

As Introduced

**132nd General Assembly
Regular Session
2017-2018**

S. B. No. 142

Senator Jordan

A BILL

To amend sections 109.69, 109.731, 1547.69, 1
2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 2
2923.124, 2923.125, 2923.126, 2923.128, 3
2923.129, 2923.1210, 2923.1213, 2923.16, and 4
4749.10 and to enact section 2923.111 of the 5
Revised Code to allow a concealed handgun 6
licensee to carry concealed all firearms other 7
than dangerous ordnance or firearms that state 8
or federal law prohibits the person from 9
possessing and to provide that a person 21 years 10
of age or older and not prohibited by federal 11
law from possessing or receiving a firearm does 12
not need a concealed handgun license in order to 13
carry or have a concealed firearm and is subject 14
to the same laws regarding concealed firearm 15
carrying as a concealed handgun licensee. 16

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

Section 1. That sections 109.69, 109.731, 1547.69, 17
2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 2923.124, 18
2923.125, 2923.126, 2923.128, 2923.129, 2923.1210, 2923.1213, 19
2923.16, and 4749.10 be amended and section 2923.111 of the 20

Revised Code be enacted to read as follows: 21

Sec. 109.69. (A) (1) The attorney general shall negotiate 22
and enter into a reciprocity agreement with any other license- 23
issuing state under which a concealed handgun license that is 24
issued by the other state is recognized in this state, except as 25
provided in division (B) of this section, if the attorney 26
general determines that both of the following apply: 27

(a) The eligibility requirements imposed by that license- 28
issuing state for that license are substantially comparable to 29
the eligibility requirements for a concealed handgun license 30
issued under section 2923.125 of the Revised Code. 31

(b) That license-issuing state recognizes a concealed 32
handgun license issued under section 2923.125 of the Revised 33
Code. 34

(2) A reciprocity agreement entered into under division 35
(A) (1) of this section also may provide for the recognition in 36
this state of a concealed handgun license issued on a temporary 37
or emergency basis by the other license-issuing state, if the 38
eligibility requirements imposed by that license-issuing state 39
for the temporary or emergency license are substantially 40
comparable to the eligibility requirements for a concealed 41
handgun license issued under section 2923.125 or 2923.1213 of 42
the Revised Code and if that license-issuing state recognizes a 43
concealed handgun license issued under section 2923.1213 of the 44
Revised Code. 45

(3) The attorney general shall not negotiate any agreement 46
with any other license-issuing state under which a concealed 47
handgun license issued by the other state is recognized in this 48
state other than as provided in divisions (A) (1) and (2) of this 49

section. 50

(B) (1) If, on or after ~~the effective date of this~~ 51
~~amendment~~ March 23, 2015, a person who is a resident of this 52
state has a valid concealed handgun license that was issued by 53
another license-issuing state that has entered into a 54
reciprocity agreement with the attorney general under division 55
(A) (1) of this section or the attorney general determines that 56
the eligibility requirements imposed by that license-issuing 57
state for that license are substantially comparable to the 58
eligibility requirements for a concealed handgun license issued 59
under section 2923.125 of the Revised Code, the license issued 60
by the other license-issuing state shall be recognized in this 61
state, shall be accepted and valid in this state, and grants the 62
person the same right to carry a concealed handgun in this state 63
as a person who was issued a concealed handgun license under 64
section 2923.125 of the Revised Code. 65

(2) If, on or after ~~the effective date of this amendment~~ 66
March 23, 2015, a person who is a resident of this state has a 67
valid concealed handgun license that was issued by another 68
license-issuing state that has not entered into a reciprocity 69
agreement with the attorney general under division (A) (1) of 70
this section, the license issued by the other license-issuing 71
state shall be recognized in this state, shall be accepted and 72
valid in this state, and grants the person the same right to 73
carry a concealed handgun in this state as a person who was 74
issued a concealed handgun license under section 2923.125 of the 75
Revised Code for a period of six months after the person became 76
a resident of this state. After that six-month period, if the 77
person wishes to obtain a concealed handgun license, the person 78
shall apply for a concealed handgun license pursuant to section 79
2923.125 of the Revised Code. 80

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

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

(D) As used in this section:

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

(2) "License-issuing state" means a state other than this state that, pursuant to law, provides for the issuance of a license to carry a concealed handgun or a license to carry a concealed firearm.

Sec. 109.731. (A)(1) The attorney general shall prescribe, and shall make available to sheriffs an application form that is to be used under section 2923.125 of the Revised Code by a person who applies for a concealed handgun license and an

application form that is to be used under section 2923.125 of 110
the Revised Code by a person who applies for the renewal of a 111
license of that nature. The attorney general shall design the 112
form to enable applicants to provide the information that is 113
required by law to be collected, and shall update the form as 114
necessary. Burdens or restrictions to obtaining a concealed 115
handgun license that are not expressly prescribed in law shall 116
not be incorporated into the form. The attorney general shall 117
post a printable version of the form on the web site of the 118
attorney general and shall provide the address of the web site 119
to any person who requests the form. 120

(2) The Ohio peace officer training commission shall 121
prescribe, and shall make available to sheriffs, all of the 122
following: 123

(a) A form for the concealed handgun license that is to be 124
issued by sheriffs to persons who qualify for a concealed 125
handgun license under section 2923.125 of the Revised Code and 126
that conforms to the following requirements: 127

(i) It has space for the licensee's full name, residence 128
address, and date of birth and for a color photograph of the 129
licensee. 130

(ii) It has space for the date of issuance of the license, 131
its expiration date, its county of issuance, the name of the 132
sheriff who issues the license, and the unique combination of 133
letters and numbers that identify the county of issuance and the 134
license given to the licensee by the sheriff in accordance with 135
division (A) (2) (c) of this section. 136

(iii) It has space for the signature of the licensee and 137
the signature or a facsimile signature of the sheriff who issues 138

the license. 139

(iv) It does not require the licensee to include serial 140
numbers of ~~handguns~~ firearms, other identification related to 141
~~handguns~~ firearms, or similar data that is not pertinent or 142
relevant to obtaining the license and that could be used as a de 143
facto means of registration of ~~handguns~~ firearms owned by the 144
licensee. 145

(b) A series of three-letter county codes that identify 146
each county in this state; 147

(c) A procedure by which a sheriff shall give each 148
concealed handgun license, replacement concealed handgun 149
license, or renewal concealed handgun license and each concealed 150
handgun license on a temporary emergency basis or replacement 151
license on a temporary emergency basis the sheriff issues under 152
section 2923.125 or 2923.1213 of the Revised Code a unique 153
combination of letters and numbers that identifies the county in 154
which the license was issued and that uses the county code and a 155
unique number for each license the sheriff of that county 156
issues; 157

(d) A form for a concealed handgun license on a temporary 158
emergency basis that is to be issued by sheriffs to persons who 159
qualify for such a license under section 2923.1213 of the 160
Revised Code, which form shall conform to all the requirements 161
set forth in divisions (A) (2) (a) (i) to (iv) of this section and 162
shall additionally conspicuously specify that the license is 163
issued on a temporary emergency basis and the date of its 164
issuance. 165

(B) (1) The Ohio peace officer training commission, in 166
consultation with the attorney general, shall prepare a pamphlet 167

that does all of the following, in everyday language:	168
(a) Explains the firearms laws of this state;	169
(b) Instructs the reader in dispute resolution and explains the laws of this state related to that matter;	170 171
(c) Provides information to the reader regarding all aspects of the use of deadly force with a firearm, including, but not limited to, the steps that should be taken before contemplating the use of, or using, deadly force with a firearm, possible alternatives to using deadly force with a firearm, and the law governing the use of deadly force with a firearm.	172 173 174 175 176 177
(2) The attorney general shall consult with and assist the commission in the preparation of the pamphlet described in division (B)(1) of this section and, as necessary, shall recommend to the commission changes in the pamphlet to reflect changes in the law that are relevant to it. The attorney general shall publish the pamphlet on the web site of the attorney general and shall provide the address of the web site to any person who requests the pamphlet.	178 179 180 181 182 183 184 185
(3) The attorney general shall create and maintain a section on the attorney general's web site that provides information on firearms laws of this state specifically applicable to members of the armed forces of the United States and a link to the pamphlet described in division (B)(1) of this section.	186 187 188 189 190 191
(C) The Ohio peace officer training commission shall maintain statistics with respect to the issuance, renewal, suspension, revocation, and denial of concealed handgun licenses under section 2923.125 of the Revised Code and the suspension of processing of applications for those licenses, and with respect	192 193 194 195 196

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

(D) As used in this section, "concealed handgun license," 220
"firearm," and "handgun" have the same meanings as in section 221
2923.11 of the Revised Code. 222

Sec. 1547.69. (A) As used in this section: 223

(1) "Firearm," "concealed handgun license," "handgun," 224
"restricted firearm," "valid concealed handgun license," and 225
"active duty" have the same meanings as in section 2923.11 of 226

the Revised Code.	227
(2) "Unloaded" has the same meanings as in divisions (K)	228
(5) and (6) of section 2923.16 of the Revised Code, except that	229
all references in the definition in division (K) (5) of that	230
section to "vehicle" shall be construed for purposes of this	231
section to be references to "vessel."	232
(B) No person shall knowingly discharge a firearm while in	233
or on a vessel.	234
(C) No person shall knowingly transport or have a loaded	235
firearm in a vessel in a manner that the firearm is accessible	236
to the operator or any passenger.	237
(D) No person shall knowingly transport or have a firearm	238
in a vessel unless it is unloaded and is carried in one of the	239
following ways:	240
(1) In a closed package, box, or case;	241
(2) In plain sight with the action opened or the weapon	242
stripped, or, if the firearm is of a type on which the action	243
will not stay open or that cannot easily be stripped, in plain	244
sight.	245
(E) (1) The affirmative defenses authorized in divisions	246
(D) (1) and (2) of section 2923.12 of the Revised Code are	247
affirmative defenses to a charge under division (C) or (D) of	248
this section that involves a firearm other than a handgun <u>if</u>	249
<u>division (H) (2) of this section does not apply to the person</u>	250
<u>charged</u> . It is an affirmative defense to a charge under division	251
(C) or (D) of this section of transporting or having a firearm	252
of any type, including a handgun, in a vessel that the actor	253
transported or had the firearm in the vessel for any lawful	254
purpose and while the vessel was on the actor's own property,	255

provided that this affirmative defense is not available unless 256
the actor, prior to arriving at the vessel on the actor's own 257
property, did not transport or possess the firearm in the vessel 258
or in a motor vehicle in a manner prohibited by this section or 259
division (B) or (C) of section 2923.16 of the Revised Code while 260
the vessel was being operated on a waterway that was not on the 261
actor's own property or while the motor vehicle was being 262
operated on a street, highway, or other public or private 263
property used by the public for vehicular traffic. 264

(2) No person who is charged with a violation of division 265
(C) or (D) of this section shall be required to obtain a license 266
or temporary emergency license to carry a concealed handgun 267
under section 2923.125 or 2923.1213 of the Revised Code as a 268
condition for the dismissal of the charge. 269

(F) Divisions (B), (C), and (D) of this section do not 270
apply to the possession or discharge of a United States coast 271
guard approved signaling device required to be carried aboard a 272
vessel under section 1547.251 of the Revised Code when the 273
signaling device is possessed or used for the purpose of giving 274
a visual distress signal. No person shall knowingly transport or 275
possess any signaling device of that nature in or on a vessel in 276
a loaded condition at any time other than immediately prior to 277
the discharge of the signaling device for the purpose of giving 278
a visual distress signal. 279

(G) No person shall operate or permit to be operated any 280
vessel on the waters in this state in violation of this section. 281

(H) (1) This section does not apply to any of the 282
following: 283

(a) An officer, agent, or employee of this or any other 284

state or of the United States, or to a law enforcement officer, 285
when authorized to carry or have loaded or accessible firearms 286
in a vessel and acting within the scope of the officer's, 287
agent's, or employee's duties; 288

(b) Any person who is employed in this state, who is 289
authorized to carry or have loaded or accessible firearms in a 290
vessel, and who is subject to and in compliance with the 291
requirements of section 109.801 of the Revised Code, unless the 292
appointing authority of the person has expressly specified that 293
the exemption provided in division (H) (1) (b) of this section 294
does not apply to the person; 295

(c) Any person legally engaged in hunting. 296

~~(2) Divisions~~ (a) Subject to division (H) (2) (b) of this 297
section, divisions (C) and (D) of this section do not apply to a 298
person who transports or possesses a handgun in a vessel a 299
firearm that is not a restricted firearm and who, at the time of 300
that transportation or possession, either is carrying a valid 301
concealed handgun license, is deemed under division (C) of 302
section 2923.111 of the Revised Code to have been issued a 303
concealed handgun license under section 2923.125 of the Revised 304
Code, or is an active duty member of the armed forces of the 305
United States and is carrying a valid military identification 306
card and documentation of successful completion of firearms 307
training that meets or exceeds the training requirements 308
described in division (G) (1) of section 2923.125 of the Revised 309
Code, unless. 310

(b) The exemptions specified in division (H) (2) (a) of this 311
section do not apply to a person if the person, at the time of 312
the transport or possession in question, knowingly is in a-an 313
unauthorized place on the vessel described specified in division 314

(B) of section 2923.126 of the Revised Code or knowingly is 315
transporting or possessing the firearm in any prohibited manner 316
listed in that division. 317

(I) If a law enforcement officer stops a vessel for a 318
violation of this section or any other law enforcement purpose, 319
if any person on the vessel surrenders a firearm to the officer, 320
either voluntarily or pursuant to a request or demand of the 321
officer, and if the officer does not charge the person with a 322
violation of this section or arrest the person for any offense, 323
the person is not otherwise prohibited by law from possessing 324
the firearm, and the firearm is not contraband, the officer 325
shall return the firearm to the person at the termination of the 326
stop. 327

(J) Division (L) of section 2923.16 of the Revised Code 328
applies with respect to division (A) (2) of this section, except 329
that all references in division (L) of section 2923.16 of the 330
Revised Code to "vehicle," to "this chapter," or to "division 331
(K) (5) (a) or (b) of this section" shall be construed for 332
purposes of this section to be, respectively, references to 333
"vessel," to "section 1547.69 of the Revised Code," and to 334
"divisions (K) (5) (a) and (b) of section 2923.16 of the Revised 335
Code as incorporated under the definition of firearm adopted 336
under division (A) (2) of this section." 337

Sec. 2923.11. As used in sections 2923.11 to 2923.24 of 338
the Revised Code: 339

(A) "Deadly weapon" means any instrument, device, or thing 340
capable of inflicting death, and designed or specially adapted 341
for use as a weapon, or possessed, carried, or used as a weapon. 342

(B) (1) "Firearm" means any deadly weapon capable of 343

expelling or propelling one or more projectiles by the action of 344
an explosive or combustible propellant. "Firearm" includes an 345
unloaded firearm, and any firearm that is inoperable but that 346
can readily be rendered operable. 347

(2) When determining whether a firearm is capable of 348
expelling or propelling one or more projectiles by the action of 349
an explosive or combustible propellant, the trier of fact may 350
rely upon circumstantial evidence, including, but not limited 351
to, the representations and actions of the individual exercising 352
control over the firearm. 353

(C) "Handgun" means any of the following: 354

(1) Any firearm that has a short stock and is designed to 355
be held and fired by the use of a single hand; 356

(2) Any combination of parts from which a firearm of a 357
type described in division (C) (1) of this section can be 358
assembled. 359

(D) "Semi-automatic firearm" means any firearm designed or 360
specially adapted to fire a single cartridge and automatically 361
chamber a succeeding cartridge ready to fire, with a single 362
function of the trigger. 363

(E) "Automatic firearm" means any firearm designed or 364
specially adapted to fire a succession of cartridges with a 365
single function of the trigger. 366

(F) "Sawed-off firearm" means a shotgun with a barrel less 367
than eighteen inches long, or a rifle with a barrel less than 368
sixteen inches long, or a shotgun or rifle less than twenty-six 369
inches long overall. 370

(G) "Zip-gun" means any of the following: 371

(1) Any firearm of crude and extemporized manufacture;	372
(2) Any device, including without limitation a starter's pistol, that is not designed as a firearm, but that is specially adapted for use as a firearm;	373 374 375
(3) Any industrial tool, signalling device, or safety device, that is not designed as a firearm, but that as designed is capable of use as such, when possessed, carried, or used as a firearm.	376 377 378 379
(H) "Explosive device" means any device designed or specially adapted to cause physical harm to persons or property by means of an explosion, and consisting of an explosive substance or agency and a means to detonate it. "Explosive device" includes without limitation any bomb, any explosive demolition device, any blasting cap or detonator containing an explosive charge, and any pressure vessel that has been knowingly tampered with or arranged so as to explode.	380 381 382 383 384 385 386 387
(I) "Incendiary device" means any firebomb, and any device designed or specially adapted to cause physical harm to persons or property by means of fire, and consisting of an incendiary substance or agency and a means to ignite it.	388 389 390 391
(J) "Ballistic knife" means a knife with a detachable blade that is propelled by a spring-operated mechanism.	392 393
(K) "Dangerous ordnance" means any of the following, except as provided in division (L) of this section:	394 395
(1) Any automatic or sawed-off firearm, zip-gun, or ballistic knife;	396 397
(2) Any explosive device or incendiary device;	398
(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN,	399

cyclonite, TNT, picric acid, and other high explosives; amatol, 400
tritonite, tetrytol, pentolite, pecretol, cyclotol, and other 401
high explosive compositions; plastic explosives; dynamite, 402
blasting gelatin, gelatin dynamite, sensitized ammonium nitrate, 403
liquid-oxygen blasting explosives, blasting powder, and other 404
blasting agents; and any other explosive substance having 405
sufficient brisance or power to be particularly suitable for use 406
as a military explosive, or for use in mining, quarrying, 407
excavating, or demolitions; 408

(4) Any firearm, rocket launcher, mortar, artillery piece, 409
grenade, mine, bomb, torpedo, or similar weapon, designed and 410
manufactured for military purposes, and the ammunition for that 411
weapon; 412

(5) Any firearm muffler or suppressor; 413

(6) Any combination of parts that is intended by the owner 414
for use in converting any firearm or other device into a 415
dangerous ordnance. 416

(L) "Dangerous ordnance" does not include any of the 417
following: 418

(1) Any firearm, including a military weapon and the 419
ammunition for that weapon, and regardless of its actual age, 420
that employs a percussion cap or other obsolete ignition system, 421
or that is designed and safe for use only with black powder; 422

(2) Any pistol, rifle, or shotgun, designed or suitable 423
for sporting purposes, including a military weapon as issued or 424
as modified, and the ammunition for that weapon, unless the 425
firearm is an automatic or sawed-off firearm; 426

(3) Any cannon or other artillery piece that, regardless 427
of its actual age, is of a type in accepted use prior to 1887, 428

has no mechanical, hydraulic, pneumatic, or other system for 429
absorbing recoil and returning the tube into battery without 430
displacing the carriage, and is designed and safe for use only 431
with black powder; 432

(4) Black powder, priming quills, and percussion caps 433
possessed and lawfully used to fire a cannon of a type defined 434
in division (L) (3) of this section during displays, 435
celebrations, organized matches or shoots, and target practice, 436
and smokeless and black powder, primers, and percussion caps 437
possessed and lawfully used as a propellant or ignition device 438
in small-arms or small-arms ammunition; 439

(5) Dangerous ordnance that is inoperable or inert and 440
cannot readily be rendered operable or activated, and that is 441
kept as a trophy, souvenir, curio, or museum piece. 442

(6) Any device that is expressly excepted from the 443
definition of a destructive device pursuant to the "Gun Control 444
Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a) (4), as amended, 445
and regulations issued under that act. 446

(M) "Explosive" means any chemical compound, mixture, or 447
device, the primary or common purpose of which is to function by 448
explosion. "Explosive" includes all materials that have been 449
classified as division 1.1, division 1.2, division 1.3, or 450
division 1.4 explosives by the United States department of 451
transportation in its regulations and includes, but is not 452
limited to, dynamite, black powder, pellet powders, initiating 453
explosives, blasting caps, electric blasting caps, safety fuses, 454
fuse igniters, squibs, cordeau detonant fuses, instantaneous 455
fuses, and igniter cords and igniters. "Explosive" does not 456
include "fireworks," as defined in section 3743.01 of the 457
Revised Code, or any substance or material otherwise meeting the 458

definition of explosive set forth in this section that is 459
manufactured, sold, possessed, transported, stored, or used in 460
any activity described in section 3743.80 of the Revised Code, 461
provided the activity is conducted in accordance with all 462
applicable laws, rules, and regulations, including, but not 463
limited to, the provisions of section 3743.80 of the Revised 464
Code and the rules of the fire marshal adopted pursuant to 465
section 3737.82 of the Revised Code. 466

(N) (1) "Concealed handgun license" or "license to carry a 467
concealed handgun" means, subject to division (N) (2) of this 468
section, a license or temporary emergency license ~~to carry a~~ 469
~~concealed handgun~~ issued under section 2923.125 or 2923.1213 of 470
the Revised Code that authorizes the person to whom it is issued 471
to carry a concealed firearm other than a restricted firearm or 472
a license ~~to carry a concealed handgun~~ issued by another state 473
with which the attorney general has entered into a reciprocity 474
agreement under section 109.69 of the Revised Code that 475
authorizes the person to whom it is issued either to carry a 476
concealed handgun or to carry a concealed firearm other than a 477
restricted firearm. 478

(2) A reference in any provision of the Revised Code to a 479
concealed handgun license issued under section 2923.125 of the 480
Revised Code or a license to carry a concealed handgun issued 481
under section 2923.125 of the Revised Code means only a license 482
of the type that is specified in that section. A reference in 483
any provision of the Revised Code to a concealed handgun license 484
issued under section 2923.1213 of the Revised Code, a license to 485
carry a concealed handgun issued under section 2923.1213 of the 486
Revised Code, or a license to carry a concealed handgun on a 487
temporary emergency basis means only a license of the type that 488
is specified in section 2923.1213 of the Revised Code. A 489

reference in any provision of the Revised Code to a concealed 490
handgun license issued by another state or a license to carry a 491
concealed handgun issued by another state means only a license 492
issued by another state with which the attorney general has 493
entered into a reciprocity agreement under section 109.69 of the 494
Revised Code. 495

A reference in any provision of the Revised Code to a 496
person who is deemed under division (C) of section 2923.111 of 497
the Revised Code to have been issued a concealed handgun license 498
under section 2923.125 of the Revised Code means only a person 499
who is so deemed and does not include a person who has been 500
issued a license of a type described in division (N) (1) of this 501
section. 502

(O) "Valid concealed handgun license" or "valid license to 503
carry a concealed handgun" means a concealed handgun license 504
that is currently valid, that is not under a suspension under 505
division (A) (1) of section 2923.128 of the Revised Code, under 506
section 2923.1213 of the Revised Code, or under a suspension 507
provision of the state other than this state in which the 508
license was issued, and that has not been revoked under division 509
(B) (1) of section 2923.128 of the Revised Code, under section 510
2923.1213 of the Revised Code, or under a revocation provision 511
of the state other than this state in which the license was 512
issued. 513

(P) "Misdemeanor punishable by imprisonment for a term 514
exceeding one year" does not include any of the following: 515

(1) Any federal or state offense pertaining to antitrust 516
violations, unfair trade practices, restraints of trade, or 517
other similar offenses relating to the regulation of business 518
practices; 519

(2) Any misdemeanor offense punishable by a term of 520
imprisonment of two years or less. 521

(Q) "Alien registration number" means the number issued by 522
the United States citizenship and immigration services agency 523
that is located on the alien's permanent resident card and may 524
also be commonly referred to as the "USCIS number" or the "alien 525
number." 526

(R) "Active duty" has the same meaning as defined in 10 527
U.S.C. 101. 528

(S) "Restricted firearm" means a firearm that is a 529
dangerous ordnance or that is a firearm that any law of this 530
state or the United States prohibits the subject person from 531
possessing, having, or carrying. 532

Sec. 2923.111. (A) Notwithstanding any other Revised Code 533
section to the contrary, subject to the limitations specified in 534
this division and to division (C) (2) of this section, a person 535
who is twenty-one years of age or older and is not legally 536
prohibited from possessing or receiving a firearm under 18 537
U.S.C. 922(g) (1) to (9) shall not be required to obtain a 538
concealed handgun license under section 2923.125 or 2923.1213 of 539
the Revised Code in order to carry in this state a concealed 540
firearm that is not a restricted firearm. 541

Except as provided in divisions (B) and (C) of section 542
2923.126 of the Revised Code and regardless of whether the 543
person has been issued a concealed handgun license under section 544
2923.125 or 2923.1213 of the Revised Code or by another state, a 545
person who is twenty-one years of age or older and is not 546
legally prohibited from possessing or receiving a firearm under 547
18 U.S.C. 922(g) (1) to (9) may carry a concealed firearm that is 548

not a restricted firearm anywhere in this state. The person's 549
right to carry a concealed firearm that is not a restricted 550
firearm that is granted under this division is the same right as 551
is granted to a person who is issued a concealed handgun license 552
under section 2923.125 of the Revised Code, and the person 553
described in this division is subject to the same restrictions 554
as apply to a person who is issued a license under section 555
2923.125 of the Revised Code. 556

(B) The mere carrying or possession of a firearm that is 557
not a restricted firearm pursuant to the right described in 558
division (A) of this section, with or without a concealed 559
handgun license issued under section 2923.125 or 2923.1213 of 560
the Revised Code or by another state, does not constitute 561
grounds for any law enforcement officer or any agent of the 562
state, a county, a municipal corporation, or a township to 563
conduct any search, seizure, or detention, no matter how 564
temporary in duration, of an otherwise law-abiding person. 565

(C) (1) For purposes of sections 1547.69 and 2923.12 to 566
2923.1213 of the Revised Code and any other provision of law 567
that refers to a concealed handgun license or a concealed 568
handgun licensee, except when the context clearly indicates 569
otherwise, a person who is described in division (A) of this 570
section and is carrying or has, concealed on the person's person 571
or ready at hand, a firearm that is not a restricted firearm 572
shall be deemed to have been issued a concealed handgun license 573
under section 2923.125 of the Revised Code. 574

(2) The concealed handgun license expiration provisions of 575
section 2923.125 of the Revised Code and the concealed handgun 576
license suspension and revocation provisions of section 2923.128 577
of the Revised Code do not apply with respect to a person who is 578

described in division (A) of this section unless the person has 579
been issued a concealed handgun license. If a person is 580
described in division (A) of this section and the person 581
thereafter comes within any category of persons specified in 18 582
U.S.C. 922(g) (1) to (9) so that the person as a result is 583
legally prohibited under the applicable provision from 584
possessing or receiving a firearm, both of the following apply 585
automatically and immediately upon the person coming within that 586
category: 587

(a) Division (A) of this section and the authority and 588
right to carry a concealed firearm that are described in that 589
division do not apply to the person. 590

(b) Division (C) (1) of this section does not apply to the 591
person, and the person no longer is deemed to have been issued a 592
concealed handgun license under section 2923.125 of the Revised 593
Code as described in that division. 594

Sec. 2923.12. (A) No person shall knowingly carry or have, 595
concealed on the person's person or concealed ready at hand, any 596
of the following: 597

(1) A deadly weapon other than a handgun; 598

(2) A handgun other than a dangerous ordnance; 599

(3) A dangerous ordnance. 600

(B) No person who has been issued a concealed handgun 601
license and is carrying a concealed firearm that is not a 602
restricted firearm or who is deemed under division (C) of 603
section 2923.111 of the Revised Code to have been issued a 604
concealed handgun license under section 2923.125 of the Revised 605
Code and is carrying a concealed firearm that is not a 606
restricted firearm shall do any of the following: 607

(1) If the person is stopped for a law enforcement purpose 608
~~and is carrying a concealed handgun,~~ fail to promptly inform any 609
law enforcement officer who approaches the person after the 610
person has been stopped that the person ~~has been issued a~~ 611
~~concealed handgun license~~ and that the person then is carrying a 612
concealed handgun firearm and, if the person has been issued a 613
concealed handgun license, that the person has been issued the 614
license; 615

(2) If the person is stopped for a law enforcement purpose 616
~~and is carrying a concealed handgun,~~ knowingly fail to keep the 617
person's hands in plain sight at any time after any law 618
enforcement officer begins approaching the person while stopped 619
and before the law enforcement officer leaves, unless the 620
failure is pursuant to and in accordance with directions given 621
by a law enforcement officer; 622

(3) If the person is stopped for a law enforcement 623
purpose, ~~if the person is carrying a concealed handgun,~~ and if 624
the person is approached by any law enforcement officer while 625
stopped, knowingly remove or attempt to remove the loaded 626
~~handgun firearm~~ from the holster, pocket, or other place in 627
which the person is carrying it, knowingly grasp or hold the 628
loaded ~~handgun firearm~~, or knowingly have contact with the 629
loaded ~~handgun firearm~~ by touching it with the person's hands or 630
fingers at any time after the law enforcement officer begins 631
approaching and before the law enforcement officer leaves, 632
unless the person removes, attempts to remove, grasps, holds, or 633
has contact with the loaded ~~handgun firearm~~ pursuant to and in 634
accordance with directions given by the law enforcement officer; 635

(4) If the person is stopped for a law enforcement purpose 636
~~and is carrying a concealed handgun,~~ knowingly disregard or fail 637

to comply with any lawful order of any law enforcement officer 638
given while the person is stopped, including, but not limited 639
to, a specific order to the person to keep the person's hands in 640
plain sight. 641

(C) (1) This section does not apply to any of the 642
following: 643

(a) An officer, agent, or employee of this or any other 644
state or the United States, or to a law enforcement officer, who 645
is authorized to carry concealed weapons or dangerous ordnance 646
or is authorized to carry handguns and is acting within the 647
scope of the officer's, agent's, or employee's duties; 648

(b) Any person who is employed in this state, who is 649
authorized to carry concealed weapons or dangerous ordnance or 650
is authorized to carry handguns, and who is subject to and in 651
compliance with the requirements of section 109.801 of the 652
Revised Code, unless the appointing authority of the person has 653
expressly specified that the exemption provided in division (C) 654
(1) (b) of this section does not apply to the person; 655

(c) A person's transportation or storage of a firearm, 656
other than a firearm described in divisions (G) to (M) of 657
section 2923.11 of the Revised Code, in a motor vehicle for any 658
lawful purpose if the firearm is not on the actor's person; 659

(d) A person's storage or possession of a firearm, other 660
than a firearm described in divisions (G) to (M) of section 661
2923.11 of the Revised Code, in the actor's own home for any 662
lawful purpose. 663

(2) ~~Division~~ (a) Subject to division (C) (2) (b) of this 664
section, divisions (A) (1) and (2) of this section ~~does~~ do not 665
apply to any person ~~who~~ with respect to the carrying or 666

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

(b) The exemptions specified in division (C) (2) (a) of this 678
section do not apply to a person if the person, at the time of 679
the carrying or possession in question, knowingly is in a an 680
unauthorized place described specified in division (B) of 681
section 2923.126 of the Revised Code or knowingly is 682
transporting or possessing the firearm in any prohibited manner 683
listed in that division. 684

(D) It is an affirmative defense to a charge under 685
division (A) (1) of this section of carrying or having control of 686
a deadly weapon other than a handgun and other than a dangerous 687
ordnance that neither division (C) (1) nor (2) of this section 688
applies, that the actor was not otherwise prohibited by law from 689
having the weapon, and that any of the following applies: 690

(1) The weapon was carried or kept ready at hand by the 691
actor for defensive purposes while the actor was engaged in or 692
was going to or from the actor's lawful business or occupation, 693
which business or occupation was of a character or was 694
necessarily carried on in a manner or at a time or place as to 695
render the actor particularly susceptible to criminal attack, 696

such as would justify a prudent person in going armed. 697

(2) The weapon was carried or kept ready at hand by the 698
actor for defensive purposes while the actor was engaged in a 699
lawful activity and had reasonable cause to fear a criminal 700
attack upon the actor, a member of the actor's family, or the 701
actor's home, such as would justify a prudent person in going 702
armed. 703

(3) The weapon was carried or kept ready at hand by the 704
actor for any lawful purpose and while in the actor's own home. 705

(E) No person who is charged with a violation of this 706
section shall be required to obtain a concealed handgun license 707
as a condition for the dismissal of the charge. 708

(F) (1) Whoever violates this section is guilty of carrying 709
concealed weapons. Except as otherwise provided in this division 710
or divisions (F) ~~(2), (6), (5)~~ and ~~(7)-(6)~~ of this section, 711
carrying concealed weapons in violation of division (A) of this 712
section is a misdemeanor of the first degree. Except as 713
otherwise provided in this division or divisions (F) ~~(2), (6),~~ 714
(5) and ~~(7)-(6)~~ of this section, if the offender previously has 715
been convicted of a violation of this section or of any offense 716
of violence, if the weapon involved is a firearm that is either 717
loaded or for which the offender has ammunition ready at hand, 718
or if the weapon involved is dangerous ordnance, carrying 719
concealed weapons in violation of division (A) of this section 720
is a felony of the fourth degree. Except as otherwise provided 721
in ~~divisions~~ division (F) ~~(2) and (6)~~ (5) of this section, if the 722
offense is committed aboard an aircraft, or with purpose to 723
carry a concealed weapon aboard an aircraft, regardless of the 724
weapon involved, carrying concealed weapons in violation of 725
division (A) of this section is a felony of the third degree. 726

~~(2) Except as provided in division (F) (6) of this section, 727
if a person being arrested for a violation of division (A) (2) of 728
this section promptly produces a valid concealed handgun 729
license, and if at the time of the violation the person was not 730
knowingly in a place described in division (B) of section 731
2923.126 of the Revised Code, the officer shall not arrest the 732
person for a violation of that division. If the person is not 733
able to promptly produce any concealed handgun license and if 734
the person is not in a place described in that section, the 735
officer may arrest the person for a violation of that division, 736
and the offender shall be punished as follows: 737~~

~~(a) The offender shall be guilty of a minor misdemeanor if 738
both of the following apply: 739~~

~~(i) Within ten days after the arrest, the offender 740
presents a concealed handgun license, which license was valid at 741
the time of the arrest to the law enforcement agency that 742
employs the arresting officer. 743~~

~~(ii) At the time of the arrest, the offender was not 744
knowingly in a place described in division (B) of section 745
2923.126 of the Revised Code. 746~~

~~(b) The offender shall be guilty of a misdemeanor and 747
shall be fined five hundred dollars if all of the following 748
apply: 749~~

~~(i) The offender previously had been issued a concealed 750
handgun license, and that license expired within the two years 751
immediately preceding the arrest. 752~~

~~(ii) Within forty-five days after the arrest, the offender 753
presents a concealed handgun license to the law enforcement 754
agency that employed the arresting officer, and the offender 755~~

~~waives in writing the offender's right to a speedy trial on the~~ 756
~~charge of the violation that is provided in section 2945.71 of~~ 757
~~the Revised Code.~~ 758

~~(iii) At the time of the commission of the offense, the~~ 759
~~offender was not knowingly in a place described in division (B)~~ 760
~~of section 2923.126 of the Revised Code.~~ 761

~~(c) If divisions (F) (2) (a) and (b) and (F) (6) of this~~ 762
~~section do not apply, the offender shall be punished under~~ 763
~~division (F) (1) or (7) of this section.~~ 764

~~(3)~~ Except as otherwise provided in this division, 765
carrying concealed weapons in violation of division (B) (1) of 766
this section is a misdemeanor of the first degree, and, in 767
addition to any other penalty or sanction imposed for a 768
violation of division (B) (1) of this section, if the offender 769
has been issued a concealed handgun license, the offender's 770
~~concealed handgun~~ license shall be suspended pursuant to 771
division (A) (2) of section 2923.128 of the Revised Code. If, at 772
the time of the stop of the offender for a law enforcement 773
purpose that was the basis of the violation, any law enforcement 774
officer involved with the stop had actual knowledge that the 775
offender has been issued a concealed handgun license or that the 776
offender is deemed under division (C) of section 2923.111 of the 777
Revised Code to have been issued a concealed handgun license 778
under section 2923.125 of the Revised Code, carrying concealed 779
weapons in violation of division (B) (1) of this section is a 780
minor misdemeanor, and if the offender has been issued a 781
concealed handgun license, the offender's ~~concealed handgun~~ 782
license shall not be suspended pursuant to division (A) (2) of 783
section 2923.128 of the Revised Code. 784

~~(4)~~ (3) Carrying concealed weapons in violation of 785

division (B) (2) or (4) of this section is a misdemeanor of the 786
first degree or, if the offender previously has been convicted 787
of or pleaded guilty to a violation of division (B) (2) or (4) of 788
this section, a felony of the fifth degree. In addition to any 789
other penalty or sanction imposed for a misdemeanor violation of 790
division (B) (2) or (4) of this section, if the offender has been 791
issued a concealed handgun license, the offender's ~~concealed-~~ 792
~~handgun-~~license shall be suspended pursuant to division (A) (2) 793
of section 2923.128 of the Revised Code. 794

~~(5)~~ (4) Carrying concealed weapons in violation of 795
division (B) (3) of this section is a felony of the fifth degree. 796

~~(6)~~ (5) If a person being arrested for a violation of 797
division (A) (1) or (2) of this section based on carrying a 798
concealed firearm that is not a restricted firearm is an active 799
duty member of the armed forces of the United States and is 800
carrying a valid military identification card and documentation 801
of successful completion of firearms training that meets or 802
exceeds the training requirements described in division (G) (1) 803
of section 2923.125 of the Revised Code, and if at the time of 804
the violation the person was not knowingly in ~~a~~ an unauthorized 805
place ~~described~~ specified in division (B) of section 2923.126 of 806
the Revised Code or knowingly carrying or having the firearm in 807
any prohibited manner listed in that division, the officer shall 808
not arrest the person for a violation of ~~that~~ division (A) (1) or 809
(2) of this section. If the person is not able to promptly 810
produce a valid military identification card and documentation 811
of successful completion of firearms training that meets or 812
exceeds the training requirements described in division (G) (1) 813
of section 2923.125 of the Revised Code and if the person at the 814
time of the violation is not knowingly in a ~~an unauthorized~~ 815
place ~~described~~ specified in division (B) of section 2923.126 of 816

the Revised Code or knowingly carrying or having the firearm in 817
any prohibited manner listed in that division, the officer shall 818
issue a citation and the offender shall be assessed a civil 819
penalty of not more than five hundred dollars. The citation 820
shall be automatically dismissed and the civil penalty shall not 821
be assessed if both of the following apply: 822

(a) Within ten days after the issuance of the citation, 823
the offender presents a valid military identification card and 824
documentation of successful completion of firearms training that 825
meets or exceeds the training requirements described in division 826
(G) (1) of section 2923.125 of the Revised Code, which were both 827
valid at the time of the issuance of the citation to the law 828
enforcement agency that employs the citing officer. 829

(b) At the time of the citation, the offender was not 830
knowingly in ~~a~~ any unauthorized place described specified in 831
division (B) of section 2923.126 of the Revised Code or 832
knowingly carrying or having the firearm in any prohibited 833
manner listed in that division. 834

~~(7)~~ ~~(6)~~ If a person being arrested for a violation of 835
division (A) ~~(1) or (2)~~ of this section based on carrying a 836
concealed firearm that is not a restricted firearm is knowingly 837
in ~~a~~ any unauthorized place described in division (B) (5) of 838
section 2923.126 of the Revised Code and is not authorized to 839
carry a ~~handgun~~ firearm or have a ~~handgun~~ firearm concealed on 840
the person's person or concealed ready at hand under that 841
division, the penalty shall be as follows: 842

(a) Except as otherwise provided in ~~this division, if the~~ 843
~~person produces a valid concealed handgun license within ten~~ 844
~~days after the arrest and has not previously been convicted or~~ 845
~~pleaded guilty to a violation of division (A) (2) of this section~~ 846

(F) (6) (b), (c), or (d) of this section, the person is guilty of 847
a minor misdemeanor; 848

(b) Except as otherwise provided in ~~this division~~ (F) (6) 849
(c) or (d) of this section, if the person has previously been 850
convicted of or pleaded guilty to a violation of division (A) (1) 851
or (2) of this section, the person is guilty of a misdemeanor of 852
the fourth degree; 853

(c) Except as otherwise provided in ~~this division~~ (F) (6) 854
(d) of this section, if the person has previously been convicted 855
of or pleaded guilty to two violations of division (A) (1) or (2) 856
of this section, the person is guilty of a misdemeanor of the 857
third degree; 858

(d) ~~Except as otherwise provided in this division, if~~ If 859
the person has previously been convicted of or pleaded guilty to 860
three or more violations of division (A) (1) or (2) of this 861
section, or convicted of or pleaded guilty to any offense of 862
violence, if the weapon involved is a firearm that is either 863
loaded or for which the offender has ammunition ready at hand, 864
or if the weapon involved is a dangerous ordnance, the person is 865
guilty of a misdemeanor of the second degree. 866

(G) If a law enforcement officer stops a person to 867
question the person regarding a possible violation of this 868
section, for a traffic stop, or for any other law enforcement 869
purpose, if the person surrenders a firearm to the officer, 870
either voluntarily or pursuant to a request or demand of the 871
officer, and if the officer does not charge the person with a 872
violation of this section or arrest the person for any offense, 873
the person is not otherwise prohibited by law from possessing 874
the firearm, and the firearm is not contraband, the officer 875
shall return the firearm to the person at the termination of the 876

stop. If a court orders a law enforcement officer to return a 877
firearm to a person pursuant to the requirement set forth in 878
this division, division (B) of section 2923.163 of the Revised 879
Code applies. 880

Sec. 2923.121. (A) No person shall possess a firearm in 881
any room in which any person is consuming beer or intoxicating 882
liquor in a premises for which a D permit has been issued under 883
Chapter 4303. of the Revised Code or in an open air arena for 884
which a permit of that nature has been issued. 885

(B) (1) This section does not apply to any of the 886
following: 887

(a) An officer, agent, or employee of this or any other 888
state or the United States, or to a law enforcement officer, who 889
is authorized to carry firearms and is acting within the scope 890
of the officer's, agent's, or employee's duties; 891

(b) Any person who is employed in this state, who is 892
authorized to carry firearms, and who is subject to and in 893
compliance with the requirements of section 109.801 of the 894
Revised Code, unless the appointing authority of the person has 895
expressly specified that the exemption provided in division (B) 896
(1)(b) of this section does not apply to the person; 897

(c) Any room used for the accommodation of guests of a 898
hotel, as defined in section 4301.01 of the Revised Code; 899

(d) The principal holder of a D permit issued for a 900
premises or an open air arena under Chapter 4303. of the Revised 901
Code while in the premises or open air arena for which the 902
permit was issued if the principal holder of the D permit also 903
possesses a valid concealed handgun license or is deemed under 904
division (C) of section 2923.111 of the Revised Code to have 905

been issued a concealed handgun license under section 2923.125 906
of the Revised Code and as long as the firearm is not a 907
restricted firearm and the principal holder is not consuming 908
beer or intoxicating liquor or under the influence of alcohol or 909
a drug of abuse, or any agent or employee of that holder who 910
also is a peace officer, as defined in section 2151.3515 of the 911
Revised Code, who is off duty, and who otherwise is authorized 912
to carry firearms while in the course of the officer's official 913
duties and while in the premises or open air arena for which the 914
permit was issued and as long as the firearm is not a restricted 915
firearm and the agent or employee of that holder is not 916
consuming beer or intoxicating liquor or under the influence of 917
alcohol or a drug of abuse. 918

(e) Any person who is carrying a valid concealed handgun 919
license, any person who is deemed under division (C) of section 920
2923.111 of the Revised Code to have been issued a concealed 921
handgun license under section 2923.125 of the Revised Code, or 922
any person who is an active duty member of the armed forces of 923
the United States and is carrying a valid military 924
identification card and documentation of successful completion 925
of firearms training that meets or exceeds the training 926
requirements described in division (G)(1) of section 2923.125 of 927
the Revised Code, as long as the firearm is not a restricted 928
firearm and the person is not consuming beer or intoxicating 929
liquor or under the influence of alcohol or a drug of abuse. 930

(2) This section does not prohibit any person who is a 931
member of a veteran's organization, as defined in section 932
2915.01 of the Revised Code, from possessing a rifle in any room 933
in any premises owned, leased, or otherwise under the control of 934
the veteran's organization, if the rifle is not loaded with live 935
ammunition and if the person otherwise is not prohibited by law 936

from having the rifle. 937

(3) This section does not apply to any person possessing 938
or displaying firearms in any room used to exhibit unloaded 939
firearms for sale or trade in a soldiers' memorial established 940
pursuant to Chapter 345. of the Revised Code, in a convention 941
center, or in any other public meeting place, if the person is 942
an exhibitor, trader, purchaser, or seller of firearms and is 943
not otherwise prohibited by law from possessing, trading, 944
purchasing, or selling the firearms. 945

(C) It is an affirmative defense to a charge under this 946
section of illegal possession of a firearm in a liquor permit 947
premises ~~that involves~~ involving the possession of a firearm 948
other than a handgun, that neither division (B) (1) (d) nor (e) of
this section applies, that the actor was not otherwise 949
prohibited by law from having the firearm, and that any of the 950
following apply: 951
952

(1) The firearm was carried or kept ready at hand by the 953
actor for defensive purposes, while the actor was engaged in or 954
was going to or from the actor's lawful business or occupation, 955
which business or occupation was of such character or was 956
necessarily carried on in such manner or at such a time or place 957
as to render the actor particularly susceptible to criminal 958
attack, such as would justify a prudent person in going armed. 959

(2) The firearm was carried or kept ready at hand by the 960
actor for defensive purposes, while the actor was engaged in a 961
lawful activity, and had reasonable cause to fear a criminal 962
attack upon the actor or a member of the actor's family, or upon 963
the actor's home, such as would justify a prudent person in 964
going armed. 965

(D) No person who is charged with a violation of this 966
section shall be required to obtain a concealed handgun license 967
as a condition for the dismissal of the charge. 968

(E) Whoever violates this section is guilty of illegal 969
possession of a firearm in a liquor permit premises. Except as 970
otherwise provided in this division, illegal possession of a 971
firearm in a liquor permit premises is a felony of the fifth 972
degree. If the offender commits the violation of this section by 973
knowingly carrying or having the firearm concealed on the 974
offender's person or concealed ready at hand, illegal possession 975
of a firearm in a liquor permit premises is a felony of the 976
third degree. 977

(F) As used in this section, "beer" and "intoxicating 978
liquor" have the same meanings as in section 4301.01 of the 979
Revised Code. 980

Sec. 2923.122. (A) No person shall knowingly convey, or 981
attempt to convey, a deadly weapon or dangerous ordnance into a 982
school safety zone. 983

(B) No person shall knowingly possess a deadly weapon or 984
dangerous ordnance in a school safety zone. 985

(C) No person shall knowingly possess an object in a 986
school safety zone if both of the following apply: 987

(1) The object is indistinguishable from a firearm, 988
whether or not the object is capable of being fired. 989

(2) The person indicates that the person possesses the 990
object and that it is a firearm, or the person knowingly 991
displays or brandishes the object and indicates that it is a 992
firearm. 993

(D) (1) This section does not apply to any of the 994
following: 995

(a) An officer, agent, or employee of this or any other 996
state or the United States who is authorized to carry deadly 997
weapons or dangerous ordnance and is acting within the scope of 998
the officer's, agent's, or employee's duties, a law enforcement 999
officer who is authorized to carry deadly weapons or dangerous 1000
ordnance, a security officer employed by a board of education or 1001
governing body of a school during the time that the security 1002
officer is on duty pursuant to that contract of employment, or 1003
any other person who has written authorization from the board of 1004
education or governing body of a school to convey deadly weapons 1005
or dangerous ordnance into a school safety zone or to possess a 1006
deadly weapon or dangerous ordnance in a school safety zone and 1007
who conveys or possesses the deadly weapon or dangerous ordnance 1008
in accordance with that authorization; 1009

(b) Any person who is employed in this state, who is 1010
authorized to carry deadly weapons or dangerous ordnance, and 1011
who is subject to and in compliance with the requirements of 1012
section 109.801 of the Revised Code, unless the appointing 1013
authority of the person has expressly specified that the 1014
exemption provided in division (D) (1) (b) of this section does 1015
not apply to the person. 1016

(2) Division (C) of this section does not apply to 1017
premises upon which home schooling is conducted. Division (C) of 1018
this section also does not apply to a school administrator, 1019
teacher, or employee who possesses an object that is 1020
indistinguishable from a firearm for legitimate school purposes 1021
during the course of employment, a student who uses an object 1022
that is indistinguishable from a firearm under the direction of 1023

a school administrator, teacher, or employee, or any other 1024
person who with the express prior approval of a school 1025
administrator possesses an object that is indistinguishable from 1026
a firearm for a legitimate purpose, including the use of the 1027
object in a ceremonial activity, a play, reenactment, or other 1028
dramatic presentation, school safety training, or a ROTC 1029
activity or another similar use of the object. 1030

(3) This section does not apply to a person who conveys or 1031
attempts to convey a ~~handgun~~ firearm that is not a restricted 1032
firearm into, or possesses a ~~handgun~~ firearm that is not a 1033
restricted firearm in, a school safety zone if, ~~at~~ both of the 1034
following apply: 1035

(a) At the time of that conveyance, attempted conveyance, 1036
or possession of the ~~handgun~~ firearm that is not a restricted 1037
~~firearm~~, all the person is carrying a valid concealed handgun 1038
license, the person is deemed under division (C) of section 1039
2923.111 of the Revised Code to have been issued a concealed 1040
handgun license under section 2923.125 of the Revised Code, or 1041
the person is an active duty member of the armed forces of the 1042
United States and is carrying a valid military identification 1043
card and documentation of successful completion of firearms 1044
training that meets or exceeds the training requirements 1045
described in division (G) (1) of section 2923.125 of the Revised 1046
Code. 1047

(b) Either of the following ~~apply~~ applies: 1048

~~(a) (i)~~ The person does not enter into a school building or 1049
onto school premises and is not at a school activity. 1050

~~(b) The person is carrying a valid concealed handgun~~ 1051
~~license or the person is an active duty member of the armed~~ 1052

~~forces of the United States and is carrying a valid military- 1053
identification card and documentation of successful completion- 1054
of firearms training that meets or exceeds the training- 1055
requirements described in division (G) (1) of section 2923.125 of- 1056
the Revised Code. 1057~~

~~(e) The, the person is in the school safety zone in 1058
accordance with 18 U.S.C. 922(q) (2) (B). 1059~~

~~(d) The, and the person is not knowingly in a-an 1060
unauthorized place described specified in division (B) (1) or (B) 1061
(3) to (8) of section 2923.126 of the Revised Code and is not 1062
knowingly conveying, attempting to convey, or possessing the 1063
firearm in any prohibited manner specified in any of those 1064
divisions. 1065~~

~~(4) This section does not apply to a person who conveys or 1066
attempts to convey a handgun into, or possesses a handgun in, a 1067
school safety zone if at the time of that conveyance, attempted 1068
conveyance, or possession of the handgun all of the following 1069
apply: 1070~~

~~(a) The person is carrying a valid concealed handgun- 1071
license or the person is an active duty member of the armed- 1072
forces of the United States and is carrying a valid military- 1073
identification card and documentation of successful completion- 1074
of firearms training that meets or exceeds the training- 1075
requirements described in division (G) (1) of section 2923.125 of- 1076
the Revised Code. 1077~~

~~(b) (ii) The person leaves the handgun in a motor vehicle. 1078~~

~~(e) The, the handgun does not leave the motor vehicle. 1079~~

~~(d) If, and, if the person exits the motor vehicle, the 1080
person locks the motor vehicle. 1081~~

(E) (1) Whoever violates division (A) or (B) of this 1082
section is guilty of illegal conveyance or possession of a 1083
deadly weapon or dangerous ordnance in a school safety zone. 1084
Except as otherwise provided in this division, illegal 1085
conveyance or possession of a deadly weapon or dangerous 1086
ordnance in a school safety zone is a felony of the fifth 1087
degree. If the offender previously has been convicted of a 1088
violation of this section, illegal conveyance or possession of a 1089
deadly weapon or dangerous ordnance in a school safety zone is a 1090
felony of the fourth degree. 1091

(2) Whoever violates division (C) of this section is 1092
guilty of illegal possession of an object indistinguishable from 1093
a firearm in a school safety zone. Except as otherwise provided 1094
in this division, illegal possession of an object 1095
indistinguishable from a firearm in a school safety zone is a 1096
misdemeanor of the first degree. If the offender previously has 1097
been convicted of a violation of this section, illegal 1098
possession of an object indistinguishable from a firearm in a 1099
school safety zone is a felony of the fifth degree. 1100

(F) (1) In addition to any other penalty imposed upon a 1101
person who is convicted of or pleads guilty to a violation of 1102
this section and subject to division (F) (2) of this section, if 1103
the offender has not attained nineteen years of age, regardless 1104
of whether the offender is attending or is enrolled in a school 1105
operated by a board of education or for which the state board of 1106
education prescribes minimum standards under section 3301.07 of 1107
the Revised Code, the court shall impose upon the offender a 1108
class four suspension of the offender's probationary driver's 1109
license, restricted license, driver's license, commercial 1110
driver's license, temporary instruction permit, or probationary 1111
commercial driver's license that then is in effect from the 1112

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

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

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

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

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

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

courtroom is located. 1142

(C) This section does not apply to any of the following: 1143

(1) Except as provided in division (E) of this section, a 1144
judge of a court of record of this state or a magistrate; 1145

(2) A peace officer, officer of a law enforcement agency, 1146
or person who is in either of the following categories: 1147

(a) Except as provided in division (E) of this section, a 1148
peace officer, or an officer of a law enforcement agency of 1149
another state, a political subdivision of another state, or the 1150
United States, who is authorized to carry a deadly weapon or 1151
dangerous ordnance, who possesses or has under that individual's 1152
control a deadly weapon or dangerous ordnance as a requirement 1153
of that individual's duties, and who is acting within the scope 1154
of that individual's duties at the time of that possession or 1155
control; 1156

(b) Except as provided in division (E) of this section, a 1157
person who is employed in this state, who is authorized to carry 1158
a deadly weapon or dangerous ordnance, who possesses or has 1159
under that individual's control a deadly weapon or dangerous 1160
ordnance as a requirement of that person's duties, and who is 1161
subject to and in compliance with the requirements of section 1162
109.801 of the Revised Code, unless the appointing authority of 1163
the person has expressly specified that the exemption provided 1164
in division (C) (2) (b) of this section does not apply to the 1165
person. 1166

(3) A person who conveys, attempts to convey, possesses, 1167
or has under the person's control a deadly weapon or dangerous 1168
ordnance that is to be used as evidence in a pending criminal or 1169
civil action or proceeding; 1170

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

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

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

(i) The person, at the time of the conveyance ~~or,~~ attempt,
~~either possession, or control,~~ is carrying a valid concealed
handgun license, is deemed under division (C) of section
2923.111 of the Revised Code to have been issued a concealed
handgun license under section 2923.125 of the Revised Code, or
is an active duty member of the armed forces of the United
States and is carrying a valid military identification card and

documentation of successful completion of firearms training that 1201
meets or exceeds the training requirements described in division 1202
(G) (1) of section 2923.125 of the Revised Code, ~~and who~~. 1203

(ii) The person transfers possession of the handgun 1204
firearm that is not a restricted firearm to the officer or 1205
officer's designee who has charge of the courthouse or building. 1206

(b) The officer described in division (C) (6) (a) (ii) of 1207
this section shall secure the handgun firearm that is not a 1208
restricted firearm until the licensee is prepared to leave the 1209
premises. The exemption described in ~~this division (C) (6) (a) of~~ 1210
this section applies only if the officer who has charge of the 1211
courthouse or building provides services of the nature described 1212
in ~~this division (C) (6) (a) (ii) of this section~~. An officer who 1213
has charge of the courthouse or building is not required to 1214
offer services of the nature described in ~~this division (C) (6)~~ 1215
(a) (ii) of this section. 1216

(D) (1) Whoever violates division (A) of this section is 1217
guilty of illegal conveyance of a deadly weapon or dangerous 1218
ordnance into a courthouse. Except as otherwise provided in this 1219
division, illegal conveyance of a deadly weapon or dangerous 1220
ordnance into a courthouse is a felony of the fifth degree. If 1221
the offender previously has been convicted of a violation of 1222
division (A) or (B) of this section, illegal conveyance of a 1223
deadly weapon or dangerous ordnance into a courthouse is a 1224
felony of the fourth degree. 1225

(2) Whoever violates division (B) of this section is 1226
guilty of illegal possession or control of a deadly weapon or 1227
dangerous ordnance in a courthouse. Except as otherwise provided 1228
in this division, illegal possession or control of a deadly 1229
weapon or dangerous ordnance in a courthouse is a felony of the 1230

fifth degree. If the offender previously has been convicted of a 1231
violation of division (A) or (B) of this section, illegal 1232
possession or control of a deadly weapon or dangerous ordnance 1233
in a courthouse is a felony of the fourth degree. 1234

(E) The exemptions described in divisions (C) (1), (2) (a), 1235
(2) (b), (4), (5), and (6) of this section do not apply to any 1236
judge, magistrate, peace officer, officer of a law enforcement 1237
agency, bailiff, deputy bailiff, prosecutor, secret service 1238
officer, or other person described in any of those divisions if 1239
a rule of superintendence or another type of rule adopted by the 1240
supreme court pursuant to Article IV, Ohio Constitution, or an 1241
applicable local rule of court prohibits all persons from 1242
conveying or attempting to convey a deadly weapon or dangerous 1243
ordnance into a courthouse or into another building or structure 1244
in which a courtroom is located or from possessing or having 1245
under one's control a deadly weapon or dangerous ordnance in a 1246
courthouse or in another building or structure in which a 1247
courtroom is located. 1248

(F) As used in this section: 1249

(1) "Magistrate" means an individual who is appointed by a 1250
court of record of this state and who has the powers and may 1251
perform the functions specified in Civil Rule 53, Criminal Rule 1252
19, or Juvenile Rule 40. 1253

(2) "Peace officer" and "prosecutor" have the same 1254
meanings as in section 2935.01 of the Revised Code. 1255

Sec. 2923.124. As used in sections 2923.124 to 2923.1213 1256
of the Revised Code: 1257

(A) "Application form" means the application form 1258
prescribed pursuant to division (A) (1) of section 109.731 of the 1259

Revised Code and includes a copy of that form. 1260

(B) "Competency certification" and "competency certificate" mean a document of the type described in division (B) (3) of section 2923.125 of the Revised Code. 1261
1262
1263

(C) "Detention facility" has the same meaning as in section 2921.01 of the Revised Code. 1264
1265

(D) "Licensee" means a person to whom a concealed handgun license has been issued under section 2923.125 of the Revised Code and, except when the context clearly indicates otherwise, includes a person to whom a concealed handgun license on a temporary emergency basis has been issued under section 2923.1213 of the Revised Code ~~and~~, a person to whom a concealed handgun license has been issued by another state, and a person who is deemed under division (C) of section 2923.111 of the Revised Code to have been issued a concealed handgun license under section 2923.125 of the Revised Code. 1266
1267
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(E) "License fee" or "license renewal fee" means the fee for a concealed handgun license or the fee to renew that license that is to be paid by an applicant for a license of that type. 1276
1277
1278

(F) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code. 1279
1280

(G) "State correctional institution" has the same meaning as in section 2967.01 of the Revised Code. 1281
1282

(H) "Civil protection order" means a protection order issued, or consent agreement approved, under section 2903.214 or 3113.31 of the Revised Code. 1283
1284
1285

(I) "Temporary protection order" means a protection order issued under section 2903.213 or 2919.26 of the Revised Code. 1286
1287

(J) "Protection order issued by a court of another state"	1288
has the same meaning as in section 2919.27 of the Revised Code.	1289
(K) "Child day-care center," "type A family day-care home"	1290
and "type B family day-care home" have the same meanings as in	1291
section 5104.01 of the Revised Code.	1292
(L) "Foreign air transportation," "interstate air	1293
transportation," and "intrastate air transportation" have the	1294
same meanings as in 49 U.S.C. 40102, as now or hereafter	1295
amended.	1296
(M) "Commercial motor vehicle" has the same meaning as in	1297
division (A) of section 4506.25 of the Revised Code.	1298
(N) "Motor carrier enforcement unit" has the same meaning	1299
as in section 2923.16 of the Revised Code.	1300
Sec. 2923.125. It is the intent of the general assembly	1301
that Ohio concealed handgun license law be compliant with the	1302
national instant criminal background check system, that the	1303
bureau of alcohol, tobacco, firearms, and explosives is able to	1304
determine that Ohio law is compliant with the national instant	1305
criminal background check system, and that no person shall be	1306
eligible to receive a concealed handgun license permit under	1307
section 2923.125 or 2923.1213 of the Revised Code unless the	1308
person is eligible lawfully to receive or possess a firearm in	1309
the United States.	1310
(A) This section applies with respect to the application	1311
for and issuance by this state of concealed handgun licenses	1312
other than concealed handgun licenses on a temporary emergency	1313
basis that are issued under section 2923.1213 of the Revised	1314
Code. Upon the request of a person who wishes to obtain a	1315
concealed handgun license with respect to which this section	1316

applies or to renew a concealed handgun license with respect to 1317
which this section applies, a sheriff, as provided in division 1318
(I) of this section, shall provide to the person free of charge 1319
an application form and the web site address at which a 1320
printable version of the application form that can be downloaded 1321
and the pamphlet described in division (B) of section 109.731 of 1322
the Revised Code may be found. A sheriff shall accept a 1323
completed application form and the fee, items, materials, and 1324
information specified in divisions (B)(1) to (5) of this section 1325
at the times and in the manners described in division (I) of 1326
this section. 1327

(B) An applicant for a concealed handgun license who is a 1328
resident of this state shall submit a completed application form 1329
and all of the material and information described in divisions 1330
(B)(1) to (6) of this section to the sheriff of the county in 1331
which the applicant resides or to the sheriff of any county 1332
adjacent to the county in which the applicant resides. An 1333
applicant for a license who resides in another state shall 1334
submit a completed application form and all of the material and 1335
information described in divisions (B)(1) to (7) of this section 1336
to the sheriff of the county in which the applicant is employed 1337
or to the sheriff of any county adjacent to the county in which 1338
the applicant is employed: 1339

(1) (a) A nonrefundable license fee as described in either 1340
of the following: 1341

(i) For an applicant who has been a resident of this state 1342
for five or more years, a fee of sixty-seven dollars; 1343

(ii) For an applicant who has been a resident of this 1344
state for less than five years or who is not a resident of this 1345
state, but who is employed in this state, a fee of sixty-seven 1346

dollars plus the actual cost of having a background check 1347
performed by the federal bureau of investigation. 1348

(b) No sheriff shall require an applicant to pay for the 1349
cost of a background check performed by the bureau of criminal 1350
identification and investigation. 1351

(c) A sheriff shall waive the payment of the license fee 1352
described in division (B) (1) (a) of this section in connection 1353
with an initial or renewal application for a license that is 1354
submitted by an applicant who is a retired peace officer, a 1355
retired person described in division (B) (1) (b) of section 109.77 1356
of the Revised Code, or a retired federal law enforcement 1357
officer who, prior to retirement, was authorized under federal 1358
law to carry a firearm in the course of duty, unless the retired 1359
peace officer, person, or federal law enforcement officer 1360
retired as the result of a mental disability. 1361

(d) The sheriff shall deposit all fees paid by an 1362
applicant under division (B) (1) (a) of this section into the 1363
sheriff's concealed handgun license issuance fund established 1364
pursuant to section 311.42 of the Revised Code. The county shall 1365
distribute the fees in accordance with section 311.42 of the 1366
Revised Code. 1367

(2) A color photograph of the applicant that was taken 1368
within thirty days prior to the date of the application; 1369

(3) One or more of the following competency 1370
certifications, each of which shall reflect that, regarding a 1371
certification described in division (B) (3) (a), (b), (c), (e), or 1372
(f) of this section, within the three years immediately 1373
preceding the application the applicant has performed that to 1374
which the competency certification relates and that, regarding a 1375

certification described in division (B) (3) (d) of this section, 1376
the applicant currently is an active or reserve member of the 1377
armed forces of the United States or within the ten years 1378
immediately preceding the application the honorable discharge or 1379
retirement to which the competency certification relates 1380
occurred: 1381

(a) An original or photocopy of a certificate of 1382
completion of a firearms safety, training, or requalification or 1383
firearms safety instructor course, class, or program that was 1384
offered by or under the auspices of a national gun advocacy 1385
organization and that complies with the requirements set forth 1386
in division (G) of this section; 1387

(b) An original or photocopy of a certificate of 1388
completion of a firearms safety, training, or requalification or 1389
firearms safety instructor course, class, or program that 1390
satisfies all of the following criteria: 1391

(i) It was open to members of the general public. 1392

(ii) It utilized qualified instructors who were certified 1393
by a national gun advocacy organization, the executive director 1394
of the Ohio peace officer training commission pursuant to 1395
section 109.75 or 109.78 of the Revised Code, or a governmental 1396
official or entity of another state. 1397

(iii) It was offered by or under the auspices of a law 1398
enforcement agency of this or another state or the United 1399
States, a public or private college, university, or other 1400
similar postsecondary educational institution located in this or 1401
another state, a firearms training school located in this or 1402
another state, or another type of public or private entity or 1403
organization located in this or another state. 1404

(iv) It complies with the requirements set forth in 1405
division (G) of this section. 1406

(c) An original or photocopy of a certificate of 1407
completion of a state, county, municipal, or department of 1408
natural resources peace officer training school that is approved 1409
by the executive director of the Ohio peace officer training 1410
commission pursuant to section 109.75 of the Revised Code and 1411
that complies with the requirements set forth in division (G) of 1412
this section, or the applicant has satisfactorily completed and 1413
been issued a certificate of completion of a basic firearms 1414
training program, a firearms requalification training program, 1415
or another basic training program described in section 109.78 or 1416
109.801 of the Revised Code that complies with the requirements 1417
set forth in division (G) of this section; 1418

(d) A document that evidences both of the following: 1419

(i) That the applicant is an active or reserve member of 1420
the armed forces of the United States, has retired from or was 1421
honorably discharged from military service in the active or 1422
reserve armed forces of the United States, is a retired trooper 1423
of the state highway patrol, or is a retired peace officer or 1424
federal law enforcement officer described in division (B) (1) of 1425
this section or a retired person described in division (B) (1) (b) 1426
of section 109.77 of the Revised Code and division (B) (1) of 1427
this section; 1428

(ii) That, through participation in the military service 1429
or through the former employment described in division (B) (3) (d) 1430
(i) of this section, the applicant acquired experience with 1431
handling ~~handguns or other~~ firearms, and the experience so 1432
acquired was equivalent to training that the applicant could 1433
have acquired in a course, class, or program described in 1434

division (B) (3) (a), (b), or (c) of this section. 1435

(e) A certificate or another similar document that 1436
evidences satisfactory completion of a firearms training, 1437
safety, or requalification or firearms safety instructor course, 1438
class, or program that is not otherwise described in division 1439
(B) (3) (a), (b), (c), or (d) of this section, that was conducted 1440
by an instructor who was certified by an official or entity of 1441
the government of this or another state or the United States or 1442
by a national gun advocacy organization, and that complies with 1443
the requirements set forth in division (G) of this section; 1444

(f) An affidavit that attests to the applicant's 1445
satisfactory completion of a course, class, or program described 1446
in division (B) (3) (a), (b), (c), or (e) of this section and that 1447
is subscribed by the applicant's instructor or an authorized 1448
representative of the entity that offered the course, class, or 1449
program or under whose auspices the course, class, or program 1450
was offered; 1451

(g) A document that evidences that the applicant has 1452
successfully completed the Ohio peace officer training program 1453
described in section 109.79 of the Revised Code. 1454

(4) A certification by the applicant that the applicant 1455
has read the pamphlet prepared by the Ohio peace officer 1456
training commission pursuant to section 109.731 of the Revised 1457
Code that reviews firearms, dispute resolution, and use of 1458
deadly force matters. 1459

(5) A set of fingerprints of the applicant provided as 1460
described in section 311.41 of the Revised Code through use of 1461
an electronic fingerprint reading device or, if the sheriff to 1462
whom the application is submitted does not possess and does not 1463

have ready access to the use of such a reading device, on a 1464
standard impression sheet prescribed pursuant to division (C) (2) 1465
of section 109.572 of the Revised Code. 1466

(6) If the applicant is not a citizen or national of the 1467
United States, the name of the applicant's country of 1468
citizenship and the applicant's alien registration number issued 1469
by the United States citizenship and immigration services 1470
agency. 1471

(7) If the applicant resides in another state, adequate 1472
proof of employment in Ohio. 1473

(C) Upon receipt of the completed application form, 1474
supporting documentation, and, if not waived, license fee of an 1475
applicant under this section, a sheriff, in the manner specified 1476
in section 311.41 of the Revised Code, shall conduct or cause to 1477
be conducted the criminal records check and the incompetency 1478
records check described in section 311.41 of the Revised Code. 1479

(D) (1) Except as provided in division (D) (3) of this 1480
section, within forty-five days after a sheriff's receipt of an 1481
applicant's completed application form for a concealed handgun 1482
license under this section, the supporting documentation, and, 1483
if not waived, the license fee, the sheriff shall make available 1484
through the law enforcement automated data system in accordance 1485
with division (H) of this section the information described in 1486
that division and, upon making the information available through 1487
the system, shall issue to the applicant a concealed handgun 1488
license that shall expire as described in division (D) (2) (a) of 1489
this section if all of the following apply: 1490

(a) The applicant is legally living in the United States. 1491
For purposes of division (D) (1) (a) of this section, if a person 1492

is absent from the United States in compliance with military or 1493
naval orders as an active or reserve member of the armed forces 1494
of the United States and if prior to leaving the United States 1495
the person was legally living in the United States, the person, 1496
solely by reason of that absence, shall not be considered to 1497
have lost the person's status as living in the United States. 1498

(b) The applicant is at least twenty-one years of age. 1499

(c) The applicant is not a fugitive from justice. 1500

(d) The applicant is not under indictment for or otherwise 1501
charged with a felony; an offense under Chapter 2925., 3719., or 1502
4729. of the Revised Code that involves the illegal possession, 1503
use, sale, administration, or distribution of or trafficking in 1504
a drug of abuse; a misdemeanor offense of violence; or a 1505
violation of section 2903.14 or 2923.1211 of the Revised Code. 1506

(e) Except as otherwise provided in division (D)(4) or (5) 1507
of this section, the applicant has not been convicted of or 1508
pleaded guilty to a felony or an offense under Chapter 2925., 1509
3719., or 4729. of the Revised Code that involves the illegal 1510
possession, use, sale, administration, or distribution of or 1511
trafficking in a drug of abuse; has not been adjudicated a 1512
delinquent child for committing an act that if committed by an 1513
adult would be a felony or would be an offense under Chapter 1514
2925., 3719., or 4729. of the Revised Code that involves the 1515
illegal possession, use, sale, administration, or distribution 1516
of or trafficking in a drug of abuse; has not been convicted of, 1517
pleaded guilty to, or adjudicated a delinquent child for 1518
committing a violation of section 2903.13 of the Revised Code 1519
when the victim of the violation is a peace officer, regardless 1520
of whether the applicant was sentenced under division (C)(4) of 1521
that section; and has not been convicted of, pleaded guilty to, 1522

or adjudicated a delinquent child for committing any other 1523
offense that is not previously described in this division that 1524
is a misdemeanor punishable by imprisonment for a term exceeding 1525
one year. 1526

(f) Except as otherwise provided in division (D)(4) or (5) 1527
of this section, the applicant, within three years of the date 1528
of the application, has not been convicted of or pleaded guilty 1529
to a misdemeanor offense of violence other than a misdemeanor 1530
violation of section 2921.33 of the Revised Code or a violation 1531
of section 2903.13 of the Revised Code when the victim of the 1532
violation is a peace officer, or a misdemeanor violation of 1533
section 2923.1211 of the Revised Code; and has not been 1534
adjudicated a delinquent child for committing an act that if 1535
committed by an adult would be a misdemeanor offense of violence 1536
other than a misdemeanor violation of section 2921.33 of the 1537
Revised Code or a violation of section 2903.13 of the Revised 1538
Code when the victim of the violation is a peace officer or for 1539
committing an act that if committed by an adult would be a 1540
misdemeanor violation of section 2923.1211 of the Revised Code. 1541

(g) Except as otherwise provided in division (D)(1)(e) of 1542
this section, the applicant, within five years of the date of 1543
the application, has not been convicted of, pleaded guilty to, 1544
or been adjudicated a delinquent child for committing two or 1545
more violations of section 2903.13 or 2903.14 of the Revised 1546
Code. 1547

(h) Except as otherwise provided in division (D)(4) or (5) 1548
of this section, the applicant, within ten years of the date of 1549
the application, has not been convicted of, pleaded guilty to, 1550
or been adjudicated a delinquent child for committing a 1551
violation of section 2921.33 of the Revised Code. 1552

(i) The applicant has not been adjudicated as a mental 1553
defective, has not been committed to any mental institution, is 1554
not under adjudication of mental incompetence, has not been 1555
found by a court to be a mentally ill person subject to court 1556
order, and is not an involuntary patient other than one who is a 1557
patient only for purposes of observation. As used in this 1558
division, "mentally ill person subject to court order" and 1559
"patient" have the same meanings as in section 5122.01 of the 1560
Revised Code. 1561

(j) The applicant is not currently subject to a civil 1562
protection order, a temporary protection order, or a protection 1563
order issued by a court of another state. 1564

(k) The applicant certifies that the applicant desires a 1565
legal means to carry a concealed ~~handgun~~ firearm for defense of 1566
the applicant or a member of the applicant's family while 1567
engaged in lawful activity. 1568

(l) The applicant submits a competency certification of 1569
the type described in division (B) (3) of this section and 1570
submits a certification of the type described in division (B) (4) 1571
of this section regarding the applicant's reading of the 1572
pamphlet prepared by the Ohio peace officer training commission 1573
pursuant to section 109.731 of the Revised Code. 1574

(m) The applicant currently is not subject to a suspension 1575
imposed under division (A) (2) of section 2923.128 of the Revised 1576
Code of a concealed handgun license that previously was issued 1577
to the applicant under this section or section 2923.1213 of the 1578
Revised Code or a similar suspension imposed by another state 1579
regarding a concealed handgun license issued by that state. 1580

(n) If the applicant resides in another state, the 1581

applicant is employed in this state. 1582

(o) The applicant certifies that the applicant is not an 1583
unlawful user of or addicted to any controlled substance as 1584
defined in 21 U.S.C. 802. 1585

(p) If the applicant is not a United States citizen, the 1586
applicant is an alien and has not been admitted to the United 1587
States under a nonimmigrant visa, as defined in the "Immigration 1588
and Nationality Act," 8 U.S.C. 1101(a) (26). 1589

(q) The applicant has not been discharged from the armed 1590
forces of the United States under dishonorable conditions. 1591

(r) The applicant certifies that the applicant has not 1592
renounced the applicant's United States citizenship, if 1593
applicable. 1594

(s) The applicant has not been convicted of, pleaded 1595
guilty to, or adjudicated a delinquent child for committing a 1596
violation of section 2919.25 of the Revised Code or a similar 1597
violation in another state. 1598

(2) (a) A concealed handgun license that a sheriff issues 1599
under division (D) (1) of this section shall expire five years 1600
after the date of issuance. 1601

If a sheriff issues a license under this section, the 1602
sheriff shall place on the license a unique combination of 1603
letters and numbers identifying the license in accordance with 1604
the procedure prescribed by the Ohio peace officer training 1605
commission pursuant to section 109.731 of the Revised Code. 1606

(b) If a sheriff denies an application under this section 1607
because the applicant does not satisfy the criteria described in 1608
division (D) (1) of this section, the sheriff shall specify the 1609

grounds for the denial in a written notice to the applicant. The 1610
applicant may appeal the denial pursuant to section 119.12 of 1611
the Revised Code in the county served by the sheriff who denied 1612
the application. If the denial was as a result of the criminal 1613
records check conducted pursuant to section 311.41 of the 1614
Revised Code and if, pursuant to section 2923.127 of the Revised 1615
Code, the applicant challenges the criminal records check 1616
results using the appropriate challenge and review procedure 1617
specified in that section, the time for filing the appeal 1618
pursuant to section 119.12 of the Revised Code and this division 1619
is tolled during the pendency of the request or the challenge 1620
and review. 1621

(c) If the court in an appeal under section 119.12 of the 1622
Revised Code and division (D) (2) (b) of this section enters a 1623
judgment sustaining the sheriff's refusal to grant to the 1624
applicant a concealed handgun license, the applicant may file a 1625
new application beginning one year after the judgment is 1626
entered. If the court enters a judgment in favor of the 1627
applicant, that judgment shall not restrict the authority of a 1628
sheriff to suspend or revoke the license pursuant to section 1629
2923.128 or 2923.1213 of the Revised Code or to refuse to renew 1630
the license for any proper cause that may occur after the date 1631
the judgment is entered. In the appeal, the court shall have 1632
full power to dispose of all costs. 1633

(3) If the sheriff with whom an application for a 1634
concealed handgun license was filed under this section becomes 1635
aware that the applicant has been arrested for or otherwise 1636
charged with an offense that would disqualify the applicant from 1637
holding the license, the sheriff shall suspend the processing of 1638
the application until the disposition of the case arising from 1639
the arrest or charge. 1640

(4) If an applicant has been convicted of or pleaded 1641
guilty to an offense identified in division (D)(1)(e), (f), or 1642
(h) of this section or has been adjudicated a delinquent child 1643
for committing an act or violation identified in any of those 1644
divisions, and if a court has ordered the sealing or expungement 1645
of the records of that conviction, guilty plea, or adjudication 1646
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 1647
2953.36, or section 2953.37 of the Revised Code or the applicant 1648
has been relieved under operation of law or legal process from 1649
the disability imposed pursuant to section 2923.13 of the 1650
Revised Code relative to that conviction, guilty plea, or 1651
adjudication, the sheriff with whom the application was 1652
submitted shall not consider the conviction, guilty plea, or 1653
adjudication in making a determination under division (D)(1) or 1654
(F) of this section or, in relation to an application for a 1655
concealed handgun license on a temporary emergency basis 1656
submitted under section 2923.1213 of the Revised Code, in making 1657
a determination under division (B)(2) of that section. 1658

(5) If an applicant has been convicted of or pleaded 1659
guilty to a minor misdemeanor offense or has been adjudicated a 1660
delinquent child for committing an act or violation that is a 1661
minor misdemeanor offense, the sheriff with whom the application 1662
was submitted shall not consider the conviction, guilty plea, or 1663
adjudication in making a determination under division (D)(1) or 1664
(F) of this section or, in relation to an application for a 1665
concealed handgun license on a temporary basis submitted under 1666
section 2923.1213 of the Revised Code, in making a determination 1667
under division (B)(2) of that section. 1668

(E) If a concealed handgun license issued under this 1669
section is lost or is destroyed, the licensee may obtain from 1670
the sheriff who issued that license a duplicate license upon the 1671

payment of a fee of fifteen dollars and the submission of an affidavit attesting to the loss or destruction of the license. The sheriff, in accordance with the procedures prescribed in section 109.731 of the Revised Code, shall place on the replacement license a combination of identifying numbers different from the combination on the license that is being replaced.

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

(b) A person on active duty in the armed forces of the United States or in service with the peace corps, volunteers in service to America, or the foreign service of the United States is exempt from the license requirements of this section for the period of the person's active duty or service and for six months thereafter, provided the person was a licensee under this

section at the time the person commenced the person's active 1703
duty or service or had obtained a license while on active duty 1704
or service. The spouse or a dependent of any such person on 1705
active duty or in service also is exempt from the license 1706
requirements of this section for the period of the person's 1707
active duty or service and for six months thereafter, provided 1708
the spouse or dependent was a licensee under this section at the 1709
time the person commenced the active duty or service or had 1710
obtained a license while the person was on active duty or 1711
service, and provided further that the person's active duty or 1712
service resulted in the spouse or dependent relocating outside 1713
of this state during the period of the active duty or service. 1714
This division does not prevent such a person or the person's 1715
spouse or dependent from making an application for the renewal 1716
of a concealed handgun license during the period of the person's 1717
active duty or service. 1718

(2) A sheriff shall accept a completed renewal 1719
application, the license renewal fee, and the information 1720
specified in division (F) (1) of this section at the times and in 1721
the manners described in division (I) of this section. Upon 1722
receipt of a completed renewal application, of certification 1723
that the applicant has reread the specified pamphlet prepared by 1724
the Ohio peace officer training commission, and of a license 1725
renewal fee unless the fee is waived, a sheriff, in the manner 1726
specified in section 311.41 of the Revised Code shall conduct or 1727
cause to be conducted the criminal records check and the 1728
incompetency records check described in section 311.41 of the 1729
Revised Code. The sheriff shall renew the license if the sheriff 1730
determines that the applicant continues to satisfy the 1731
requirements described in division (D) (1) of this section, 1732
except that the applicant is not required to meet the 1733

requirements of division (D) (1) (1) of this section. A renewed 1734
license shall expire five years after the date of issuance. A 1735
renewed license is subject to division (E) of this section and 1736
sections 2923.126 and 2923.128 of the Revised Code. A sheriff 1737
shall comply with divisions (D) (2) and (3) of this section when 1738
the circumstances described in those divisions apply to a 1739
requested license renewal. If a sheriff denies the renewal of a 1740
concealed handgun license, the applicant may appeal the denial, 1741
or challenge the criminal record check results that were the 1742
basis of the denial if applicable, in the same manner as 1743
specified in division (D) (2) (b) of this section and in section 1744
2923.127 of the Revised Code, regarding the denial of a license 1745
under this section. 1746

(3) A renewal application submitted pursuant to division 1747
(F) of this section shall only require the licensee to list on 1748
the application form information and matters occurring since the 1749
date of the licensee's last application for a license pursuant 1750
to division (B) or (F) of this section. A sheriff conducting the 1751
criminal records check and the incompetency records check 1752
described in section 311.41 of the Revised Code shall conduct 1753
the check only from the date of the licensee's last application 1754
for a license pursuant to division (B) or (F) of this section 1755
through the date of the renewal application submitted pursuant 1756
to division (F) of this section. 1757

(4) An applicant for a renewal concealed handgun license 1758
under this section shall submit to the sheriff of the county in 1759
which the applicant resides or to the sheriff of any county 1760
adjacent to the county in which the applicant resides, or in the 1761
case of an applicant who resides in another state to the sheriff 1762
of the county that issued the applicant's previous concealed 1763
handgun license, a nonrefundable license fee as described in 1764

either of the following: 1765

(a) For an applicant who has been a resident of this state 1766
for five or more years, a fee of fifty dollars; 1767

(b) For an applicant who has been a resident of this state 1768
for less than five years or who is not a resident of this state 1769
but who is employed in this state, a fee of fifty dollars plus 1770
the actual cost of having a background check performed by the 1771
federal bureau of investigation. 1772

(5) The concealed handgun license of a licensee who is no 1773
longer a resident of this state or no longer employed in this 1774
state, as applicable, is valid until the date of expiration on 1775
the license, and the licensee is prohibited from renewing the 1776
concealed handgun license. 1777

(G) (1) Each course, class, or program described in 1778
division (B) (3) (a), (b), (c), or (e) of this section shall 1779
provide to each person who takes the course, class, or program 1780
the web site address at which the pamphlet prepared by the Ohio 1781
peace officer training commission pursuant to section 109.731 of 1782
the Revised Code that reviews firearms, dispute resolution, and 1783
use of deadly force matters may be found. Each such course, 1784
class, or program described in one of those divisions shall 1785
include at least eight hours of training in the safe handling 1786
and use of a firearm that shall include training, provided as 1787
described in division (G) (3) of this section, on all of the 1788
following: 1789

(a) The ability to name, explain, and demonstrate the 1790
rules for safe handling of a ~~handgun~~-firearm and proper storage 1791
practices for ~~handguns~~-firearms and ammunition; 1792

(b) The ability to demonstrate and explain how to handle 1793

ammunition in a safe manner; 1794

(c) The ability to demonstrate the knowledge, skills, and 1795
attitude necessary to shoot a ~~handgun~~-firearm in a safe manner; 1796

(d) Gun handling training; 1797

(e) A minimum of two hours of in-person training that 1798
consists of range time and live-fire training. 1799

(2) To satisfactorily complete the course, class, or 1800
program described in division (B) (3) (a), (b), (c), or (e) of 1801
this section, the applicant shall pass a competency examination 1802
that shall include both of the following: 1803

(a) A written section, provided as described in division 1804
(G) (3) of this section, on the ability to name and explain the 1805
rules for the safe handling of a ~~handgun~~-firearm and proper 1806
storage practices for ~~handguns~~-firearms and ammunition; 1807

(b) An in-person physical demonstration of competence in 1808
the use of a ~~handgun~~-firearm and in the rules for safe handling 1809
and storage of a ~~handgun~~-firearm and a physical demonstration of 1810
the attitude necessary to shoot a ~~handgun~~-firearm in a safe 1811
manner. 1812

(3) (a) Except as otherwise provided in this division, the 1813
training specified in division (G) (1) (a) of this section shall 1814
be provided to the person receiving the training in person by an 1815
instructor. If the training specified in division (G) (1) (a) of 1816
this section is provided by a course, class, or program 1817
described in division (B) (3) (a) of this section, or it is 1818
provided by a course, class, or program described in division 1819
(B) (3) (b), (c), or (e) of this section and the instructor is a 1820
qualified instructor certified by a national gun advocacy 1821
organization, the training so specified, other than the training 1822

that requires the person receiving the training to demonstrate 1823
handling abilities, may be provided online or as a combination 1824
of in-person and online training, as long as the online training 1825
includes an interactive component that regularly engages the 1826
person. 1827

(b) Except as otherwise provided in this division, the 1828
written section of the competency examination specified in 1829
division (G) (2) (a) of this section shall be administered to the 1830
person taking the competency examination in person by an 1831
instructor. If the training specified in division (G) (1) (a) of 1832
this section is provided to the person receiving the training by 1833
a course, class, or program described in division (B) (3) (a) of 1834
this section, or it is provided by a course, class, or program 1835
described in division (B) (3) (b), (c), or (e) of this section and 1836
the instructor is a qualified instructor certified by a national 1837
gun advocacy organization, the written section of the competency 1838
examination specified in division (G) (2) (a) of this section may 1839
be administered online, as long as the online training includes 1840
an interactive component that regularly engages the person. 1841

(4) The competency certification described in division (B) 1842
(3) (a), (b), (c), or (e) of this section shall be dated and 1843
shall attest that the course, class, or program the applicant 1844
successfully completed met the requirements described in 1845
division (G) (1) of this section and that the applicant passed 1846
the competency examination described in division (G) (2) of this 1847
section. 1848

(H) Upon deciding to issue a concealed handgun license, 1849
deciding to issue a replacement concealed handgun license, or 1850
deciding to renew a concealed handgun license pursuant to this 1851
section, and before actually issuing or renewing the license, 1852

the sheriff shall make available through the law enforcement 1853
automated data system all information contained on the license. 1854
If the license subsequently is suspended under division (A) (1) 1855
or (2) of section 2923.128 of the Revised Code, revoked pursuant 1856
to division (B) (1) of section 2923.128 of the Revised Code, or 1857
lost or destroyed, the sheriff also shall make available through 1858
the law enforcement automated data system a notation of that 1859
fact. The superintendent of the state highway patrol shall 1860
ensure that the law enforcement automated data system is so 1861
configured as to permit the transmission through the system of 1862
the information specified in this division. 1863

(I) A sheriff shall accept a completed application form or 1864
renewal application, and the fee, items, materials, and 1865
information specified in divisions (B) (1) to (5) or division (F) 1866
of this section, whichever is applicable, and shall provide an 1867
application form or renewal application to any person during at 1868
least fifteen hours a week and shall provide the web site 1869
address at which a printable version of the application form 1870
that can be downloaded and the pamphlet described in division 1871
(B) of section 109.731 of the Revised Code may be found at any 1872
time, upon request. The sheriff shall post notice of the hours 1873
during which the sheriff is available to accept or provide the 1874
information described in this division. 1875

Sec. 2923.126. (A) A concealed handgun license that is 1876
issued under section 2923.125 of the Revised Code shall expire 1877
five years after the date of issuance. A licensee who has been 1878
issued a license under that section shall be granted a grace 1879
period of thirty days after the licensee's license expires 1880
during which the licensee's license remains valid. Except as 1881
provided in divisions (B) and (C) of this section, a licensee 1882
who has been issued a concealed handgun license under section 1883

2923.125 or 2923.1213 of the Revised Code, regardless of whether 1884
the license was issued prior to, on, or after the effective date 1885
of this amendment, may carry a concealed ~~handgun~~ firearm that is 1886
not a restricted firearm anywhere in this state if the licensee 1887
also carries a valid license and valid identification when the 1888
licensee is in actual possession of ~~a the concealed handgun~~ 1889
firearm. The A licensee who has been issued a concealed handgun 1890
license under section 2923.125 or 2923.1213 of the Revised Code 1891
shall give notice of any change in the licensee's residence 1892
address to the sheriff who issued the license within forty-five 1893
days after that change. 1894

If a licensee is the driver or an occupant of a motor 1895
vehicle that is stopped as the result of a traffic stop or a 1896
stop for another law enforcement purpose and if the licensee is 1897
transporting or has a loaded ~~handgun~~ firearm that is not a 1898
restricted firearm in the motor vehicle at that time, the 1899
licensee shall promptly inform any law enforcement officer who 1900
approaches the vehicle while stopped that the licensee ~~has been~~ 1901
~~issued a concealed handgun license and that the licensee~~ 1902
currently possesses or has a loaded ~~handgun~~ firearm and, if the 1903
licensee has been issued a concealed handgun license, that the 1904
licensee has been issued the license; the licensee shall not 1905
knowingly disregard or fail to comply with lawful orders of a 1906
law enforcement officer given while the motor vehicle is 1907
stopped, knowingly fail to remain in the motor vehicle while 1908
stopped, or knowingly fail to keep the licensee's hands in plain 1909
sight after any law enforcement officer begins approaching the 1910
licensee while stopped and before the officer leaves, unless 1911
directed otherwise by a law enforcement officer; and the 1912
licensee shall not knowingly have contact with the loaded 1913
~~handgun~~ firearm by touching it with the licensee's hands or 1914

fingers, in any manner in violation of division (E) of section 1915
2923.16 of the Revised Code, after any law enforcement officer 1916
begins approaching the licensee while stopped and before the 1917
officer leaves. Additionally, if a licensee is the driver or an 1918
occupant of a commercial motor vehicle that is stopped by an 1919
employee of the motor carrier enforcement unit for the purposes 1920
defined in section 5503.34 of the Revised Code and if the 1921
licensee is transporting or has a loaded ~~handgun~~ firearm in the 1922
commercial motor vehicle at that time, the licensee shall 1923
promptly inform the employee of the unit who approaches the 1924
vehicle while stopped that the licensee ~~has been issued a~~ 1925
~~concealed handgun license and that the licensee currently~~ 1926
possesses or has a loaded ~~handgun~~ firearm and, if the licensee 1927
has been issued a concealed handgun license, that the licensee 1928
has been issued the license. 1929

If a licensee is stopped for a law enforcement purpose and 1930
if the licensee is carrying a concealed ~~handgun~~ firearm that is 1931
not a restricted firearm at the time the officer approaches, the 1932
licensee shall promptly inform any law enforcement officer who 1933
approaches the licensee while stopped that the licensee ~~has been~~ 1934
~~issued a concealed handgun license and that the licensee~~ 1935
currently is carrying a concealed ~~handgun~~ firearm and, if the 1936
licensee has been issued a concealed handgun license, that the 1937
licensee has been issued the license; the licensee shall not 1938
knowingly disregard or fail to comply with lawful orders of a 1939
law enforcement officer given while the licensee is stopped or 1940
knowingly fail to keep the licensee's hands in plain sight after 1941
any law enforcement officer begins approaching the licensee 1942
while stopped and before the officer leaves, unless directed 1943
otherwise by a law enforcement officer; and the licensee shall 1944
not knowingly remove, attempt to remove, grasp, or hold the 1945

loaded ~~handgun~~-firearm or knowingly have contact with the loaded 1946
~~handgun~~-firearm by touching it with the licensee's hands or 1947
fingers, in any manner in violation of division (B) of section 1948
2923.12 of the Revised Code, after any law enforcement officer 1949
begins approaching the licensee while stopped and before the 1950
officer leaves. 1951

(B) ~~A valid~~ The right to carry a concealed firearm that is 1952
granted under division (A) of this section to a licensee who has 1953
been issued a concealed handgun license, or that is granted 1954
under division (A) of section 2923.111 of the Revised Code to a 1955
licensee who is deemed under division (C) of that section to 1956
have been issued a concealed handgun license under section 1957
2923.125 of the Revised Code, does not authorize the licensee to 1958
carry any restricted firearm, does not authorize the licensee to 1959
carry a firearm or a concealed ~~handgun~~-firearm in any manner 1960
prohibited under division (B) of section 2923.12 of the Revised 1961
Code or in any manner prohibited under section 1547.69, 2921.36, 1962
2923.12, 2923.121, 2923.122, 2923.123, 2923.13, 2923.131, 1963
2923.15, or 2923.16 of the Revised Code. ~~A valid license,~~ and 1964
does not authorize the licensee to carry a concealed ~~handgun~~- 1965
firearm into any of the following places: 1966

(1) A police station, sheriff's office, or state highway 1967
patrol station, premises controlled by the bureau of criminal 1968
identification and investigation; a state correctional 1969
institution, jail, workhouse, or other detention facility; any 1970
area of an airport passenger terminal that is beyond a passenger 1971
or property screening checkpoint or to which access is 1972
restricted through security measures by the airport authority or 1973
a public agency; or an institution that is maintained, operated, 1974
managed, and governed pursuant to division (A) of section 1975
5119.14 of the Revised Code or division (A) (1) of section 1976

5123.03 of the Revised Code;	1977
(2) A school safety zone if the licensee's carrying the concealed handgun <u>firearm</u> is in violation of section 2923.122 of the Revised Code;	1978 1979 1980
(3) A courthouse or another building or structure in which a courtroom is located, if the licensee's carrying the concealed <u>firearm is in</u> violation of section 2923.123 of the Revised Code;	1981 1982 1983
(4) Any premises or open air arena for which a D permit has been issued under Chapter 4303. of the Revised Code if the licensee's carrying the concealed handgun <u>firearm</u> is in violation of section 2923.121 of the Revised Code;	1984 1985 1986 1987
(5) Any premises owned or leased by any public or private college, university, or other institution of higher education, unless the handgun <u>firearm</u> is in a locked motor vehicle or , the licensee is in the immediate process of placing the handgun <u>firearm</u> in a locked motor vehicle, or unless the licensee is carrying the concealed handgun <u>firearm</u> pursuant to a written policy, rule, or other authorization that is adopted by the institution's board of trustees or other governing body and that authorizes specific individuals or classes of individuals to carry a concealed handgun <u>firearm</u> on the premises;	1988 1989 1990 1991 1992 1993 1994 1995 1996 1997
(6) Any church, synagogue, mosque, or other place of worship, unless the church, synagogue, mosque, or other place of worship posts or permits otherwise;	1998 1999 2000
(7) Any building that is a government facility of this state or a political subdivision of this state and that is not a building that is used primarily as a shelter, restroom, parking facility for motor vehicles, or rest facility and is not a courthouse or other building or structure in which a courtroom	2001 2002 2003 2004 2005

is located that is subject to division (B) (3) of this section, 2006
unless the governing body with authority over the building has 2007
enacted a statute, ordinance, or policy that permits a licensee 2008
to carry a concealed ~~handgun~~ firearm into the building; 2009

(8) A place in which federal law prohibits the carrying of 2010
~~handguns~~ firearms. 2011

(C) (1) Nothing in this section or section 2923.111 of the 2012
Revised Code shall negate or restrict a rule, policy, or 2013
practice of a private employer that is not a private college, 2014
university, or other institution of higher education concerning 2015
or prohibiting the presence of firearms on the private 2016
employer's premises or property, including motor vehicles owned 2017
by the private employer. Nothing in this section or section 2018
2923.111 of the Revised Code shall require a private employer of 2019
that nature to adopt a rule, policy, or practice concerning or 2020
prohibiting the presence of firearms on the private employer's 2021
premises or property, including motor vehicles owned by the 2022
private employer. 2023

(2) (a) A private employer shall be immune from liability 2024
in a civil action for any injury, death, or loss to person or 2025
property that allegedly was caused by or related to a licensee 2026
bringing a ~~handgun~~ firearm onto the premises or property of the 2027
private employer, including motor vehicles owned by the private 2028
employer, unless the private employer acted with malicious 2029
purpose. A private employer is immune from liability in a civil 2030
action for any injury, death, or loss to person or property that 2031
allegedly was caused by or related to the private employer's 2032
decision to permit a licensee to bring, or prohibit a licensee 2033
from bringing, a ~~handgun~~ firearm onto the premises or property 2034
of the private employer. 2035

(b) A political subdivision shall be immune from liability 2036
in a civil action, to the extent and in the manner provided in 2037
Chapter 2744. of the Revised Code, for any injury, death, or 2038
loss to person or property that allegedly was caused by or 2039
related to a licensee bringing a ~~handgun~~-firearm onto any 2040
premises or property owned, leased, or otherwise under the 2041
control of the political subdivision. As used in this division, 2042
"political subdivision" has the same meaning as in section 2043
2744.01 of the Revised Code. 2044

(c) An institution of higher education shall be immune 2045
from liability in a civil action for any injury, death, or loss 2046
to person or property that allegedly was caused by or related to 2047
a licensee bringing a ~~handgun~~-firearm onto the premises of the 2048
institution, including motor vehicles owned by the institution, 2049
unless the institution acted with malicious purpose. An 2050
institution of higher education is immune from liability in a 2051
civil action for any injury, death, or loss to person or 2052
property that allegedly was caused by or related to the 2053
institution's decision to permit a licensee or class of 2054
licensees to bring a ~~handgun~~-firearm onto the premises of the 2055
institution. 2056

(3) (a) Except as provided in division (C) (3) (b) of this 2057
section, the owner or person in control of private land or 2058
premises, and a private person or entity leasing land or 2059
premises owned by the state, the United States, or a political 2060
subdivision of the state or the United States, may post a sign 2061
in a conspicuous location on that land or on those premises 2062
prohibiting persons from carrying firearms or concealed firearms 2063
on or onto that land or those premises. Except as otherwise 2064
provided in this division, a person who knowingly violates a 2065
posted prohibition of that nature is guilty of criminal trespass 2066

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

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

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

tenant who is a licensee and who on or after the effective date 2098
of this amendment enters into a rental agreement with the 2099
landlord for the use of residential premises and the tenant's 2100
guest while the tenant is present from lawfully carrying or 2101
possessing a firearm that is not a restricted firearm on those 2102
premises. 2103

(c) As used in division (C) (3) of this section: 2104

(i) "Residential premises" has the same meaning as in 2105
section 5321.01 of the Revised Code, except "residential 2106
premises" does not include a dwelling unit that is owned or 2107
operated by a college or university. 2108

(ii) "Landlord," "tenant," and "rental agreement" have the 2109
same meanings as in section 5321.01 of the Revised Code. 2110

(D) A person who holds a valid concealed handgun license 2111
issued by another state that is recognized by the attorney 2112
general pursuant to a reciprocity agreement entered into 2113
pursuant to section 109.69 of the Revised Code ~~or,~~ a person who 2114
holds a valid concealed handgun license under the circumstances 2115
described in division (B) of section 109.69 of the Revised Code, 2116
or a person who is deemed under division (C) of section 2923.111 2117
of the Revised Code to have been issued a concealed handgun 2118
license under section 2923.125 of the Revised Code has the same 2119
right to carry a concealed ~~handgun~~ firearm that is not a 2120
restricted firearm in this state as a person who was issued a 2121
concealed handgun license under section 2923.125 of the Revised 2122
Code and is subject to the same restrictions that apply to a 2123
person who carries a license issued under that section. 2124

(E) (1) A peace officer has the same right to carry a 2125
concealed ~~handgun~~ firearm that is not a restricted firearm in 2126

this state as a person who was issued a concealed handgun 2127
license under section 2923.125 of the Revised Code. For purposes 2128
of reciprocity with other states, a peace officer shall be 2129
considered to be a licensee in this state who has been issued 2130
such a license under that section. 2131

(2) An active duty member of the armed forces of the 2132
United States who is carrying a valid military identification 2133
card and documentation of successful completion of firearms 2134
training that meets or exceeds the training requirements 2135
described in division (G) (1) of section 2923.125 of the Revised 2136
Code has the same right to carry a concealed ~~handgun~~ firearm 2137
that is not a restricted firearm in this state as a person who 2138
was issued a concealed handgun license under section 2923.125 of 2139
the Revised Code and is subject to the same restrictions as 2140
specified in this section. 2141

(F) (1) A qualified retired peace officer who possesses a 2142
retired peace officer identification card issued pursuant to 2143
division (F) (2) of this section and a valid firearms 2144
requalification certification issued pursuant to division (F) (3) 2145
of this section has the same right to carry a concealed ~~handgun~~ 2146
firearm that is not a restricted firearm in this state as a 2147
person who was issued a concealed handgun license under section 2148
2923.125 of the Revised Code and is subject to the same 2149
restrictions that apply to a person who carries a license issued 2150
under that section. For purposes of reciprocity with other 2151
states, a qualified retired peace officer who possesses a 2152
retired peace officer identification card issued pursuant to 2153
division (F) (2) of this section and a valid firearms 2154
requalification certification issued pursuant to division (F) (3) 2155
of this section shall be considered to be a licensee in this 2156
state who has been issued a concealed handgun license under 2157

section 2923.125 of the Revised Code. 2158

(2) (a) Each public agency of this state or of a political 2159
subdivision of this state that is served by one or more peace 2160
officers shall issue a retired peace officer identification card 2161
to any person who retired from service as a peace officer with 2162
that agency, if the issuance is in accordance with the agency's 2163
policies and procedures and if the person, with respect to the 2164
person's service with that agency, satisfies all of the 2165
following: 2166

(i) The person retired in good standing from service as a 2167
peace officer with the public agency, and the retirement was not 2168
for reasons of mental instability. 2169

(ii) Before retiring from service as a peace officer with 2170
that agency, the person was authorized to engage in or supervise 2171
the prevention, detection, investigation, or prosecution of, or 2172
the incarceration of any person for, any violation of law and 2173
the person had statutory powers of arrest. 2174

(iii) At the time of the person's retirement as a peace 2175
officer with that agency, the person was trained and qualified 2176
to carry firearms in the performance of the peace officer's 2177
duties. 2178

(iv) Before retiring from service as a peace officer with 2179
that agency, the person was regularly employed as a peace 2180
officer for an aggregate of fifteen years or more, or, in the 2181
alternative, the person retired from service as a peace officer 2182
with that agency, after completing any applicable probationary 2183
period of that service, due to a service-connected disability, 2184
as determined by the agency. 2185

(b) A retired peace officer identification card issued to 2186

a person under division (F) (2) (a) of this section shall identify 2187
the person by name, contain a photograph of the person, identify 2188
the public agency of this state or of the political subdivision 2189
of this state from which the person retired as a peace officer 2190
and that is issuing the identification card, and specify that 2191
the person retired in good standing from service as a peace 2192
officer with the issuing public agency and satisfies the 2193
criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 2194
section. In addition to the required content specified in this 2195
division, a retired peace officer identification card issued to 2196
a person under division (F) (2) (a) of this section may include 2197
the firearms requalification certification described in division 2198
(F) (3) of this section, and if the identification card includes 2199
that certification, the identification card shall serve as the 2200
firearms requalification certification for the retired peace 2201
officer. If the issuing public agency issues credentials to 2202
active law enforcement officers who serve the agency, the agency 2203
may comply with division (F) (2) (a) of this section by issuing 2204
the same credentials to persons who retired from service as a 2205
peace officer with the agency and who satisfy the criteria set 2206
forth in divisions (F) (2) (a) (i) to (iv) of this section, 2207
provided that the credentials so issued to retired peace 2208
officers are stamped with the word "RETIRED." 2209

(c) A public agency of this state or of a political 2210
subdivision of this state may charge persons who retired from 2211
service as a peace officer with the agency a reasonable fee for 2212
issuing to the person a retired peace officer identification 2213
card pursuant to division (F) (2) (a) of this section. 2214

(3) If a person retired from service as a peace officer 2215
with a public agency of this state or of a political subdivision 2216
of this state and the person satisfies the criteria set forth in 2217

divisions (F) (2) (a) (i) to (iv) of this section, the public 2218
agency may provide the retired peace officer with the 2219
opportunity to attend a firearms requalification program that is 2220
approved for purposes of firearms requalification required under 2221
section 109.801 of the Revised Code. The retired peace officer 2222
may be required to pay the cost of the course. 2223

If a retired peace officer who satisfies the criteria set 2224
forth in divisions (F) (2) (a) (i) to (iv) of this section attends 2225
a firearms requalification program that is approved for purposes 2226
of firearms requalification required under section 109.801 of 2227
the Revised Code, the retired peace officer's successful 2228
completion of the firearms requalification program requalifies 2229
the retired peace officer for purposes of division (F) of this 2230
section for five years from the date on which the program was 2231
successfully completed, and the requalification is valid during 2232
that five-year period. If a retired peace officer who satisfies 2233
the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 2234
section satisfactorily completes such a firearms requalification 2235
program, the retired peace officer shall be issued a firearms 2236
requalification certification that identifies the retired peace 2237
officer by name, identifies the entity that taught the program, 2238
specifies that the retired peace officer successfully completed 2239
the program, specifies the date on which the course was 2240
successfully completed, and specifies that the requalification 2241
is valid for five years from that date of successful completion. 2242
The firearms requalification certification for a retired peace 2243
officer may be included in the retired peace officer 2244
identification card issued to the retired peace officer under 2245
division (F) (2) of this section. 2246

A retired peace officer who attends a firearms 2247
requalification program that is approved for purposes of 2248

firearms requalification required under section 109.801 of the Revised Code may be required to pay the cost of the program. 2249
2250

(G) As used in this section: 2251

(1) "Qualified retired peace officer" means a person who satisfies all of the following: 2252
2253

(a) The person satisfies the criteria set forth in divisions (F) (2) (a) (i) to (v) of this section. 2254
2255

(b) The person is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance. 2256
2257

(c) The person is not prohibited by federal law from receiving firearms. 2258
2259

(2) "Retired peace officer identification card" means an identification card that is issued pursuant to division (F) (2) of this section to a person who is a retired peace officer. 2260
2261
2262

(3) "Government facility of this state or a political subdivision of this state" means any of the following: 2263
2264

(a) A building or part of a building that is owned or leased by the government of this state or a political subdivision of this state and where employees of the government of this state or the political subdivision regularly are present for the purpose of performing their official duties as employees of the state or political subdivision; 2265
2266
2267
2268
2269
2270

(b) The office of a deputy registrar serving pursuant to Chapter 4503. of the Revised Code that is used to perform deputy registrar functions. 2271
2272
2273

(4) "Governing body" has the same meaning as in section 154.01 of the Revised Code. 2274
2275

Sec. 2923.128. (A) (1) (a) If a licensee holding a valid 2276
concealed handgun license is arrested for or otherwise charged 2277
with an offense described in division (D) (1) (d) of section 2278
2923.125 of the Revised Code or with a violation of section 2279
2923.15 of the Revised Code or becomes subject to a temporary 2280
protection order or to a protection order issued by a court of 2281
another state that is substantially equivalent to a temporary 2282
protection order, the sheriff who issued the license shall 2283
suspend it and shall comply with division (A) (3) of this section 2284
upon becoming aware of the arrest, charge, or protection order. 2285
Upon suspending the license, the sheriff also shall comply with 2286
division (H) of section 2923.125 of the Revised Code. 2287

(b) A suspension under division (A) (1) (a) of this section 2288
shall be considered as beginning on the date that the licensee 2289
is arrested for or otherwise charged with an offense described 2290
in that division or on the date the appropriate court issued the 2291
protection order described in that division, irrespective of 2292
when the sheriff notifies the licensee under division (A) (3) of 2293
this section. The suspension shall end on the date on which the 2294
charges are dismissed or the licensee is found not guilty of the 2295
offense described in division (A) (1) (a) of this section or, 2296
subject to division (B) of this section, on the date the 2297
appropriate court terminates the protection order described in 2298
that division. If the suspension so ends, the sheriff shall 2299
return the license or temporary emergency license to the 2300
licensee. 2301

(2) (a) If a licensee holding a valid concealed handgun 2302
license is convicted of or pleads guilty to a misdemeanor 2303
violation of division (B) (1), (2), or (4) of section 2923.12 of 2304
the Revised Code or of division (E) (1), (2), (3), or (5) of 2305
section 2923.16 of the Revised Code, except as provided in 2306

division (A) (2) (c) of this section and subject to division (C) 2307
of this section, the sheriff who issued the license shall 2308
suspend it and shall comply with division (A) (3) of this section 2309
upon becoming aware of the conviction or guilty plea. Upon 2310
suspending the license, the sheriff also shall comply with 2311
division (H) of section 2923.125 of the Revised Code. 2312

(b) A suspension under division (A) (2) (a) of this section 2313
shall be considered as beginning on the date that the licensee 2314
is convicted of or pleads guilty to the offense described in 2315
that division, irrespective of when the sheriff notifies the 2316
licensee under division (A) (3) of this section. If the 2317
suspension is imposed for a misdemeanor violation of division 2318
(B) (1) or (2) of section 2923.12 of the Revised Code or of 2319
division (E) (1), (2), or (3) of section 2923.16 of the Revised 2320
Code, it shall end on the date that is one year after the date 2321
that the licensee is convicted of or pleads guilty to that 2322
violation. If the suspension is imposed for a misdemeanor 2323
violation of division (B) (4) of section 2923.12 of the Revised 2324
Code or of division (E) (5) of section 2923.16 of the Revised 2325
Code, it shall end on the date that is two years after the date 2326
that the licensee is convicted of or pleads guilty to that 2327
violation. If the licensee's license was issued under section 2328
2923.125 of the Revised Code and the license remains valid after 2329
the suspension ends as described in this division, when the 2330
suspension ends, the sheriff shall return the license to the 2331
licensee. If the licensee's license was issued under section 2332
2923.125 of the Revised Code and the license expires before the 2333
suspension ends as described in this division, or if the 2334
licensee's license was issued under section 2923.1213 of the 2335
Revised Code, the licensee is not eligible to apply for a new 2336
license under section 2923.125 or 2923.1213 of the Revised Code 2337

or to renew the license under section 2923.125 of the Revised Code until after the suspension ends as described in this division.

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

(3) Upon becoming aware of an arrest, charge, or protection order described in division (A)(1)(a) of this section with respect to a licensee who was issued a concealed handgun license, or a conviction of or plea of guilty to a misdemeanor offense described in division (A)(2)(a) of this section with respect to a licensee who was issued a concealed handgun license and with respect to which division (A)(2)(c) of this section does not apply, subject to division (C) of this section, the sheriff who issued the licensee's license shall notify the licensee, by certified mail, return receipt requested, at the licensee's last known residence address that the license has been suspended and that the licensee is required to surrender the license at the sheriff's office within ten days of the date on which the notice was mailed. If the suspension is pursuant to division (A)(2) of this section, the notice shall identify the date on which the suspension ends.

(B) (1) A sheriff who issues a concealed handgun license to 2368
a licensee shall revoke the license in accordance with division 2369
(B) (2) of this section upon becoming aware that the licensee 2370
satisfies any of the following: 2371

(a) The licensee is under twenty-one years of age. 2372

(b) Subject to division (C) of this section, at the time 2373
of the issuance of the license, the licensee did not satisfy the 2374
eligibility requirements of division (D) (1) (c), (d), (e), (f), 2375
(g), or (h) of section 2923.125 of the Revised Code. 2376

(c) Subject to division (C) of this section, on or after 2377
the date on which the license was issued, the licensee is 2378
convicted of or pleads guilty to a violation of section 2923.15 2379
of the Revised Code or an offense described in division (D) (1) 2380
(e), (f), (g), or (h) of section 2923.125 of the Revised Code. 2381

(d) On or after the date on which the license was issued, 2382
the licensee becomes subject to a civil protection order or to a 2383
protection order issued by a court of another state that is 2384
substantially equivalent to a civil protection order. 2385

(e) The licensee knowingly carries a concealed ~~handgun~~ 2386
firearm into a place that the licensee knows is an unauthorized 2387
place specified in division (B) of section 2923.126 of the 2388
Revised Code, knowingly carries a concealed firearm in any 2389
prohibited manner listed in that division, or knowingly carries 2390
under alleged authority as a licensee a concealed restricted 2391
firearm. 2392

(f) On or after the date on which the license was issued, 2393
the licensee is adjudicated as a mental defective or is 2394
committed to a mental institution. 2395

(g) At the time of the issuance of the license, the 2396

licensee did not meet the residency requirements described in 2397
division (D) (1) of section 2923.125 of the Revised Code and 2398
currently does not meet the residency requirements described in 2399
that division. 2400

(h) Regarding a license issued under section 2923.125 of 2401
the Revised Code, the competency certificate the licensee 2402
submitted was forged or otherwise was fraudulent. 2403

(2) Upon becoming aware of any circumstance listed in 2404
division (B) (1) of this section that applies to a particular 2405
licensee who was issued a concealed handgun license, subject to 2406
division (C) of this section, the sheriff who issued the license 2407
to the licensee shall notify the licensee, by certified mail, 2408
return receipt requested, at the licensee's last known residence 2409
address that the license is subject to revocation and that the 2410
licensee may come to the sheriff's office and contest the 2411
sheriff's proposed revocation within fourteen days of the date 2412
on which the notice was mailed. After the fourteen-day period 2413
and after consideration of any information that the licensee 2414
provides during that period, if the sheriff determines on the 2415
basis of the information of which the sheriff is aware that the 2416
licensee is described in division (B) (1) of this section and no 2417
longer satisfies the requirements described in division (D) (1) 2418
of section 2923.125 of the Revised Code that are applicable to 2419
the licensee's type of license, the sheriff shall revoke the 2420
license, notify the licensee of that fact, and require the 2421
licensee to surrender the license. Upon revoking the license, 2422
the sheriff also shall comply with division (H) of section 2423
2923.125 of the Revised Code. 2424

(C) If a sheriff who issues a concealed handgun license to 2425
a licensee becomes aware that at the time of the issuance of the 2426

license the licensee had been convicted of or pleaded guilty to 2427
an offense identified in division (D) (1) (e), (f), or (h) of 2428
section 2923.125 of the Revised Code or had been adjudicated a 2429
delinquent child for committing an act or violation identified 2430
in any of those divisions or becomes aware that on or after the 2431
date on which the license was issued the licensee has been 2432
convicted of or pleaded guilty to an offense identified in 2433
division (A) (2) (a) or (B) (1) (c) of this section, the sheriff 2434
shall not consider that conviction, guilty plea, or adjudication 2435
as having occurred for purposes of divisions (A) (2), (A) (3), (B) 2436
(1), and (B) (2) of this section if a court has ordered the 2437
sealing or expungement of the records of that conviction, guilty 2438
plea, or adjudication pursuant to sections 2151.355 to 2151.358 2439
or sections 2953.31 to 2953.36 of the Revised Code or the 2440
licensee has been relieved under operation of law or legal 2441
process from the disability imposed pursuant to section 2923.13 2442
of the Revised Code relative to that conviction, guilty plea, or 2443
adjudication. 2444

(D) As used in this section, "motor carrier enforcement 2445
unit" has the same meaning as in section 2923.16 of the Revised 2446
Code. 2447

Sec. 2923.129. (A) (1) If a sheriff, the superintendent of 2448
the bureau of criminal identification and investigation, the 2449
employees of the bureau, the Ohio peace officer training 2450
commission, or the employees of the commission make a good faith 2451
effort in performing the duties imposed upon the sheriff, the 2452
superintendent, the bureau's employees, the commission, or the 2453
commission's employees by sections 109.731, 311.41, and 2923.124 2454
to 2923.1213 of the Revised Code, in addition to the personal 2455
immunity provided by section 9.86 of the Revised Code or 2456
division (A) (6) of section 2744.03 of the Revised Code and the 2457

governmental immunity of sections 2744.02 and 2744.03 of the Revised Code and in addition to any other immunity possessed by the bureau, the commission, and their employees, the sheriff, the sheriff's office, the county in which the sheriff has jurisdiction, the bureau, the superintendent of the bureau, the bureau's employees, the commission, and the commission's employees are immune from liability in a civil action for injury, death, or loss to person or property that allegedly was caused by or related to any of the following:

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

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

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

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

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

(a) The alleged liability of the entity or instructor relates to the training provided in the course, class, or program covered by the competency certificate.

(b) The entity or instructor makes a good faith effort in 2487
determining whether the person has satisfactorily completed the 2488
course, class, or program and makes a good faith effort in 2489
assessing the person in the competency examination conducted 2490
pursuant to division (G) (2) of section 2923.125 of the Revised 2491
Code. 2492

(c) The entity or instructor did not issue the competency 2493
certificate with malicious purpose, in bad faith, or in a wanton 2494
or reckless manner. 2495

(4) An entity that or instructor who, prior to March 27, 2496
2013, provides a renewed competency certification of a type 2497
described in division (G) (4) of section 2923.125 of the Revised 2498
Code as it existed prior to March 27, 2013, is immune from civil 2499
liability that might otherwise be incurred or imposed for any 2500
death or any injury or loss to person or property that is caused 2501
by or related to a person to whom the entity or instructor has 2502
issued the renewed competency certificate if all of the 2503
following apply: 2504

(a) The entity or instructor makes a good faith effort in 2505
assessing the person in the physical demonstrations or the 2506
competency examination conducted pursuant to division (G) (4) of 2507
section 2923.125 of the Revised Code as it existed prior to 2508
March 27, 2013. 2509

(b) The entity or instructor did not issue the renewed 2510
competency certificate with malicious purpose, in bad faith, or 2511
in a wanton or reckless manner. 2512

(5) A law enforcement agency that employs a peace officer 2513
is immune from liability in a civil action to recover damages 2514
for injury, death, or loss to person or property allegedly 2515

caused by any act of that peace officer if the act occurred 2516
while the peace officer carried a concealed ~~handgun~~ firearm and 2517
was off duty and if the act allegedly involved the peace 2518
officer's use of the concealed ~~handgun~~ firearm. Sections 9.86 2519
and 9.87, and Chapter 2744., of the Revised Code apply to any 2520
civil action involving a peace officer's use of a concealed 2521
~~handgun~~ firearm in the performance of the peace officer's 2522
official duties while the peace officer is off duty. 2523

(B) Notwithstanding section 149.43 of the Revised Code, 2524
the records that a sheriff keeps relative to the issuance, 2525
renewal, suspension, or revocation of a concealed handgun 2526
license, including, but not limited to, completed applications 2527
for the issuance or renewal of a license, completed affidavits 2528
submitted regarding an application for a license on a temporary 2529
emergency basis, reports of criminal records checks and 2530
incompetency records checks under section 311.41 of the Revised 2531
Code, and applicants' social security numbers and fingerprints 2532
that are obtained under division (A) of section 311.41 of the 2533
Revised Code, are confidential and are not public records. No 2534
person shall release or otherwise disseminate records that are 2535
confidential under this division unless required to do so 2536
pursuant to a court order. 2537

(C) Each sheriff shall report to the Ohio peace officer 2538
training commission the number of concealed handgun licenses 2539
that the sheriff issued, renewed, suspended, revoked, or denied 2540
under section 2923.125 of the Revised Code during the previous 2541
quarter of the calendar year, the number of applications for 2542
those licenses for which processing was suspended in accordance 2543
with division (D)(3) of section 2923.125 of the Revised Code 2544
during the previous quarter of the calendar year, and the number 2545
of concealed handgun licenses on a temporary emergency basis 2546

that the sheriff issued, suspended, revoked, or denied under 2547
section 2923.1213 of the Revised Code during the previous 2548
quarter of the calendar year. The sheriff shall not include in 2549
the report the name or any other identifying information of an 2550
applicant or licensee. The sheriff shall report that information 2551
in a manner that permits the commission to maintain the 2552
statistics described in division (C) of section 109.731 of the 2553
Revised Code and to timely prepare the statistical report 2554
described in that division. The information that is received by 2555
the commission under this division is a public record kept by 2556
the commission for the purposes of section 149.43 of the Revised 2557
Code. 2558

(D) Law enforcement agencies may use the information a 2559
sheriff makes available through the use of the law enforcement 2560
automated data system pursuant to division (H) of section 2561
2923.125 or division (B) (2) or (D) of section 2923.1213 of the 2562
Revised Code for law enforcement purposes only. The information 2563
is confidential and is not a public record. A person who 2564
releases or otherwise disseminates this information obtained 2565
through the law enforcement automated data system in a manner 2566
not described in this division is guilty of a violation of 2567
section 2913.04 of the Revised Code. 2568

(E) Whoever violates division (B) of this section is 2569
guilty of illegal release of confidential concealed handgun 2570
license records, a felony of the fifth degree. In addition to 2571
any penalties imposed under Chapter 2929. of the Revised Code 2572
for a violation of division (B) of this section or a violation 2573
of section 2913.04 of the Revised Code described in division (D) 2574
of this section, if the offender is a sheriff, an employee of a 2575
sheriff, or any other public officer or employee, and if the 2576
violation was willful and deliberate, the offender shall be 2577

subject to a civil fine of one thousand dollars. Any person who 2578
is harmed by a violation of division (B) or (C) of this section 2579
or a violation of section 2913.04 of the Revised Code described 2580
in division (D) of this section has a private cause of action 2581
against the offender for any injury, death, or loss to person or 2582
property that is a proximate result of the violation and may 2583
recover court costs and attorney's fees related to the action. 2584

Sec. 2923.1210. (A) A business entity, property owner, or 2585
public or private employer may not establish, maintain, or 2586
enforce a policy or rule that prohibits or has the effect of 2587
prohibiting a person who has been issued a valid concealed 2588
handgun license, or a person who is deemed under division (C) of 2589
section 2923.111 of the Revised Code to have been issued a 2590
concealed handgun license under section 2923.125 of the Revised 2591
Code, from transporting or storing a firearm or ammunition when 2592
both of the following conditions are met: 2593

(1) Each firearm and all of the ammunition remains inside 2594
the person's privately owned motor vehicle while the person is 2595
physically present inside the motor vehicle, or each firearm and 2596
all of the ammunition is locked within the trunk, glove box, or 2597
other enclosed compartment or container within or on the 2598
person's privately owned motor vehicle; 2599

(2) The vehicle is in a location where it is otherwise 2600
permitted to be. 2601

(B) No business entity, property owner, or public or 2602
private employer shall be held liable in any civil action for 2603
damages, injuries, or death resulting from or arising out of 2604
another person's actions involving a firearm or ammunition 2605
transported or stored pursuant to division (A) of this section, 2606
including the theft of a firearm from an employee's or invitee's 2607

automobile, unless the business entity, property owner, or 2608
public or private employer intentionally solicited or procured 2609
the other person's injurious actions. 2610

Sec. 2923.1213. (A) As used in this section: 2611

(1) "Evidence of imminent danger" means any of the 2612
following: 2613

(a) A statement sworn by the person seeking to carry a 2614
concealed ~~handgun~~ firearm other than a restricted firearm that 2615
is made under threat of perjury and that states that the person 2616
has reasonable cause to fear a criminal attack upon the person 2617
or a member of the person's family, such as would justify a 2618
prudent person in going armed; 2619

(b) A written document prepared by a governmental entity 2620
or public official describing the facts that give the person 2621
seeking to carry a concealed ~~handgun~~ firearm other than a 2622
restricted firearm reasonable cause to fear a criminal attack 2623
upon the person or a member of the person's family, such as 2624
would justify a prudent person in going armed. Written documents 2625
of this nature include, but are not limited to, any temporary 2626
protection order, civil protection order, protection order 2627
issued by another state, or other court order, any court report, 2628
and any report filed with or made by a law enforcement agency or 2629
prosecutor. 2630

(2) "Prosecutor" has the same meaning as in section 2631
2935.01 of the Revised Code. 2632

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

the person is temporarily staying, all of the following: 2637

(a) Evidence of imminent danger to the person or a member 2638
of the person's family; 2639

(b) A sworn affidavit that contains all of the information 2640
required to be on the license and attesting that the person is 2641
legally living in the United States; is at least twenty-one 2642
years of age; is not a fugitive from justice; is not under 2643
indictment for or otherwise charged with an offense identified 2644
in division (D) (1) (d) of section 2923.125 of the Revised Code; 2645
has not been convicted of or pleaded guilty to an offense, and 2646
has not been adjudicated a delinquent child for committing an 2647
act, identified in division (D) (1) (e) of that section and to 2648
which division (B) (3) of this section does not apply; within 2649
three years of the date of the submission, has not been 2650
convicted of or pleaded guilty to an offense, and has not been 2651
adjudicated a delinquent child for committing an act, identified 2652
in division (D) (1) (f) of that section and to which division (B) 2653
(3) of this section does not apply; within five years of the 2654
date of the submission, has not been convicted of, pleaded 2655
guilty, or adjudicated a delinquent child for committing two or 2656
more violations identified in division (D) (1) (g) of that 2657
section; within ten years of the date of the submission, has not 2658
been convicted of, pleaded guilty, or adjudicated a delinquent 2659
child for committing a violation identified in division (D) (1) 2660
(h) of that section and to which division (B) (3) of this section 2661
does not apply; has not been adjudicated as a mental defective, 2662
has not been committed to any mental institution, is not under 2663
adjudication of mental incompetence, has not been found by a 2664
court to be a mentally ill person subject to court order, and is 2665
not an involuntary patient other than one who is a patient only 2666
for purposes of observation, as described in division (D) (1) (i) 2667

of that section; is not currently subject to a civil protection 2668
order, a temporary protection order, or a protection order 2669
issued by a court of another state, as described in division (D) 2670
(1)(j) of that section; is not currently subject to a suspension 2671
imposed under division (A)(2) of section 2923.128 of the Revised 2672
Code of a concealed handgun license that previously was issued 2673
to the person or a similar suspension imposed by another state 2674
regarding a concealed handgun license issued by that state; is 2675
not an unlawful user of or addicted to any controlled substance 2676
as defined in 21 U.S.C. 802; if applicable, is an alien and has 2677
not been admitted to the United States under a nonimmigrant 2678
visa, as defined in the "Immigration and Nationality Act," 8 2679
U.S.C. 1101(a)(26); has not been discharged from the armed 2680
forces of the United States under dishonorable conditions; if 2681
applicable, has not renounced the applicant's United States 2682
citizenship; and has not been convicted of, pleaded guilty to, 2683
or been adjudicated a delinquent child for committing a 2684
violation identified in division (D)(1)(s) of section 2923.125 2685
of the Revised Code; 2686

(c) A nonrefundable temporary emergency license fee as 2687
described in either of the following: 2688

(i) For an applicant who has been a resident of this state 2689
for five or more years, a fee of fifteen dollars plus the actual 2690
cost of having a background check performed by the bureau of 2691
criminal identification and investigation pursuant to section 2692
311.41 of the Revised Code; 2693

(ii) For an applicant who has been a resident of this 2694
state for less than five years or who is not a resident of this 2695
state, but is temporarily staying in this state, a fee of 2696
fifteen dollars plus the actual cost of having background checks 2697

performed by the federal bureau of investigation and the bureau 2698
of criminal identification and investigation pursuant to section 2699
311.41 of the Revised Code. 2700

(d) A set of fingerprints of the applicant provided as 2701
described in section 311.41 of the Revised Code through use of 2702
an electronic fingerprint reading device or, if the sheriff to 2703
whom the application is submitted does not possess and does not 2704
have ready access to the use of an electronic fingerprint 2705
reading device, on a standard impression sheet prescribed 2706
pursuant to division (C) (2) of section 109.572 of the Revised 2707
Code. If the fingerprints are provided on a standard impression 2708
sheet, the person also shall provide the person's social 2709
security number to the sheriff. 2710

(2) A sheriff shall accept the evidence of imminent 2711
danger, the sworn affidavit, the fee, and the set of 2712
fingerprints required under division (B) (1) of this section at 2713
the times and in the manners described in division (I) of this 2714
section. Upon receipt of the evidence of imminent danger, the 2715
sworn affidavit, the fee, and the set of fingerprints required 2716
under division (B) (1) of this section, the sheriff, in the 2717
manner specified in section 311.41 of the Revised Code, 2718
immediately shall conduct or cause to be conducted the criminal 2719
records check and the incompetency records check described in 2720
section 311.41 of the Revised Code. Immediately upon receipt of 2721
the results of the records checks, the sheriff shall review the 2722
information and shall determine whether the criteria set forth 2723
in divisions (D) (1) (a) to (j) and (m) to (s) of section 2923.125 2724
of the Revised Code apply regarding the person. If the sheriff 2725
determines that all of the criteria set forth in divisions (D) 2726
(1) (a) to (j) and (m) to (s) of section 2923.125 of the Revised 2727
Code apply regarding the person, the sheriff shall immediately 2728

make available through the law enforcement automated data system 2729
all information that will be contained on the temporary 2730
emergency license for the person if one is issued, and the 2731
superintendent of the state highway patrol shall ensure that the 2732
system is so configured as to permit the transmission through 2733
the system of that information. Upon making that information 2734
available through the law enforcement automated data system, the 2735
sheriff shall immediately issue to the person a concealed 2736
handgun license on a temporary emergency basis. 2737

If the sheriff denies the issuance of a license on a 2738
temporary emergency basis to the person, the sheriff shall 2739
specify the grounds for the denial in a written notice to the 2740
person. The person may appeal the denial, or challenge criminal 2741
records check results that were the basis of the denial if 2742
applicable, in the same manners specified in division (D) (2) of 2743
section 2923.125 and in section 2923.127 of the Revised Code, 2744
regarding the denial of an application for a concealed handgun 2745
license under that section. 2746

The license on a temporary emergency basis issued under 2747
this division shall be in the form, and shall include all of the 2748
information, described in divisions (A) (2) (a) and (d) of section 2749
109.731 of the Revised Code, and also shall include a unique 2750
combination of identifying letters and numbers in accordance 2751
with division (A) (2) (c) of that section. 2752

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

emergency basis. 2759

(3) If a person seeking a concealed handgun license on a 2760
temporary emergency basis has been convicted of or pleaded 2761
guilty to an offense identified in division (D)(1)(e), (f), or 2762
(h) of section 2923.125 of the Revised Code or has been 2763
adjudicated a delinquent child for committing an act or 2764
violation identified in any of those divisions, and if a court 2765
has ordered the sealing or expungement of the records of that 2766
conviction, guilty plea, or adjudication pursuant to sections 2767
2151.355 to 2151.358 or sections 2953.31 to 2953.36 of the 2768
Revised Code or the applicant has been relieved under operation 2769
of law or legal process from the disability imposed pursuant to 2770
section 2923.13 of the Revised Code relative to that conviction, 2771
guilty plea, or adjudication, the conviction, guilty plea, or 2772
adjudication shall not be relevant for purposes of the sworn 2773
affidavit described in division (B)(1)(b) of this section, and 2774
the person may complete, and swear to the truth of, the 2775
affidavit as if the conviction, guilty plea, or adjudication 2776
never had occurred. 2777

(4) The sheriff shall waive the payment pursuant to 2778
division (B)(1)(c) of this section of the license fee in 2779
connection with an application that is submitted by an applicant 2780
who is a retired peace officer, a retired person described in 2781
division (B)(1)(b) of section 109.77 of the Revised Code, or a 2782
retired federal law enforcement officer who, prior to 2783
retirement, was authorized under federal law to carry a firearm 2784
in the course of duty, unless the retired peace officer, person, 2785
or federal law enforcement officer retired as the result of a 2786
mental disability. 2787

The sheriff shall deposit all fees paid by an applicant 2788

under division (B) (1) (c) of this section into the sheriff's 2789
concealed handgun license issuance fund established pursuant to 2790
section 311.42 of the Revised Code. 2791

(C) A person who holds a concealed handgun license on a 2792
temporary emergency basis, regardless of whether the license was 2793
issued prior to, on, or after the effective date of this 2794
amendment, has the same right to carry a concealed ~~handgun~~ 2795
firearm that is not a restricted firearm as a person who was 2796
issued a concealed handgun license under section 2923.125 of the 2797
Revised Code, ~~and any exceptions to the prohibitions contained~~ 2798
~~in section 1547.69 and sections 2923.12 to 2923.16 of the~~ 2799
~~Revised Code for a licensee under section 2923.125 of the~~ 2800
~~Revised Code apply to a licensee under this section.~~ The person 2801
is subject to the same restrictions, and to all other 2802
procedures, duties, and sanctions, that apply to a person who 2803
carries a license issued under section 2923.125 of the Revised 2804
Code, other than the license renewal procedures set forth in 2805
that section. 2806

(D) A sheriff who issues a concealed handgun license on a 2807
temporary emergency basis under this section shall not require a 2808
person seeking to carry a concealed ~~handgun~~ firearm that is not 2809
a restricted firearm in accordance with this section to submit a 2810
competency certificate as a prerequisite for issuing the license 2811
and shall comply with division (H) of section 2923.125 of the 2812
Revised Code in regards to the license. The sheriff shall 2813
suspend or revoke the license in accordance with section 2814
2923.128 of the Revised Code. In addition to the suspension or 2815
revocation procedures set forth in section 2923.128 of the 2816
Revised Code, the sheriff may revoke the license upon receiving 2817
information, verifiable by public documents, that the person is 2818
not eligible to possess a firearm under either the laws of this 2819

state or of the United States or that the person committed 2820
perjury in obtaining the license; if the sheriff revokes a 2821
license under this additional authority, the sheriff shall 2822
notify the person, by certified mail, return receipt requested, 2823
at the person's last known residence address that the license 2824
has been revoked and that the person is required to surrender 2825
the license at the sheriff's office within ten days of the date 2826
on which the notice was mailed. Division (H) of section 2923.125 2827
of the Revised Code applies regarding any suspension or 2828
revocation of a concealed handgun license on a temporary 2829
emergency basis. 2830

(E) A sheriff who issues a concealed handgun license on a 2831
temporary emergency basis under this section shall retain, for 2832
the entire period during which the license is in effect, the 2833
evidence of imminent danger that the person submitted to the 2834
sheriff and that was the basis for the license, or a copy of 2835
that evidence, as appropriate. 2836

(F) If a concealed handgun license on a temporary 2837
emergency basis issued under this section is lost or is 2838
destroyed, the licensee may obtain from the sheriff who issued 2839
that license a duplicate license upon the payment of a fee of 2840
fifteen dollars and the submission of an affidavit attesting to 2841
the loss or destruction of the license. The sheriff, in 2842
accordance with the procedures prescribed in section 109.731 of 2843
the Revised Code, shall place on the replacement license a 2844
combination of identifying numbers different from the 2845
combination on the license that is being replaced. 2846

(G) The attorney general shall prescribe, and shall make 2847
available to sheriffs, a standard form to be used under division 2848
(B) of this section by a person who applies for a concealed 2849

handgun license on a temporary emergency basis on the basis of 2850
imminent danger of a type described in division (A) (1) (a) of 2851
this section. The attorney general shall design the form to 2852
enable applicants to provide the information that is required by 2853
law to be collected, and shall update the form as necessary. 2854
Burdens or restrictions to obtaining a concealed handgun license 2855
that are not expressly prescribed in law shall not be 2856
incorporated into the form. The attorney general shall post a 2857
printable version of the form on the web site of the attorney 2858
general and shall provide the address of the web site to any 2859
person who requests the form. 2860

(H) A sheriff who receives any fees paid by a person under 2861
this section shall deposit all fees so paid into the sheriff's 2862
concealed handgun license issuance expense fund established 2863
under section 311.42 of the Revised Code. 2864

(I) A sheriff shall accept evidence of imminent danger, a 2865
sworn affidavit, the fee, and the set of fingerprints specified 2866
in division (B) (1) of this section at any time during normal 2867
business hours. In no case shall a sheriff require an 2868
appointment, or designate a specific period of time, for the 2869
submission or acceptance of evidence of imminent danger, a sworn 2870
affidavit, the fee, and the set of fingerprints specified in 2871
division (B) (1) of this section, or for the provision to any 2872
person of a standard form to be used for a person to apply for a 2873
concealed handgun license on a temporary emergency basis. 2874

Sec. 2923.16. (A) No person shall knowingly discharge a 2875
firearm while in or on a motor vehicle. 2876

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

vehicle. 2880

(C) No person shall knowingly transport or have a firearm 2881
in a motor vehicle, unless the person may lawfully possess that 2882
firearm under applicable law of this state or the United States, 2883
the firearm is unloaded, and the firearm is carried in one of 2884
the following ways: 2885

(1) In a closed package, box, or case; 2886

(2) In a compartment that can be reached only by leaving 2887
the vehicle; 2888

(3) In plain sight and secured in a rack or holder made 2889
for the purpose; 2890

(4) If the firearm is at least twenty-four inches in 2891
overall length as measured from the muzzle to the part of the 2892
stock furthest from the muzzle and if the barrel is at least 2893
eighteen inches in length, either in plain sight with the action 2894
open or the weapon stripped, or, if the firearm is of a type on 2895
which the action will not stay open or which cannot easily be 2896
stripped, in plain sight. 2897

(D) No person shall knowingly transport or have a loaded 2898
~~handgun~~-firearm in a motor vehicle if, at the time of that 2899
transportation or possession, any of the following applies: 2900

(1) The person is under the influence of alcohol, a drug 2901
of abuse, or a combination of them. 2902

(2) The person's whole blood, blood serum or plasma, 2903
breath, or urine contains a concentration of alcohol, a listed 2904
controlled substance, or a listed metabolite of a controlled 2905
substance prohibited for persons operating a vehicle, as 2906
specified in division (A) of section 4511.19 of the Revised 2907

Code, regardless of whether the person at the time of the 2908
transportation or possession as described in this division is 2909
the operator of or a passenger in the motor vehicle. 2910

(E) No person who has been issued a concealed handgun 2911
license, who is deemed under division (C) of section 2923.111 of 2912
the Revised Code to have been issued a concealed handgun license 2913
under section 2923.125 of the Revised Code, or who is an active 2914
duty member of the armed forces of the United States and is 2915
carrying a valid military identification card and documentation 2916
of successful completion of firearms training that meets or 2917
exceeds the training requirements described in division (G) (1) 2918
of section 2923.125 of the Revised Code, who is the driver or an 2919
occupant of a motor vehicle that is stopped as a result of a 2920
traffic stop or a stop for another law enforcement purpose or is 2921
the driver or an occupant of a commercial motor vehicle that is 2922
stopped by an employee of the motor carrier enforcement unit for 2923
the purposes defined in section 5503.34 of the Revised Code, and 2924
who is transporting or has a loaded ~~handgun~~ firearm that is not 2925
a restricted firearm in the motor vehicle or commercial motor 2926
vehicle in any manner, shall do any of the following: 2927

(1) Fail to promptly inform any law enforcement officer 2928
who approaches the vehicle while stopped that the person then 2929
possesses or has a loaded firearm in the motor vehicle and that 2930
the person has been issued a concealed handgun license, is 2931
deemed under division (C) of section 2923.111 of the Revised 2932
Code to have been issued a concealed handgun license, or is 2933
authorized to carry a concealed ~~handgun~~ firearm as an active 2934
duty member of the armed forces of the United States ~~and that~~ 2935
~~the person then possesses or has a loaded handgun in the motor~~ 2936
~~vehicle;~~ 2937

(2) Fail to promptly inform the employee of the unit who 2938
approaches the vehicle while stopped that the person then 2939
possesses or has a loaded firearm in the motor vehicle and that 2940
the person has been issued a concealed handgun license, is 2941
deemed under division (C) of section 2923.111 of the Revised 2942
Code to have been issued a concealed handgun license, or is 2943
authorized to carry a concealed ~~handgun~~-firearm as an active 2944
duty member of the armed forces of the United States ~~and that~~ 2945
~~the person then possesses or has a loaded handgun in the~~ 2946
~~commercial motor vehicle;~~ 2947

(3) Knowingly fail to remain in the motor vehicle while 2948
stopped or knowingly fail to keep the person's hands in plain 2949
sight at any time after any law enforcement officer begins 2950
approaching the person while stopped and before the law 2951
enforcement officer leaves, unless the failure is pursuant to 2952
and in accordance with directions given by a law enforcement 2953
officer; 2954

(4) Knowingly have contact with the loaded ~~handgun~~-firearm 2955
by touching it with the person's hands or fingers in the motor 2956
vehicle at any time after the law enforcement officer begins 2957
approaching and before the law enforcement officer leaves, 2958
unless the person has contact with the loaded ~~handgun~~-firearm 2959
pursuant to and in accordance with directions given by the law 2960
enforcement officer; 2961

(5) Knowingly disregard or fail to comply with any lawful 2962
order of any law enforcement officer given while the motor 2963
vehicle is stopped, including, but not limited to, a specific 2964
order to the person to keep the person's hands in plain sight. 2965

(F) (1) Divisions (A), (B), (C), and (E) of this section do 2966
not apply to any of the following: 2967

(a) An officer, agent, or employee of this or any other state or the United States, or a law enforcement officer, when authorized to carry or have loaded or accessible firearms in motor vehicles and acting within the scope of the officer's, agent's, or employee's duties;

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

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

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

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

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

property. 2997

(d) The person does not discharge the firearm in any of 2998
the following manners: 2999

(i) While under the influence of alcohol, a drug of abuse, 3000
or alcohol and a drug of abuse; 3001

(ii) In the direction of a street, highway, or other 3002
public or private property used by the public for vehicular 3003
traffic or parking; 3004

(iii) At or into an occupied structure that is a permanent 3005
or temporary habitation; 3006

(iv) In the commission of any violation of law, including, 3007
but not limited to, a felony that includes, as an essential 3008
element, purposely or knowingly causing or attempting to cause 3009
the death of or physical harm to another and that was committed 3010
by discharging a firearm from a motor vehicle. 3011

(3) Division (A) of this section does not apply to a 3012
person if all of the following apply: 3013

(a) The person possesses a valid electric-powered all- 3014
purpose vehicle permit issued under section 1533.103 of the 3015
Revised Code by the chief of the division of wildlife. 3016

(b) The person discharges a firearm at a wild quadruped or 3017
game bird as defined in section 1531.01 of the Revised Code 3018
during the open hunting season for the applicable wild quadruped 3019
or game bird. 3020

(c) The person discharges a firearm from a stationary 3021
electric-powered all-purpose vehicle as defined in section 3022
1531.01 of the Revised Code or a motor vehicle that is parked on 3023
a road that is owned or administered by the division of 3024

wildlife, provided that the road is identified by an electric- 3025
powered all-purpose vehicle sign. 3026

(d) The person does not discharge the firearm in any of 3027
the following manners: 3028

(i) While under the influence of alcohol, a drug of abuse, 3029
or alcohol and a drug of abuse; 3030

(ii) In the direction of a street, a highway, or other 3031
public or private property that is used by the public for 3032
vehicular traffic or parking; 3033

(iii) At or into an occupied structure that is a permanent 3034
or temporary habitation; 3035

(iv) In the commission of any violation of law, including, 3036
but not limited to, a felony that includes, as an essential 3037
element, purposely or knowingly causing or attempting to cause 3038
the death of or physical harm to another and that was committed 3039
by discharging a firearm from a motor vehicle. 3040

(4) Divisions (B) and (C) of this section do not apply to 3041
a person if all of the following circumstances apply: 3042

(a) At the time of the alleged violation of either of 3043
those divisions, the person is the operator of or a passenger in 3044
a motor vehicle. 3045

(b) The motor vehicle is on real property that is located 3046
in an unincorporated area of a township and that either is zoned 3047
for agriculture or is used for agriculture. 3048

(c) The person owns the real property described in 3049
division (D) (4) (b) of this section, is the spouse or a child of 3050
another person who owns that real property, is a tenant of 3051
another person who owns that real property, or is the spouse or 3052

a child of a tenant of another person who owns that real 3053
property. 3054

(d) The person, prior to arriving at the real property 3055
described in division (D) (4) (b) of this section, did not 3056
transport or possess a firearm in the motor vehicle in a manner 3057
prohibited by division (B) or (C) of this section while the 3058
motor vehicle was being operated on a street, highway, or other 3059
public or private property used by the public for vehicular 3060
traffic or parking. 3061

(5) Divisions (B) and (C) of this section do not apply to 3062
a person who transports or possesses a ~~handgun~~firearm that is 3063
not a restricted firearm in a motor vehicle if, at the time of 3064
that transportation or possession, both of the following apply: 3065

(a) The person transporting or possessing the ~~handgun~~ 3066
firearm is either carrying a valid concealed handgun license, is 3067
deemed under division (C) of section 2923.111 of the Revised 3068
Code to have been issued a concealed handgun license under 3069
section 2923.125 of the Revised Code, or is an active duty 3070
member of the armed forces of the United States and is carrying 3071
a valid military identification card and documentation of 3072
successful completion of firearms training that meets or exceeds 3073
the training requirements described in division (G) (1) of 3074
section 2923.125 of the Revised Code. 3075

(b) The person transporting or possessing the ~~handgun~~ 3076
firearm is not knowingly in ~~a~~an unauthorized place described 3077
specified in division (B) of section 2923.126 of the Revised 3078
Code and is not knowingly transporting or possessing the firearm 3079
in any prohibited manner listed in that division. 3080

(6) Divisions (B) and (C) of this section do not apply to 3081

a person if all of the following apply: 3082

(a) The person possesses a valid electric-powered all- 3083
purpose vehicle permit issued under section 1533.103 of the 3084
Revised Code by the chief of the division of wildlife. 3085

(b) The person is on or in an electric-powered all-purpose 3086
vehicle as defined in section 1531.01 of the Revised Code or a 3087
motor vehicle during the open hunting season for a wild 3088
quadruped or game bird. 3089

(c) The person is on or in an electric-powered all-purpose 3090
vehicle as defined in section 1531.01 of the Revised Code or a 3091
motor vehicle that is parked on a road that is owned or 3092
administered by the division of wildlife, provided that the road 3093
is identified by an electric-powered all-purpose vehicle sign. 3094

(7) Nothing in this section prohibits or restricts a 3095
person from possessing, storing, or leaving a firearm in a 3096
locked motor vehicle that is parked in the state underground 3097
parking garage at the state capitol building or in the parking 3098
garage at the Riffe center for government and the arts in 3099
Columbus, if the person's transportation and possession of the 3100
firearm in the motor vehicle while traveling to the premises or 3101
facility was not in violation of division (A), (B), (C), (D), or 3102
(E) of this section or any other provision of the Revised Code. 3103

(G) (1) The affirmative defenses authorized in divisions 3104
(D) (1) and (2) of section 2923.12 of the Revised Code are 3105
affirmative defenses to a charge under division (B) or (C) of 3106
this section that involves a firearm other than a handgun if 3107
division (E) (5) of this section does not apply to the person 3108
charged. 3109

(2) It is an affirmative defense to a charge under 3110

division (B) or (C) of this section of improperly handling 3111
firearms in a motor vehicle that the actor transported or had 3112
the firearm in the motor vehicle for any lawful purpose and 3113
while the motor vehicle was on the actor's own property, 3114
provided that this affirmative defense is not available unless 3115
the person, immediately prior to arriving at the actor's own 3116
property, did not transport or possess the firearm in a motor 3117
vehicle in a manner prohibited by division (B) or (C) of this 3118
section while the motor vehicle was being operated on a street, 3119
highway, or other public or private property used by the public 3120
for vehicular traffic. 3121

(H) (1) No person who is charged with a violation of 3122
division (B), (C), or (D) of this section shall be required to 3123
obtain a concealed handgun license as a condition for the 3124
dismissal of the charge. 3125

(2) (a) If a person is convicted of, was convicted of, 3126
pleads guilty to, or has pleaded guilty to a violation of 3127
division (E) of this section as it existed prior to September 3128
30, 2011, and if the conduct that was the basis of the violation 3129
no longer would be a violation of division (E) of this section 3130
on or after September 30, 2011, the person may file an 3131
application under section 2953.37 of the Revised Code requesting 3132
the expungement of the record of conviction. 3133

If a person is convicted of, was convicted of, pleads 3134
guilty to, or has pleaded guilty to a violation of division (B) 3135
or (C) of this section as the division existed prior to 3136
September 30, 2011, and if the conduct that was the basis of the 3137
violation no longer would be a violation of division (B) or (C) 3138
of this section on or after September 30, 2011, due to the 3139
application of division (F) (5) of this section as it exists on 3140

and after September 30, 2011, the person may file an application 3141
under section 2953.37 of the Revised Code requesting the 3142
expungement of the record of conviction. 3143

(b) The attorney general shall develop a public media 3144
advisory that summarizes the expungement procedure established 3145
under section 2953.37 of the Revised Code and the offenders 3146
identified in division (H) (2) (a) of this section who are 3147
authorized to apply for the expungement. Within thirty days 3148
after September 30, 2011, the attorney general shall provide a 3149
copy of the advisory to each daily newspaper published in this 3150
state and each television station that broadcasts in this state. 3151
The attorney general may provide the advisory in a tangible 3152
form, an electronic form, or in both tangible and electronic 3153
forms. 3154

(I) Whoever violates this section is guilty of improperly 3155
handling firearms in a motor vehicle. Violation of division (A) 3156
of this section is a felony of the fourth degree. Violation of 3157
division (C) of this section is a misdemeanor of the fourth 3158
degree. A violation of division (D) of this section is a felony 3159
of the fifth degree or, if the loaded handgun is concealed on 3160
the person's person, a felony of the fourth degree. Except as 3161
otherwise provided in this division, a violation of division (E) 3162
(1) or (2) of this section is a misdemeanor of the first degree, 3163
and, in addition to any other penalty or sanction imposed for 3164
the violation, if the offender has been issued a concealed 3165
handgun license, the offender's ~~concealed handgun~~ license shall 3166
be suspended pursuant to division (A) (2) of section 2923.128 of 3167
the Revised Code. If at the time of the stop of the offender for 3168
a traffic stop, for another law enforcement purpose, or for a 3169
purpose defined in section 5503.34 of the Revised Code that was 3170
the basis of the violation any law enforcement officer involved 3171

with the stop or the employee of the motor carrier enforcement 3172
unit who made the stop had actual knowledge ~~of that the~~ 3173
~~offender's status as a licensee~~ offender has been issued a 3174
concealed handgun license or that the offender is deemed under 3175
division (C) of section 2923.111 of the Revised Code to have 3176
been issued a concealed handgun license under section 2923.125 3177
of the Revised Code, a violation of division (E) (1) or (2) of 3178
this section is a minor misdemeanor, and if the offender has 3179
been issued a concealed handgun license, the offender's 3180
~~concealed handgun~~ license shall not be suspended pursuant to 3181
division (A) (2) of section 2923.128 of the Revised Code. A 3182
violation of division (E) (4) of this section is a felony of the 3183
fifth degree. A violation of division (E) (3) or (5) of this 3184
section is a misdemeanor of the first degree or, if the offender 3185
previously has been convicted of or pleaded guilty to a 3186
violation of division (E) (3) or (5) of this section, a felony of 3187
the fifth degree. In addition to any other penalty or sanction 3188
imposed for a misdemeanor violation of division (E) (3) or (5) of 3189
this section, if the offender has been issued a concealed 3190
handgun license, the offender's ~~concealed handgun~~ license shall 3191
be suspended pursuant to division (A) (2) of section 2923.128 of 3192
the Revised Code. A violation of division (B) of this section is 3193
a felony of the fourth degree. 3194

(J) If a law enforcement officer stops a motor vehicle for 3195
a traffic stop or any other purpose, if any person in the motor 3196
vehicle surrenders a firearm to the officer, either voluntarily 3197
or pursuant to a request or demand of the officer, and if the 3198
officer does not charge the person with a violation of this 3199
section or arrest the person for any offense, the person is not 3200
otherwise prohibited by law from possessing the firearm, and the 3201
firearm is not contraband, the officer shall return the firearm 3202

to the person at the termination of the stop. If a court orders 3203
a law enforcement officer to return a firearm to a person 3204
pursuant to the requirement set forth in this division, division 3205
(B) of section 2923.163 of the Revised Code applies. 3206

(K) As used in this section: 3207

(1) "Motor vehicle," "street," and "highway" have the same 3208
meanings as in section 4511.01 of the Revised Code. 3209

(2) "Occupied structure" has the same meaning as in 3210
section 2909.01 of the Revised Code. 3211

(3) "Agriculture" has the same meaning as in section 3212
519.01 of the Revised Code. 3213

(4) "Tenant" has the same meaning as in section 1531.01 of 3214
the Revised Code. 3215

(5) (a) "Unloaded" means, with respect to a firearm other 3216
than a firearm described in division (K) (6) of this section, 3217
that no ammunition is in the firearm in question, no magazine or 3218
speed loader containing ammunition is inserted into the firearm 3219
in question, and one of the following applies: 3220

(i) There is no ammunition in a magazine or speed loader 3221
that is in the vehicle in question and that may be used with the 3222
firearm in question. 3223

(ii) Any magazine or speed loader that contains ammunition 3224
and that may be used with the firearm in question is stored in a 3225
compartment within the vehicle in question that cannot be 3226
accessed without leaving the vehicle or is stored in a container 3227
that provides complete and separate enclosure. 3228

(b) For the purposes of division (K) (5) (a) (ii) of this 3229
section, a "container that provides complete and separate 3230

enclosure" includes, but is not limited to, any of the 3231
following: 3232

(i) A package, box, or case with multiple compartments, as 3233
long as the loaded magazine or speed loader and the firearm in 3234
question either are in separate compartments within the package, 3235
box, or case, or, if they are in the same compartment, the 3236
magazine or speed loader is contained within a separate 3237
enclosure in that compartment that does not contain the firearm 3238
and that closes using a snap, button, buckle, zipper, hook and 3239
loop closing mechanism, or other fastener that must be opened to 3240
access the contents or the firearm is contained within a 3241
separate enclosure of that nature in that compartment that does 3242
not contain the magazine or speed loader; 3243

(ii) A pocket or other enclosure on the person of the 3244
person in question that closes using a snap, button, buckle, 3245
zipper, hook and loop closing mechanism, or other fastener that 3246
must be opened to access the contents. 3247

(c) For the purposes of divisions (K) (5) (a) and (b) of 3248
this section, ammunition held in stripper-clips or in en-bloc 3249
clips is not considered ammunition that is loaded into a 3250
magazine or speed loader. 3251

(6) "Unloaded" means, with respect to a firearm employing 3252
a percussion cap, flintlock, or other obsolete ignition system, 3253
when the weapon is uncapped or when the priming charge is 3254
removed from the pan. 3255

(7) "Commercial motor vehicle" has the same meaning as in 3256
division (A) of section 4506.25 of the Revised Code. 3257

(8) "Motor carrier enforcement unit" means the motor 3258
carrier enforcement unit in the department of public safety, 3259

division of state highway patrol, that is created by section 3260
5503.34 of the Revised Code. 3261

(L) Divisions (K) (5) (a) and (b) of this section do not 3262
affect the authority of a person who is carrying a valid 3263
concealed handgun license or who is deemed under division (C) of 3264
section 2923.111 of the Revised Code to have been issued a 3265
concealed handgun license under section 2923.125 of the Revised 3266
Code to have one or more magazines or speed loaders containing 3267
ammunition anywhere in a vehicle, without being transported as 3268
described in those divisions, as long as no ammunition is in a 3269
firearm, other than a handgun, in the vehicle other than as 3270
permitted under any other provision of this chapter. A person 3271
who is carrying a valid concealed handgun license or who is 3272
deemed under division (C) of section 2923.111 of the Revised 3273
Code to have been issued a concealed handgun license under 3274
section 2923.125 of the Revised Code may have one or more 3275
magazines or speed loaders containing ammunition anywhere in a 3276
vehicle without further restriction, as long as no ammunition is 3277
in a firearm, other than a handgun, in the vehicle other than as 3278
permitted under any provision of this chapter. 3279

Sec. 4749.10. (A) No class A, B, or C licensee and no 3280
registered employee of a class A, B, or C licensee shall carry a 3281
firearm, as defined in section 2923.11 of the Revised Code, in 3282
the course of engaging in the business of private investigation, 3283
the business of security services, or both businesses, unless 3284
all of the following apply: 3285

(1) The licensee or employee either has successfully 3286
completed a basic firearm training program at a training school 3287
approved by the Ohio peace officer training commission, which 3288
program includes twenty hours of training in handgun use and, if 3289

any firearm other than a handgun is to be used, five hours of 3290
training in the use of other firearms, and has received a 3291
certificate of satisfactory completion of that program from the 3292
executive director of the commission; the licensee or employee 3293
has, within three years prior to November 27, 1985, 3294
satisfactorily completed firearms training that has been 3295
approved by the commission as being equivalent to such a program 3296
and has received written evidence of approval of that training 3297
from the executive director of the commission; or the licensee 3298
or employee is a former peace officer, as defined in section 3299
109.71 of the Revised Code, who previously had successfully 3300
completed a firearms training course at a training school 3301
approved by the Ohio peace officer training commission and has 3302
received a certificate or other evidence of satisfactory 3303
completion of that course from the executive director of the 3304
commission. 3305

(2) The licensee or employee submits an application to the 3306
director of public safety, on a form prescribed by the director, 3307
in which the licensee or employee requests registration as a 3308
class A, B, or C licensee or employee who may carry a firearm. 3309
The application shall be accompanied by a copy of the 3310
certificate or the written evidence or other evidence described 3311
in division (A)(1) of this section, the identification card 3312
issued pursuant to section 4749.03 or 4749.06 of the Revised 3313
Code if one has previously been issued, a statement of the 3314
duties that will be performed while the licensee or employee is 3315
armed, and a fee the director determines, not to exceed fifteen 3316
dollars. In the case of a registered employee, the statement 3317
shall be prepared by the employing class A, B, or C licensee. 3318

(3) The licensee or employee receives a notation on the 3319
licensee's or employee's identification card that the licensee 3320

or employee is a firearm-bearer and carries the identification 3321
card whenever the licensee or employee carries a firearm in the 3322
course of engaging in the business of private investigation, the 3323
business of security services, or both businesses. 3324

(4) At any time within the immediately preceding twelve- 3325
month period, the licensee or employee has requalified in 3326
firearms use on a firearms training range at a firearms 3327
requalification program certified by the Ohio peace officer 3328
training commission or on a firearms training range under the 3329
supervision of an instructor certified by the commission and has 3330
received a certificate of satisfactory requalification from the 3331
certified program or certified instructor, provided that this 3332
division does not apply to any licensee or employee prior to the 3333
expiration of eighteen months after the licensee's or employee's 3334
completion of the program described in division (A) (1) of this 3335
section. A certificate of satisfactory requalification is valid 3336
and remains in effect for twelve months from the date of the 3337
requalification. 3338

(5) If division (A) (4) of this section applies to the 3339
licensee or employee, the licensee or employee carries the 3340
certificate of satisfactory requalification that then is in 3341
effect or any other evidence of requalification issued or 3342
provided by the director. 3343

(B) (1) The director of public safety shall register an 3344
applicant under division (A) of this section who satisfies 3345
divisions (A) (1) and (2) of this section, and place a notation 3346
on the applicant's identification card indicating that the 3347
applicant is a firearm-bearer and the date on which the 3348
applicant completed the program described in division (A) (1) of 3349
this section. 3350

(2) A firearms requalification training program or 3351
instructor certified by the commission for the annual 3352
requalification of class A, B, or C licensees or employees who 3353
are authorized to carry a firearm under section 4749.10 of the 3354
Revised Code shall award a certificate of satisfactory 3355
requalification to each class A, B, or C licensee or registered 3356
employee of a class A, B, or C licensee who satisfactorily 3357
requalifies in firearms training. The certificate shall identify 3358
the licensee or employee and indicate the date of the 3359
requalification. A licensee or employee who receives such a 3360
certificate shall submit a copy of it to the director of public 3361
safety. A licensee shall submit the copy of the requalification 3362
certificate at the same time that the licensee makes application 3363
for renewal of the licensee's class A, B, or C license. The 3364
director shall keep a record of all copies of requalification 3365
certificates the director receives under this division and shall 3366
establish a procedure for the updating of identification cards 3367
to provide evidence of compliance with the annual 3368
requalification requirement. The procedure for the updating of 3369
identification cards may provide for the issuance of a new card 3370
containing the evidence, the entry of a new notation containing 3371
the evidence on the existing card, the issuance of a separate 3372
card or paper containing the evidence, or any other procedure 3373
determined by the director to be reasonable. Each person who is 3374
issued a requalification certificate under this division 3375
promptly shall pay to the Ohio peace officer training commission 3376
established by section 109.71 of the Revised Code a fee the 3377
director determines, not to exceed fifteen dollars, which fee 3378
shall be transmitted to the treasurer of state for deposit in 3379
the peace officer private security fund established by section 3380
109.78 of the Revised Code. 3381

(C) Nothing in this section prohibits a private 3382
investigator or a security guard provider from carrying a 3383
concealed ~~handgun~~ firearm that is not a restricted firearm if 3384
the private investigator or security guard provider complies 3385
with sections 2923.124 to 2923.1213 of the Revised Code. 3386

Section 2. That existing sections 109.69, 109.731, 3387
1547.69, 2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 3388
2923.124, 2923.125, 2923.126, 2923.128, 2923.129, 2923.1210, 3389
2923.1213, 2923.16, and 4749.10 of the Revised Code are hereby 3390
repealed. 3391

Section 3. The General Assembly, applying the principle 3392
stated in division (B) of section 1.52 of the Revised Code that 3393
amendments are to be harmonized if reasonably capable of 3394
simultaneous operation, finds that the following sections, 3395
presented in this act as composites of the sections as amended 3396
by the acts indicated, are the resulting versions of the 3397
sections in effect prior to the effective date of the sections 3398
as presented in this act: 3399

Section 2923.125 of the Revised Code as amended by both 3400
Am. Sub. H.B. 234 and Am. Sub. S.B. 43 of the 130th General 3401
Assembly. 3402

Section 2923.1213 of the Revised Code as amended by both 3403
Am. Sub. H.B. 234 and Am. Sub. S.B. 43 of the 130th General 3404
Assembly. 3405