 52  
or to the sheriff of any county adjacent to the county in which 53  
the applicant is employed: 54

(1) (a) A nonrefundable license fee as described in either 55  
of the following: 56

(i) For an applicant who has been a resident of this state 57  
for five or more years, a fee of sixty-seven dollars; 58

(ii) For an applicant who has been a resident of this 59  
state for less than five years or who is not a resident of this 60  
state, but who is employed in this state, a fee of sixty-seven 61  
dollars plus the actual cost of having a background check 62  
performed by the federal bureau of investigation. 63

(b) No sheriff shall require an applicant to pay for the 64  
cost of a background check performed by the bureau of criminal 65  
identification and investigation. 66

(c) A sheriff shall waive the payment of the license fee 67  
described in division (B) (1) (a) of this section in connection 68  
with an initial or renewal application for a license that is 69  
submitted by an applicant who is an active or reserve member of 70  
the armed forces of the United States or has retired from or was 71  
honorably discharged from military service in the active or 72  
reserve armed forces of the United States, a retired peace 73  
officer, a retired person described in division (B) (1) (b) of 74  
section 109.77 of the Revised Code, or a retired federal law 75  
enforcement officer who, prior to retirement, was authorized 76  
under federal law to carry a firearm in the course of duty, 77  
unless the retired peace officer, person, or federal law 78

enforcement officer retired as the result of a mental 79  
disability. 80

(d) The sheriff shall deposit all fees paid by an 81  
applicant under division (B) (1) (a) of this section into the 82  
sheriff's concealed handgun license issuance fund established 83  
pursuant to section 311.42 of the Revised Code. The county shall 84  
distribute the fees in accordance with section 311.42 of the 85  
Revised Code. 86

(2) A color photograph of the applicant that was taken 87  
within thirty days prior to the date of the application; 88

(3) One or more of the following competency 89  
certifications, each of which shall reflect that, regarding a 90  
certification described in division (B) (3) (a), (b), (c), (e), or 91  
(f) of this section, within the three years immediately 92  
preceding the application the applicant has performed that to 93  
which the competency certification relates and that, regarding a 94  
certification described in division (B) (3) (d) of this section, 95  
the applicant currently is an active or reserve member of the 96  
armed forces of the United States, the applicant has retired 97  
from or was honorably discharged from military service in the 98  
active or reserve armed forces of the United States, or within 99  
the ten years immediately preceding the application the 100  
~~honorable discharge or retirement~~ of the peace officer, person 101  
described in division (B) (1) (b) of section 109.77 of the Revised 102  
Code, or federal law enforcement officer to which the competency 103  
certification relates occurred: 104

(a) An original or photocopy of a certificate of 105  
completion of a firearms safety, training, or requalification or 106  
firearms safety instructor course, class, or program that was 107  
offered by or under the auspices of a national gun advocacy 108

organization and that complies with the requirements set forth 109  
in division (G) of this section; 110

(b) An original or photocopy of a certificate of 111  
completion of a firearms safety, training, or requalification or 112  
firearms safety instructor course, class, or program that 113  
satisfies all of the following criteria: 114

(i) It was open to members of the general public. 115

(ii) It utilized qualified instructors who were certified 116  
by a national gun advocacy organization, the executive director 117  
of the Ohio peace officer training commission pursuant to 118  
section 109.75 or 109.78 of the Revised Code, or a governmental 119  
official or entity of another state. 120

(iii) It was offered by or under the auspices of a law 121  
enforcement agency of this or another state or the United 122  
States, a public or private college, university, or other 123  
similar postsecondary educational institution located in this or 124  
another state, a firearms training school located in this or 125  
another state, or another type of public or private entity or 126  
organization located in this or another state. 127

(iv) It complies with the requirements set forth in 128  
division (G) of this section. 129

(c) An original or photocopy of a certificate of 130  
completion of a state, county, municipal, or department of 131  
natural resources peace officer training school that is approved 132  
by the executive director of the Ohio peace officer training 133  
commission pursuant to section 109.75 of the Revised Code and 134  
that complies with the requirements set forth in division (G) of 135  
this section, or the applicant has satisfactorily completed and 136  
been issued a certificate of completion of a basic firearms 137

training program, a firearms requalification training program, 138  
or another basic training program described in section 109.78 or 139  
109.801 of the Revised Code that complies with the requirements 140  
set forth in division (G) of this section; 141

(d) A document that evidences both of the following: 142

(i) That the applicant is an active or reserve member of 143  
the armed forces of the United States, has retired from or was 144  
honorably discharged from military service in the active or 145  
reserve armed forces of the United States, is a retired trooper 146  
of the state highway patrol, or is a retired peace officer or 147  
federal law enforcement officer described in division (B)(1) of 148  
this section or a retired person described in division (B)(1)(b) 149  
of section 109.77 of the Revised Code and division (B)(1) of 150  
this section; 151

(ii) That, through participation in the military service 152  
or through the former employment described in division (B)(3)(d) 153  
(i) of this section, the applicant acquired experience with 154  
handling handguns or other firearms, and the experience so 155  
acquired was equivalent to training that the applicant could 156  
have acquired in a course, class, or program described in 157  
division (B)(3)(a), (b), or (c) of this section. 158

(e) A certificate or another similar document that 159  
evidences satisfactory completion of a firearms training, 160  
safety, or requalification or firearms safety instructor course, 161  
class, or program that is not otherwise described in division 162  
(B)(3)(a), (b), (c), or (d) of this section, that was conducted 163  
by an instructor who was certified by an official or entity of 164  
the government of this or another state or the United States or 165  
by a national gun advocacy organization, and that complies with 166  
the requirements set forth in division (G) of this section; 167

(f) An affidavit that attests to the applicant's 168  
satisfactory completion of a course, class, or program described 169  
in division (B) (3) (a), (b), (c), or (e) of this section and that 170  
is subscribed by the applicant's instructor or an authorized 171  
representative of the entity that offered the course, class, or 172  
program or under whose auspices the course, class, or program 173  
was offered; 174

(g) A document that evidences that the applicant has 175  
successfully completed the Ohio peace officer training program 176  
described in section 109.79 of the Revised Code. 177

(4) A certification by the applicant that the applicant 178  
has read the pamphlet prepared by the Ohio peace officer 179  
training commission pursuant to section 109.731 of the Revised 180  
Code that reviews firearms, dispute resolution, and use of 181  
deadly force matters. 182

(5) A set of fingerprints of the applicant provided as 183  
described in section 311.41 of the Revised Code through use of 184  
an electronic fingerprint reading device or, if the sheriff to 185  
whom the application is submitted does not possess and does not 186  
have ready access to the use of such a reading device, on a 187  
standard impression sheet prescribed pursuant to division (C) (2) 188  
of section 109.572 of the Revised Code. 189

(6) If the applicant is not a citizen or national of the 190  
United States, the name of the applicant's country of 191  
citizenship and the applicant's alien registration number issued 192  
by the United States citizenship and immigration services 193  
agency. 194

(7) If the applicant resides in another state, adequate 195  
proof of employment in Ohio. 196

(C) Upon receipt of the completed application form, 197  
supporting documentation, and, if not waived, license fee of an 198  
applicant under this section, a sheriff, in the manner specified 199  
in section 311.41 of the Revised Code, shall conduct or cause to 200  
be conducted the criminal records check and the incompetency 201  
records check described in section 311.41 of the Revised Code. 202

(D) (1) Except as provided in division (D) (3) of this 203  
section, within forty-five days after a sheriff's receipt of an 204  
applicant's completed application form for a concealed handgun 205  
license under this section, the supporting documentation, and, 206  
if not waived, the license fee, the sheriff shall make available 207  
through the law enforcement automated data system in accordance 208  
with division (H) of this section the information described in 209  
that division and, upon making the information available through 210  
the system, shall issue to the applicant a concealed handgun 211  
license that shall expire as described in division (D) (2) (a) of 212  
this section if all of the following apply: 213

(a) The applicant is legally living in the United States. 214  
For purposes of division (D) (1) (a) of this section, if a person 215  
is absent from the United States in compliance with military or 216  
naval orders as an active or reserve member of the armed forces 217  
of the United States and if prior to leaving the United States 218  
the person was legally living in the United States, the person, 219  
solely by reason of that absence, shall not be considered to 220  
have lost the person's status as living in the United States. 221

(b) The applicant is at least twenty-one years of age. 222

(c) The applicant is not a fugitive from justice. 223

(d) The applicant is not under indictment for or otherwise 224  
charged with a felony; an offense under Chapter 2925., 3719., or 225

4729. of the Revised Code that involves the illegal possession, 226  
use, sale, administration, or distribution of or trafficking in 227  
a drug of abuse; a misdemeanor offense of violence; or a 228  
violation of section 2903.14 or 2923.1211 of the Revised Code. 229

(e) Except as otherwise provided in division (D) (4) or (5) 230  
of this section, the applicant has not been convicted of or 231  
pleaded guilty to a felony or an offense under Chapter 2925., 232  
3719., or 4729. of the Revised Code that involves the illegal 233  
possession, use, sale, administration, or distribution of or 234  
trafficking in a drug of abuse; has not been adjudicated a 235  
delinquent child for committing an act that if committed by an 236  
adult would be a felony or would be an offense under Chapter 237  
2925., 3719., or 4729. of the Revised Code that involves the 238  
illegal possession, use, sale, administration, or distribution 239  
of or trafficking in a drug of abuse; has not been convicted of, 240  
pleaded guilty to, or adjudicated a delinquent child for 241  
committing a violation of section 2903.13 of the Revised Code 242  
when the victim of the violation is a peace officer, regardless 243  
of whether the applicant was sentenced under division (C) (4) of 244  
that section; and has not been convicted of, pleaded guilty to, 245  
or adjudicated a delinquent child for committing any other 246  
offense that is not previously described in this division that 247  
is a misdemeanor punishable by imprisonment for a term exceeding 248  
one year. 249

(f) Except as otherwise provided in division (D) (4) or (5) 250  
of this section, the applicant, within three years of the date 251  
of the application, has not been convicted of or pleaded guilty 252  
to a misdemeanor offense of violence other than a misdemeanor 253  
violation of section 2921.33 of the Revised Code or a violation 254  
of section 2903.13 of the Revised Code when the victim of the 255  
violation is a peace officer, or a misdemeanor violation of 256

section 2923.1211 of the Revised Code; and has not been 257  
adjudicated a delinquent child for committing an act that if 258  
committed by an adult would be a misdemeanor offense of violence 259  
other than a misdemeanor violation of section 2921.33 of the 260  
Revised Code or a violation of section 2903.13 of the Revised 261  
Code when the victim of the violation is a peace officer or for 262  
committing an act that if committed by an adult would be a 263  
misdemeanor violation of section 2923.1211 of the Revised Code. 264

(g) Except as otherwise provided in division (D) (1) (e) of 265  
this section, the applicant, within five years of the date of 266  
the application, has not been convicted of, pleaded guilty to, 267  
or adjudicated a delinquent child for committing two or more 268  
violations of section 2903.13 or 2903.14 of the Revised Code. 269

(h) Except as otherwise provided in division (D) (4) or (5) 270  
of this section, the applicant, within ten years of the date of 271  
the application, has not been convicted of, pleaded guilty to, 272  
or adjudicated a delinquent child for committing a violation of 273  
section 2921.33 of the Revised Code. 274

(i) The applicant has not been adjudicated as a mental 275  
defective, has not been committed to any mental institution, is 276  
not under adjudication of mental incompetence, has not been 277  
found by a court to be a mentally ill person subject to court 278  
order, and is not an involuntary patient other than one who is a 279  
patient only for purposes of observation. As used in this 280  
division, "mentally ill person subject to court order" and 281  
"patient" have the same meanings as in section 5122.01 of the 282  
Revised Code. 283

(j) The applicant is not currently subject to a civil 284  
protection order, a temporary protection order, or a protection 285  
order issued by a court of another state. 286

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

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

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

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

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

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

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

(r) The applicant certifies that the applicant has not renounced the applicant's United States citizenship, if

applicable. 316

(s) The applicant has not been convicted of, pleaded 317  
guilty to, or adjudicated a delinquent child for committing a 318  
violation of section 2919.25 of the Revised Code or a similar 319  
violation in another state. 320

(2) (a) A concealed handgun license that a sheriff issues 321  
under division (D) (1) of this section shall expire five years 322  
after the date of issuance. 323

If a sheriff issues a license under this section, the 324  
sheriff shall place on the license a unique combination of 325  
letters and numbers identifying the license in accordance with 326  
the procedure prescribed by the Ohio peace officer training 327  
commission pursuant to section 109.731 of the Revised Code. 328

(b) If a sheriff denies an application under this section 329  
because the applicant does not satisfy the criteria described in 330  
division (D) (1) of this section, the sheriff shall specify the 331  
grounds for the denial in a written notice to the applicant. The 332  
applicant may appeal the denial pursuant to section 119.12 of 333  
the Revised Code in the county served by the sheriff who denied 334  
the application. If the denial was as a result of the criminal 335  
records check conducted pursuant to section 311.41 of the 336  
Revised Code and if, pursuant to section 2923.127 of the Revised 337  
Code, the applicant challenges the criminal records check 338  
results using the appropriate challenge and review procedure 339  
specified in that section, the time for filing the appeal 340  
pursuant to section 119.12 of the Revised Code and this division 341  
is tolled during the pendency of the request or the challenge 342  
and review. 343

(c) If the court in an appeal under section 119.12 of the 344

Revised Code and division (D) (2) (b) of this section enters a 345  
judgment sustaining the sheriff's refusal to grant to the 346  
applicant a concealed handgun license, the applicant may file a 347  
new application beginning one year after the judgment is 348  
entered. If the court enters a judgment in favor of the 349  
applicant, that judgment shall not restrict the authority of a 350  
sheriff to suspend or revoke the license pursuant to section 351  
2923.128 or 2923.1213 of the Revised Code or to refuse to renew 352  
the license for any proper cause that may occur after the date 353  
the judgment is entered. In the appeal, the court shall have 354  
full power to dispose of all costs. 355

(3) If the sheriff with whom an application for a 356  
concealed handgun license was filed under this section becomes 357  
aware that the applicant has been arrested for or otherwise 358  
charged with an offense that would disqualify the applicant from 359  
holding the license, the sheriff shall suspend the processing of 360  
the application until the disposition of the case arising from 361  
the arrest or charge. 362

(4) If an applicant has been convicted of or pleaded 363  
guilty to an offense identified in division (D) (1) (e), (f), or 364  
(h) of this section or has been adjudicated a delinquent child 365  
for committing an act or violation identified in any of those 366  
divisions, and if a court has ordered the sealing or expungement 367  
of the records of that conviction, guilty plea, or adjudication 368  
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 369  
2953.36, or section 2953.37 of the Revised Code or the applicant 370  
has been relieved under operation of law or legal process from 371  
the disability imposed pursuant to section 2923.13 of the 372  
Revised Code relative to that conviction, guilty plea, or 373  
adjudication, the sheriff with whom the application was 374  
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 emergency basis 378  
submitted under section 2923.1213 of the Revised Code, in making 379  
a determination under division (B)(2) of that section. 380

(5) If an applicant has been convicted of or pleaded 381  
guilty to a minor misdemeanor offense or has been adjudicated a 382  
delinquent child for committing an act or violation that is a 383  
minor misdemeanor offense, the sheriff with whom the application 384  
was submitted shall not consider the conviction, guilty plea, or 385  
adjudication in making a determination under division (D)(1) or 386  
(F) of this section or, in relation to an application for a 387  
concealed handgun license on a temporary basis submitted under 388  
section 2923.1213 of the Revised Code, in making a determination 389  
under division (B)(2) of that section. 390

(E) If a concealed handgun license issued under this 391  
section is lost or is destroyed, the licensee may obtain from 392  
the sheriff who issued that license a duplicate license upon the 393  
payment of a fee of fifteen dollars and the submission of an 394  
affidavit attesting to the loss or destruction of the license. 395  
The sheriff, in accordance with the procedures prescribed in 396  
section 109.731 of the Revised Code, shall place on the 397  
replacement license a combination of identifying numbers 398  
different from the combination on the license that is being 399  
replaced. 400

(F)(1)(a) Except as provided in division (F)(1)(b) of this 401  
section, a licensee who wishes to renew a concealed handgun 402  
license issued under this section ~~shall~~may do so ~~not earlier~~ 403  
~~than ninety days~~at any time before the expiration date of the 404  
license or at any time after the expiration date of the license 405

by filing with the sheriff of the county in which the applicant 406  
resides or with the sheriff of an adjacent county, or in the 407  
case of ~~a~~ an applicant who resides in another state with the 408  
sheriff of the county that issued the applicant's previous 409  
concealed handgun license an application for renewal of the 410  
license obtained pursuant to division (D) of this section, a 411  
certification by the applicant that, subsequent to the issuance 412  
of the license, the applicant has reread the pamphlet prepared 413  
by the Ohio peace officer training commission pursuant to 414  
section 109.731 of the Revised Code that reviews firearms, 415  
dispute resolution, and use of deadly force matters, and a 416  
nonrefundable license renewal fee in an amount determined 417  
pursuant to division (F) (4) of this section unless the fee is 418  
waived. 419

(b) A person on active duty in the armed forces of the 420  
United States or in service with the peace corps, volunteers in 421  
service to America, or the foreign service of the United States 422  
is exempt from the license requirements of this section for the 423  
period of the person's active duty or service and for six months 424  
thereafter, provided the person was a licensee under this 425  
section at the time the person commenced the person's active 426  
duty or service or had obtained a license while on active duty 427  
or service. The spouse or a dependent of any such person on 428  
active duty or in service also is exempt from the license 429  
requirements of this section for the period of the person's 430  
active duty or service and for six months thereafter, provided 431  
the spouse or dependent was a licensee under this section at the 432  
time the person commenced the active duty or service or had 433  
obtained a license while the person was on active duty or 434  
service, and provided further that the person's active duty or 435  
service resulted in the spouse or dependent relocating outside 436

of this state during the period of the active duty or service. 437  
This division does not prevent such a person or the person's 438  
spouse or dependent from making an application for the renewal 439  
of a concealed handgun license during the period of the person's 440  
active duty or service. 441

(2) A sheriff shall accept a completed renewal 442  
application, the license renewal fee, and the information 443  
specified in division (F)(1) of this section at the times and in 444  
the manners described in division (I) of this section. Upon 445  
receipt of a completed renewal application, of certification 446  
that the applicant has reread the specified pamphlet prepared by 447  
the Ohio peace officer training commission, and of a license 448  
renewal fee unless the fee is waived, a sheriff, in the manner 449  
specified in section 311.41 of the Revised Code shall conduct or 450  
cause to be conducted the criminal records check and the 451  
incompetency records check described in section 311.41 of the 452  
Revised Code. The sheriff shall renew the license if the sheriff 453  
determines that the applicant continues to satisfy the 454  
requirements described in division (D)(1) of this section, 455  
except that the applicant is not required to meet the 456  
requirements of division (D)(1)(1) of this section. A renewed 457  
license shall expire five years after the date of issuance. A 458  
renewed license is subject to division (E) of this section and 459  
sections 2923.126 and 2923.128 of the Revised Code. A sheriff 460  
shall comply with divisions (D)(2) and (3) of this section when 461  
the circumstances described in those divisions apply to a 462  
requested license renewal. If a sheriff denies the renewal of a 463  
concealed handgun license, the applicant may appeal the denial, 464  
or challenge the criminal record check results that were the 465  
basis of the denial if applicable, in the same manner as 466  
specified in division (D)(2)(b) of this section and in section 467

2923.127 of the Revised Code, regarding the denial of a license 468  
under this section. 469

(3) A renewal application submitted pursuant to division 470  
(F) of this section shall only require the licensee to list on 471  
the application form information and matters occurring since the 472  
date of the licensee's last application for a license pursuant 473  
to division (B) or (F) of this section. A sheriff conducting the 474  
criminal records check and the incompetency records check 475  
described in section 311.41 of the Revised Code shall conduct 476  
the check only from the date of the licensee's last application 477  
for a license pursuant to division (B) or (F) of this section 478  
through the date of the renewal application submitted pursuant 479  
to division (F) of this section. 480

(4) An applicant for a renewal concealed handgun license 481  
under this section shall submit to the sheriff of the county in 482  
which the applicant resides or to the sheriff of any county 483  
adjacent to the county in which the applicant resides, or in the 484  
case of an applicant who resides in another state to the sheriff 485  
of the county that issued the applicant's previous concealed 486  
handgun license, a nonrefundable license fee as described in 487  
either of the following: 488

(a) For an applicant who has been a resident of this state 489  
for five or more years, a fee of fifty dollars; 490

(b) For an applicant who has been a resident of this state 491  
for less than five years or who is not a resident of this state 492  
but who is employed in this state, a fee of fifty dollars plus 493  
the actual cost of having a background check performed by the 494  
federal bureau of investigation. 495

(5) The concealed handgun license of a licensee who is no 496

longer a resident of this state or no longer employed in this state, as applicable, is valid until the date of expiration on the license, and the licensee is prohibited from renewing the concealed handgun license.

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

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

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

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

(d) Gun handling training;

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

(2) To satisfactorily complete the course, class, or program described in division (B) (3) (a), (b), (c), or (e) of this section, the applicant shall pass a competency examination

that shall include both of the following: 526

(a) A written section, provided as described in division 527  
(G) (3) of this section, on the ability to name and explain the 528  
rules for the safe handling of a handgun and proper storage 529  
practices for handguns and ammunition; 530

(b) An in-person physical demonstration of competence in 531  
the use of a handgun and in the rules for safe handling and 532  
storage of a handgun and a physical demonstration of the 533  
attitude necessary to shoot a handgun in a safe manner. 534

(3) (a) Except as otherwise provided in this division, the 535  
training specified in division (G) (1) (a) of this section shall 536  
be provided to the person receiving the training in person by an 537  
instructor. If the training specified in division (G) (1) (a) of 538  
this section is provided by a course, class, or program 539  
described in division (B) (3) (a) of this section, or it is 540  
provided by a course, class, or program described in division 541  
(B) (3) (b), (c), or (e) of this section and the instructor is a 542  
qualified instructor certified by a national gun advocacy 543  
organization, the training so specified, other than the training 544  
that requires the person receiving the training to demonstrate 545  
handling abilities, may be provided online or as a combination 546  
of in-person and online training, as long as the online training 547  
includes an interactive component that regularly engages the 548  
person. 549

(b) Except as otherwise provided in this division, the 550  
written section of the competency examination specified in 551  
division (G) (2) (a) of this section shall be administered to the 552  
person taking the competency examination in person by an 553  
instructor. If the training specified in division (G) (1) (a) of 554  
this section is provided to the person receiving the training by 555

a course, class, or program described in division (B) (3) (a) of 556  
this section, or it is provided by a course, class, or program 557  
described in division (B) (3) (b), (c), or (e) of this section and 558  
the instructor is a qualified instructor certified by a national 559  
gun advocacy organization, the written section of the competency 560  
examination specified in division (G) (2) (a) of this section may 561  
be administered online, as long as the online training includes 562  
an interactive component that regularly engages the person. 563

(4) The competency certification described in division (B) 564  
(3) (a), (b), (c), or (e) of this section shall be dated and 565  
shall attest that the course, class, or program the applicant 566  
successfully completed met the requirements described in 567  
division (G) (1) of this section and that the applicant passed 568  
the competency examination described in division (G) (2) of this 569  
section. 570

(H) Upon deciding to issue a concealed handgun license, 571  
deciding to issue a replacement concealed handgun license, or 572  
deciding to renew a concealed handgun license pursuant to this 573  
section, and before actually issuing or renewing the license, 574  
the sheriff shall make available through the law enforcement 575  
automated data system all information contained on the license. 576  
If the license subsequently is suspended under division (A) (1) 577  
or (2) of section 2923.128 of the Revised Code, revoked pursuant 578  
to division (B) (1) of section 2923.128 of the Revised Code, or 579  
lost or destroyed, the sheriff also shall make available through 580  
the law enforcement automated data system a notation of that 581  
fact. The superintendent of the state highway patrol shall 582  
ensure that the law enforcement automated data system is so 583  
configured as to permit the transmission through the system of 584  
the information specified in this division. 585

(I) (1) A sheriff shall accept a completed application 586  
form or renewal application, and the fee, items, materials, and 587  
information specified in divisions (B) (1) to (5) or division (F) 588  
of this section, whichever is applicable, and shall provide an 589  
application form or renewal application to any person during at 590  
least fifteen hours a week and shall provide the web site 591  
address at which a printable version of the application form 592  
that can be downloaded and the pamphlet described in division 593  
(B) of section 109.731 of the Revised Code may be found at any 594  
time, upon request. The sheriff shall post notice of the hours 595  
during which the sheriff is available to accept or provide the 596  
information described in this division. 597

(2) A sheriff shall transmit a notice to the attorney 598  
general, in a manner determined by the attorney general, every 599  
time a license is issued that waived payment under division (B) 600  
(1) (c) of this section for an applicant who is an active or 601  
reserve member of the armed forces of the United States or has 602  
retired from or was honorably discharged from military service 603  
in the active or reserve armed forces of the United States. The 604  
attorney general shall monitor and inform sheriffs issuing 605  
licenses under this section when the amount of license fee 606  
payments waived and transmitted to the attorney general reach 607  
one million five hundred thousand dollars each year. Once a 608  
sheriff is informed that the payments waived reached one million 609  
five hundred thousand dollars in any year, a sheriff shall no 610  
longer waive payment of a license fee for an applicant who is an 611  
active or reserve member of the armed forces of the United 612  
States or has retired from or was honorably discharged from 613  
military service in the active or reserve armed forces of the 614  
United States for the remainder of that year. 615

**Section 2.** That existing section 2923.125 of the Revised 616

Code is hereby repealed. 617

**Section 3.** Section 2923.125 of the Revised Code is 618  
presented in this act as a composite of the section as amended 619  
by both Am. Sub. H.B. 234 and Am. Sub. S.B. 43 of the 130th 620  
General Assembly. The General Assembly, applying the principle 621  
stated in division (B) of section 1.52 of the Revised Code that 622  
amendments are to be harmonized if reasonably capable of 623  
simultaneous operation, finds that the composite is the 624  
resulting version of the section in effect prior to the 625  
effective date of the section as presented in this act. 626