

As Reported by the House Government Oversight Committee

134th General Assembly

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Sub. H. B. No. 227

Representatives Brinkman, Jordan

Cosponsors: Representatives Loychik, Vitale, Dean, Wiggam, Riedel, Merrin, Click, Gross, Stoltzfus, Wilkin, McClain, Zeltwanger, Powell, Manchester, Hall, Fowler Arthur, Creech, Cross, Schmidt, Edwards

A BILL

To amend sections 311.42, 1547.69, 2923.12, 1
2923.121, 2923.122, 2923.123, 2923.125, 2
2923.126, 2923.128, 2923.1210, 2923.1213, and 3
2923.16 of the Revised Code to generally extend 4
the firearm possession provisions that apply to 5
a concealed handgun licensee to also apply to a 6
person who is age 21 or older and not prohibited 7
by Ohio or federal law from possessing a firearm 8
without need for the person obtaining a license. 9

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

Section 1. That sections 311.42, 1547.69, 2923.12, 10
2923.121, 2923.122, 2923.123, 2923.125, 2923.126, 2923.128, 11
2923.1210, 2923.1213, and 2923.16 of the Revised Code be amended 12
to read as follows: 13

Sec. 311.42. (A) Each county shall establish in the county 14
treasury a sheriff's concealed handgun license issuance expense 15
fund. The sheriff of that county shall deposit into that fund 16
all fees paid by applicants for the issuance or renewal of a 17

concealed handgun license or duplicate concealed handgun license 18
under section 2923.125 of the Revised Code and all fees paid by 19
the person seeking a concealed handgun license on a temporary 20
emergency basis under section 2923.1213 of the Revised Code. The 21
county shall distribute all fees deposited into the fund except 22
forty dollars of each fee paid by an applicant under division 23
(B) of section 2923.125 of the Revised Code, fifteen dollars of 24
each fee paid under section 2923.1213 of the Revised Code, and 25
thirty-five dollars of each fee paid under division (F) of 26
section 2923.125 of the Revised Code to the attorney general to 27
be used to pay the cost of background checks performed by the 28
bureau of criminal identification and investigation and the 29
federal bureau of investigation and to cover administrative 30
costs associated with issuing the license. 31

(B) The sheriff, with the approval of the board of county 32
commissioners, may expend any county portion of the fees 33
deposited into the sheriff's concealed handgun license issuance 34
expense fund for any of the following: 35

(1) Any costs incurred by the sheriff in connection with 36
performing any administrative functions related to the issuance 37
of concealed handgun licenses under section 2923.125 or 38
2923.1213 of the Revised Code, including, but not limited to, 39
personnel expenses and any costs associated with a firearm 40
safety education program, or a firearm training or qualification 41
program that the sheriff chooses to fund; 42

(2) Ammunition and firearms to be used by the sheriff and 43
the sheriff's employees; 44

(3) Any costs incurred in constructing, maintaining, or 45
renovating a shooting range to be used by the sheriff or the 46
sheriff's employees, including costs incurred for equipment 47

associated with the shooting range; 48

(4) Any costs incurred for nonlethal weapons and supplies 49
to be used by the sheriff or the sheriff's employees, including 50
costs incurred for training on the use of nonlethal weapons; 51

(5) Any costs incurred for a sheriff's employee to attend 52
a basic peace officer training academy or a basic correction 53
officer academy approved by the Ohio peace officer training 54
commission. 55

Sec. 1547.69. (A) As used in this section: 56

(1) "Firearm," "concealed handgun license," "handgun," 57
"valid concealed handgun license," and "active duty" have the 58
same meanings as in section 2923.11 of the Revised Code. 59

(2) "Unloaded" has the same meanings as in divisions (K) 60
(5) and (6) of section 2923.16 of the Revised Code, except that 61
all references in the definition in division (K) (5) of that 62
section to "vehicle" shall be construed for purposes of this 63
section to be references to "vessel." 64

(B) No person shall knowingly discharge a firearm while in 65
or on a vessel. 66

(C) No person shall knowingly transport or have a loaded 67
firearm in a vessel in a manner that the firearm is accessible 68
to the operator or any passenger. 69

(D) No person shall knowingly transport or have a firearm 70
in a vessel unless it is unloaded and is carried in one of the 71
following ways: 72

(1) In a closed package, box, or case; 73

(2) In plain sight with the action opened or the weapon 74

stripped, or, if the firearm is of a type on which the action will not stay open or that cannot easily be stripped, in plain sight.

(E) (1) The affirmative defenses authorized in divisions (D) (1) and (2) of section 2923.12 of the Revised Code are affirmative defenses to a charge under division (C) or (D) of this section that involves a firearm other than a handgun. It is an affirmative defense to a charge under division (C) or (D) of this section of transporting or having a firearm of any type, including a handgun, in a vessel that the actor transported or had the firearm in the vessel for any lawful purpose and while the vessel was on the actor's own property, provided that this affirmative defense is not available unless the actor, prior to arriving at the vessel on the actor's own property, did not transport or possess the firearm in the vessel or in a motor vehicle in a manner prohibited by this section or division (B) or (C) of section 2923.16 of the Revised Code while the vessel was being operated on a waterway that was not on the actor's own property or while the motor vehicle was being operated on a street, highway, or other public or private property used by the public for vehicular traffic.

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

(F) Divisions (B), (C), and (D) of this section do not apply to the possession or discharge of a United States coast guard approved signaling device required to be carried aboard a vessel under section 1547.251 of the Revised Code when the

signaling device is possessed or used for the purpose of giving 105
a visual distress signal. No person shall knowingly transport or 106
possess any signaling device of that nature in or on a vessel in 107
a loaded condition at any time other than immediately prior to 108
the discharge of the signaling device for the purpose of giving 109
a visual distress signal. 110

(G) No person shall operate or permit to be operated any 111
vessel on the waters in this state in violation of this section. 112

(H) (1) This section does not apply to any of the 113
following: 114

(a) An officer, agent, or employee of this or any other 115
state or of the United States, or to a law enforcement officer, 116
when authorized to carry or have loaded or accessible firearms 117
in a vessel and acting within the scope of the officer's, 118
agent's, or employee's duties; 119

(b) Any person who is employed in this state, who is 120
authorized to carry or have loaded or accessible firearms in a 121
vessel, and who is subject to and in compliance with the 122
requirements of section 109.801 of the Revised Code, unless the 123
appointing authority of the person has expressly specified that 124
the exemption provided in division (H) (1) (b) of this section 125
does not apply to the person; 126

(c) Any person legally engaged in hunting. 127

(2) (a) Divisions (C) and (D) of this section do not apply 128
to a person who transports or possesses a handgun in a vessel 129
and to whom, at the time of that transportation or possession, 130
any of the following applies: 131

(i) The person who transports or possesses a handgun in a 132
vessel and who, at the time of that transportation or 133

~~possession, either is carrying a valid~~ has been issued a 134
concealed handgun license that is valid at the time of the 135
transportation or possession ~~or~~; 136

(ii) The person is an active duty member of the armed 137
forces of the United States and ~~is carrying~~ has been issued a 138
valid military identification card and documentation of 139
successful completion of firearms training that meets or exceeds 140
the training requirements described in division (G) (1) of 141
section 2923.125 of the Revised Code, ~~unless~~ that are valid at 142
the time of the transportation or possession; 143

(iii) The person is at least twenty-one years of age and 144
is not prohibited under the law of this state or the United 145
States from possessing a firearm. 146

(b) The exemptions specified in division (H) (2) (a) of this 147
section do not apply to a person if, at the time of the person's 148
transport or possession of a firearm, the person knowingly is in 149
a place on the vessel described in division (B) of section 150
2923.126 of the Revised Code. 151

(I) If a law enforcement officer stops a vessel for a 152
violation of this section or any other law enforcement purpose, 153
if any person on the vessel surrenders a firearm to the officer, 154
either voluntarily or pursuant to a request or demand of the 155
officer, and if the officer does not charge the person with a 156
violation of this section or arrest the person for any offense, 157
the person is not otherwise prohibited by law from possessing 158
the firearm, and the firearm is not contraband, the officer 159
shall return the firearm to the person at the termination of the 160
stop. 161

(J) Division (L) of section 2923.16 of the Revised Code 162

applies with respect to division (A) (2) of this section, except 163
that all references in division (L) of section 2923.16 of the 164
Revised Code to "vehicle," to "this chapter," or to "division 165
(K) (5) (a) or (b) of this section" shall be construed for 166
purposes of this section to be, respectively, references to 167
"vessel," to "section 1547.69 of the Revised Code," and to 168
divisions (K) (5) (a) and (b) of section 2923.16 of the Revised 169
Code as incorporated under the definition of firearm adopted 170
under division (A) (2) of this section. 171

Sec. 2923.12. (A) No person shall knowingly carry or have, 172
concealed on the person's person or concealed ready at hand, any 173
of the following: 174

(1) A deadly weapon other than a handgun; 175

(2) A handgun other than a dangerous ordnance; 176

(3) A dangerous ordnance. 177

(B) No person who has been issued a concealed handgun 178
license or who is at least twenty-one years of age and is not 179
prohibited under the law of this state or the United States from 180
possessing a firearm, shall do any of the following: 181

(1) If the person is stopped for a law enforcement purpose 182
and is carrying a concealed handgun, before or at the time a law 183
enforcement officer asks if the person is carrying a concealed 184
handgun, ~~fail to promptly inform any law enforcement officer who~~ 185
~~approaches the person after the person has been stopped that the~~ 186
~~person has been issued a concealed handgun license and~~ disclose 187
that the person then is carrying a concealed handgun; 188

(2) If the person is stopped for a law enforcement purpose 189
and is carrying a concealed handgun, knowingly fail to keep the 190
person's hands in plain sight at any time after any law 191

enforcement officer begins approaching the person while stopped 192
and before the law enforcement officer leaves, unless the 193
failure is pursuant to and in accordance with directions given 194
by a law enforcement officer; 195

(3) If the person is stopped for a law enforcement 196
purpose, if the person is carrying a concealed handgun, and if 197
the person is approached by any law enforcement officer while 198
stopped, knowingly remove or attempt to remove the loaded 199
handgun from the holster, pocket, or other place in which the 200
person is carrying it, knowingly grasp or hold the loaded 201
handgun, or knowingly have contact with the loaded handgun by 202
touching it with the person's hands or fingers at any time after 203
the law enforcement officer begins approaching and before the 204
law enforcement officer leaves, unless the person removes, 205
attempts to remove, grasps, holds, or has contact with the 206
loaded handgun pursuant to and in accordance with directions 207
given by the law enforcement officer; 208

(4) If the person is stopped for a law enforcement purpose 209
and is carrying a concealed handgun, knowingly disregard or fail 210
to comply with any lawful order of any law enforcement officer 211
given while the person is stopped, including, but not limited 212
to, a specific order to the person to keep the person's hands in 213
plain sight. 214

(C) (1) This section does not apply to any of the 215
following: 216

(a) An officer, agent, or employee of this or any other 217
state or the United States, or to a law enforcement officer, who 218
is authorized to carry concealed weapons or dangerous ordnance 219
or is authorized to carry handguns and is acting within the 220
scope of the officer's, agent's, or employee's duties; 221

(b) Any person who is employed in this state, who is 222
authorized to carry concealed weapons or dangerous ordnance or 223
is authorized to carry handguns, and who is subject to and in 224
compliance with the requirements of section 109.801 of the 225
Revised Code, unless the appointing authority of the person has 226
expressly specified that the exemption provided in division (C) 227
(1)(b) of this section does not apply to the person; 228

(c) A person's transportation or storage of a firearm, 229
other than a firearm described in divisions (G) to (M) of 230
section 2923.11 of the Revised Code, in a motor vehicle for any 231
lawful purpose if the firearm is not on the actor's person; 232

(d) A person's storage or possession of a firearm, other 233
than a firearm described in divisions (G) to (M) of section 234
2923.11 of the Revised Code, in the actor's own home for any 235
lawful purpose. 236

~~(2)~~ (2)(a) Division (A) (2) of this section does not apply 237
to any person ~~who~~ to whom, at the time of the alleged carrying or 238
possession of a handgun, ~~either any of the following applies:~~ 239

(i) The person is carrying has been issued a valid 240
concealed handgun license ~~or~~ that is valid at the time of the 241
transportation or possession. 242

(ii) The person is an active duty member of the armed 243
forces of the United States and ~~is carrying has been issued a~~ 244
valid military identification card and documentation of 245
successful completion of firearms training that meets or exceeds 246
the training requirements described in division (G) (1) of 247
section 2923.125 of the Revised Code, ~~unless the person~~ 248
~~knowingly is in a place described in division (B) of section~~ 249
~~2923.126 of the Revised Code~~ that are valid at the time of the 250

transportation or possession. 251

(iii) The person is at least twenty-one years of age and 252
is not prohibited under the law of this state or the United 253
States from possessing a firearm. 254

(b) The exemptions specified in division (C) (2) (a) of this 255
section do not apply to a person if, at the time of the alleged 256
carrying or possession of a handgun, the person knowingly is in 257
a place described in division (B) of section 2923.126 of the 258
Revised Code. 259

(D) It is an affirmative defense to a charge under 260
division (A) (1) of this section of carrying or having control of 261
a weapon other than a handgun and other than a dangerous 262
ordnance that the actor was not otherwise prohibited by law from 263
having the weapon and that any of the following applies: 264

(1) The weapon was carried or kept ready at hand by the 265
actor for defensive purposes while the actor was engaged in or 266
was going to or from the actor's lawful business or occupation, 267
which business or occupation was of a character or was 268
necessarily carried on in a manner or at a time or place as to 269
render the actor particularly susceptible to criminal attack, 270
such as would justify a prudent person in going armed. 271

(2) The weapon was carried or kept ready at hand by the 272
actor for defensive purposes while the actor was engaged in a 273
lawful activity and had reasonable cause to fear a criminal 274
attack upon the actor, a member of the actor's family, or the 275
actor's home, such as would justify a prudent person in going 276
armed. 277

(3) The weapon was carried or kept ready at hand by the 278
actor for any lawful purpose and while in the actor's own home. 279

(E) No person who is charged with a violation of this 280
section shall be required to obtain a concealed handgun license 281
as a condition for the dismissal of the charge. 282

(F) (1) Whoever violates this section is guilty of carrying 283
concealed weapons. 284

(2) Except as otherwise provided in this division ~~or~~ 285
~~divisions (F) (2), (6), and (7) of this section,~~ carrying 286
concealed weapons in violation of division (A) of this section 287
is a misdemeanor of the first degree. Except as otherwise 288
provided in this division, if the offender is a concealed 289
handgun licensee and has been issued a concealed handgun license 290
that is valid at the time of the violation, is an active duty 291
member of the armed forces of the United States and has been 292
issued a valid military identification card and documentation of 293
successful completion of firearms training that meets or exceeds 294
the training requirements described in division (G) (1) of 295
section 2923.125 of the Revised Code that are valid at the time 296
of the violation, or is at least twenty-one years of age and is 297
not prohibited under the law of this state or the United States 298
from possessing a firearm, carrying concealed deadly weapons in 299
violation of division (A) of this section is a minor 300
misdemeanor. ~~Except as otherwise provided in this division~~ ~~or~~ 301
~~divisions (F) (2), (6), and (7) of this section,~~ if the offender 302
previously has been convicted of a violation of this section or 303
of any offense of violence, if the weapon involved is a firearm 304
that is either loaded or for which the offender has ammunition 305
ready at hand, or if the weapon involved is dangerous ordnance, 306
carrying concealed weapons in violation of division (A) of this 307
section is a felony of the fourth degree. Except as otherwise 308
provided in ~~divisions (F) (2) and (6) of this section~~ this 309
division, if the offense is committed aboard an aircraft, or 310

with purpose to carry a concealed weapon aboard an aircraft, 311
regardless of the weapon involved, carrying concealed weapons in 312
violation of division (A) of this section is a felony of the 313
third degree. 314

~~(2) Except as provided in division (F) (6) of this section, 315
if a person being arrested for a violation of division (A) (2) of 316
this section promptly produces a valid concealed handgun 317
license, and if at the time of the violation the person was not 318
knowingly in a place described in division (B) of section 319
2923.126 of the Revised Code, the officer shall not arrest the 320
person for a violation of that division. If the person is not 321
able to promptly produce any concealed handgun license and if 322
the person is not in a place described in that section, the 323
officer may arrest the person for a violation of that division, 324
and the offender shall be punished as follows: 325~~

~~(a) The offender shall be guilty of a minor misdemeanor if 326
both of the following apply: 327~~

~~(i) Within ten days after the arrest, the offender 328
presents a concealed handgun license, which license was valid at 329
the time of the arrest to the law enforcement agency that 330
employs the arresting officer. 331~~

~~(ii) At the time of the arrest, the offender was not 332
knowingly in a place described in division (B) of section 333
2923.126 of the Revised Code. 334~~

~~(b) The offender shall be guilty of a misdemeanor and 335
shall be fined five hundred dollars if all of the following 336
apply: 337~~

~~(i) The offender previously had been issued a concealed 338
handgun license, and that license expired within the two years 339~~

~~immediately preceding the arrest.~~ 340

~~(ii) Within forty-five days after the arrest, the offender
presents a concealed handgun license to the law enforcement
agency that employed the arresting officer, and the offender
waives in writing the offender's right to a speedy trial on the
charge of the violation that is provided in section 2945.71 of
the Revised Code.~~ 341
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~~(iii) At the time of the commission of the offense, the
offender was not knowingly in a place described in division (B)
of section 2923.126 of the Revised Code.~~ 347
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~~(e) If divisions (F) (2) (a) and (b) and (F) (6) of this
section do not apply, the offender shall be punished under
division (F) (1) or (7) of this section.~~ 350
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~~(3) Except as otherwise provided in this division,
carrying concealed weapons in violation of division (B) (1) of
this section is a misdemeanor of the first degree, and, in
addition to any other penalty or sanction imposed for a
violation of division (B) (1) of this section, the offender's
concealed handgun license shall be suspended pursuant to
division (A) (2) of section 2923.128 of the Revised Code. If, at
the time of the stop of the offender for a law enforcement
purpose that was the basis of the violation, any law enforcement
officer involved with the stop had actual knowledge that the
offender has been issued a concealed handgun license, carrying
concealed weapons in violation of division (B) (1) of this
section is a minor misdemeanor, and the offender's concealed
handgun license shall not be suspended pursuant to division (A)
(2) of section 2923.128 of the Revised Code.~~ 353
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~~(4)~~ (3) Carrying concealed weapons in violation of 368

division (B) (2) or (4) of this section is a misdemeanor of the 369
first degree or, if the offender previously has been convicted 370
of or pleaded guilty to a violation of division (B) (2) or (4) of 371
this section, a felony of the fifth degree. In addition to any 372
other penalty or sanction imposed for a misdemeanor violation of 373
division (B) (2) or (4) of this section, if the offender has been 374
issued a concealed handgun license, the offender's ~~concealed-~~ 375
~~handgun-~~license shall be suspended pursuant to division (A) (2) 376
of section 2923.128 of the Revised Code. 377

~~(5)-(4)~~ Carrying concealed weapons in violation of 378
division (B) (3) of this section is a felony of the fifth degree. 379

~~(6) If a person being arrested for a violation of division-~~ 380
~~(A) (2) of this section is an active duty member of the armed-~~ 381
~~forces of the United States and is carrying a valid military-~~ 382
~~identification card and documentation of successful completion-~~ 383
~~of firearms training that meets or exceeds the training-~~ 384
~~requirements described in division (G) (1) of section 2923.125 of~~ 385
~~the Revised Code, and if at the time of the violation the person-~~ 386
~~was not knowingly in a place described in division (B) of-~~ 387
~~section 2923.126 of the Revised Code, the officer shall not-~~ 388
~~arrest the person for a violation of that division. If the-~~ 389
~~person is not able to promptly produce a valid military-~~ 390
~~identification card and documentation of successful completion-~~ 391
~~of firearms training that meets or exceeds the training-~~ 392
~~requirements described in division (G) (1) of section 2923.125 of~~ 393
~~the Revised Code and if the person is not in a place described-~~ 394
~~in division (B) of section 2923.126 of the Revised Code, the-~~ 395
~~officer shall issue a citation and the offender shall be-~~ 396
~~assessed a civil penalty of not more than five hundred dollars.-~~ 397
~~The citation shall be automatically dismissed and the civil-~~ 398
~~penalty shall not be assessed if both of the following apply:~~ 399

~~(a) Within ten days after the issuance of the citation, the offender presents a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G) (1) of section 2923.125 of the Revised Code, which were both valid at the time of the issuance of the citation to the law enforcement agency that employs the citing officer.~~ 400
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~~(b) At the time of the citation, the offender was not knowingly in a place described in division (B) of section 2923.126 of the Revised Code.;~~ 407
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~~(7) If a person being arrested for a violation of division (A) (2) of this section is knowingly in a place described in division (B) (5) of section 2923.126 of the Revised Code and is not authorized to carry a handgun or have a handgun concealed on the person's person or concealed ready at hand under that division, the penalty shall be as follows:~~ 410
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~~(a) Except as otherwise provided in this division, if the person produces a valid concealed handgun license within ten days after the arrest and has not previously been convicted or pleaded guilty to a violation of division (A) (2) of this section, the person is guilty of a minor misdemeanor;~~ 416
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~~(b) Except as otherwise provided in this division, if the person has previously been convicted of or pleaded guilty to a violation of division (A) (2) of this section, the person is guilty of a misdemeanor of the fourth degree;~~ 421
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~~(c) Except as otherwise provided in this division, if the person has previously been convicted of or pleaded guilty to two violations of division (A) (2) of this section, the person is guilty of a misdemeanor of the third degree;~~ 425
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~~(d) Except as otherwise provided in this division, if the person has previously been convicted of or pleaded guilty to three or more violations of division (A) (2) of this section, or convicted of or pleaded guilty to 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 a dangerous ordnance, the person is guilty of a misdemeanor of the second degree.~~

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

(H) For purposes of this section, "deadly weapon" or "weapon" does not include any knife, razor, or cutting instrument if the instrument was not used as a weapon.

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

(B) (1) This section does not apply to any of the 459
following: 460

(a) An officer, agent, or employee of this or any other 461
state or the United States, or a law enforcement officer, who is 462
authorized to carry firearms and is acting within the scope of 463
the officer's, agent's, or employee's duties; 464

(b) A law enforcement officer or investigator who is 465
authorized to carry firearms but is not acting within the scope 466
of the officer's or investigator's duties, as long as all of the 467
following apply: 468

(i) The officer or investigator is carrying validating 469
identification. 470

(ii) If the firearm the officer or investigator possesses 471
is a firearm issued or approved by the law enforcement agency 472
served by the officer or by the bureau of criminal 473
identification and investigation with respect to an 474
investigator, the agency or bureau does not have a restrictive 475
firearms carrying policy. 476

(iii) The officer or investigator is not consuming beer or 477
intoxicating liquor and is not under the influence of alcohol or 478
a drug of abuse. 479

(c) Any room used for the accommodation of guests of a 480
hotel, as defined in section 4301.01 of the Revised Code; 481

(d) The principal holder of a D permit issued for a 482
premises or an open air arena under Chapter 4303. of the Revised 483
Code while in the premises or open air arena for which the 484
permit was issued if ~~the principal~~ any of the following applies: 485

(i) The holder of the D permit also possesses has been 486

issued a ~~valid~~-concealed handgun license that is valid at the

time of the possession and as long as the principal holder is

not consuming beer or intoxicating liquor or under the influence

of alcohol or a drug of abuse, ~~or any.~~

(ii) The holder is an active duty member of the armed

forces of the United States and has been issued a valid military

identification card and documentation of successful completion

of firearms training that meets or exceeds the training

requirements described in division (G) (1) of section 2923.125 of

the Revised Code that are valid at the time of the possession,

and is not consuming beer or intoxicating liquor or under the

influence of alcohol or a drug of abuse.

(iii) The holder is at least twenty-one years of age, is

not prohibited under the law of this state or the United States

from possessing a firearm, and is not consuming beer or

intoxicating liquor or under the influence of alcohol or a drug

of abuse.

(e) An agent or employee of ~~that~~ the principal holder

who of a D permit issued for a premises or an open air arena

under Chapter 4303. of the Revised Code if the agent or employee

also is a peace officer, as defined in section 2151.3515 of the

Revised Code, who is off duty, and who otherwise is authorized

to carry firearms while in the course of the officer's official

duties and while in the premises or open air arena for which the

permit was issued and as long as the agent or employee of that

holder is not consuming beer or intoxicating liquor or under the

influence of alcohol or a drug of abuse.

~~(e)~~ (f) Any person who ~~is carrying~~ has been issued a valid-

concealed handgun license ~~or~~ that is valid at the time of the

possession, any person who is an active duty member of the armed

forces of the United States and ~~is carrying~~ has been issued a 517
valid military identification card and documentation of 518
successful completion of firearms training that meets or exceeds 519
the training requirements described in division (G) (1) of 520
section 2923.125 of the Revised Code that are valid at the time 521
of the possession, or any person who is at least twenty-one 522
years of age and is not prohibited under the law of this state 523
or the United States from possessing a firearm, as long as the 524
person is not consuming beer or intoxicating liquor or under the 525
influence of alcohol or a drug of abuse. 526

(2) This section does not prohibit any person who is a 527
member of a veteran's organization, as defined in section 528
2915.01 of the Revised Code, from possessing a rifle in any room 529
in any premises owned, leased, or otherwise under the control of 530
the veteran's organization, if the rifle is not loaded with live 531
ammunition and if the person otherwise is not prohibited by law 532
from having the rifle. 533

(3) This section does not apply to any person possessing 534
or displaying firearms in any room used to exhibit unloaded 535
firearms for sale or trade in a soldiers' memorial established 536
pursuant to Chapter 345. of the Revised Code, in a convention 537
center, or in any other public meeting place, if the person is 538
an exhibitor, trader, purchaser, or seller of firearms and is 539
not otherwise prohibited by law from possessing, trading, 540
purchasing, or selling the firearms. 541

(C) It is an affirmative defense to a charge under this 542
section of illegal possession of a firearm in a liquor permit 543
premises that involves the possession of a firearm other than a 544
handgun, that the actor was not otherwise prohibited by law from 545
having the firearm, and that any of the following apply: 546

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

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

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

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

(F) As used in this section:

(1) "Beer" and "intoxicating liquor" have the same meanings as in section 4301.01 of the Revised Code.

(2) "Investigator" has the same meaning as in section

109.541 of the Revised Code.	576
(3) "Restrictive firearms carrying policy" means a	577
specific policy of a law enforcement agency or the bureau of	578
criminal identification and investigation that prohibits all	579
officers of the agency or all investigators of the bureau, while	580
not acting within the scope of the officer's or investigator's	581
duties, from doing either of the following:	582
(a) Carrying a firearm issued or approved by the agency or	583
bureau in any room, premises, or arena described in division (A)	584
of this section;	585
(b) Carrying a firearm issued or approved by the agency or	586
bureau in premises described in division (A) of section	587
2923.1214 of the Revised Code.	588
(4) "Law enforcement officer" has the same meaning as in	589
section 9.69 of the Revised Code.	590
(5) "Validating identification" means one of the	591
following:	592
(a) Photographic identification issued by the law	593
enforcement agency for which an individual serves as a law	594
enforcement officer that identifies the individual as a law	595
enforcement officer of the agency;	596
(b) Photographic identification issued by the bureau of	597
criminal identification and investigation that identifies an	598
individual as an investigator of the bureau.	599
Sec. 2923.122. (A) No person shall knowingly convey, or	600
attempt to convey, a deadly weapon or dangerous ordnance into a	601
school safety zone.	602
(B) No person shall knowingly possess a deadly weapon or	603

dangerous ordnance in a school safety zone. 604

(C) No person shall knowingly possess an object in a 605
school safety zone if both of the following apply: 606

(1) The object is indistinguishable from a firearm, 607
whether or not the object is capable of being fired. 608

(2) The person indicates that the person possesses the 609
object and that it is a firearm, or the person knowingly 610
displays or brandishes the object and indicates that it is a 611
firearm. 612

(D) (1) This section does not apply to any of the 613
following: 614

(a) An officer, agent, or employee of this or any other 615
state or the United States who is authorized to carry deadly 616
weapons or dangerous ordnance and is acting within the scope of 617
the officer's, agent's, or employee's duties, a law enforcement 618
officer who is authorized to carry deadly weapons or dangerous 619
ordnance, a security officer employed by a board of education or 620
governing body of a school during the time that the security 621
officer is on duty pursuant to that contract of employment, or 622
any other person who has written authorization from the board of 623
education or governing body of a school to convey deadly weapons 624
or dangerous ordnance into a school safety zone or to possess a 625
deadly weapon or dangerous ordnance in a school safety zone and 626
who conveys or possesses the deadly weapon or dangerous ordnance 627
in accordance with that authorization; 628

(b) Any person who is employed in this state, who is 629
authorized to carry deadly weapons or dangerous ordnance, and 630
who is subject to and in compliance with the requirements of 631
section 109.801 of the Revised Code, unless the appointing 632

authority of the person has expressly specified that the 633
exemption provided in division (D) (1) (b) of this section does 634
not apply to the person. 635

(2) Division (C) of this section does not apply to 636
premises upon which home schooling is conducted. Division (C) of 637
this section also does not apply to a school administrator, 638
teacher, or employee who possesses an object that is 639
indistinguishable from a firearm for legitimate school purposes 640
during the course of employment, a student who uses an object 641
that is indistinguishable from a firearm under the direction of 642
a school administrator, teacher, or employee, or any other 643
person who with the express prior approval of a school 644
administrator possesses an object that is indistinguishable from 645
a firearm for a legitimate purpose, including the use of the 646
object in a ceremonial activity, a play, reenactment, or other 647
dramatic presentation, school safety training, or a ROTC 648
activity or another similar use of the object. 649

(3) This section does not apply to a person who conveys or 650
attempts to convey a handgun into, or possesses a handgun in, a 651
school safety zone if, at the time of that conveyance, attempted 652
conveyance, or possession of the handgun, all of the following 653
apply: 654

(a) The person does not enter into a school building or 655
onto school premises and is not at a school activity. 656

(b) The person ~~is carrying~~ has been issued a valid 657
concealed handgun license that is valid at the time of the 658
conveyance, attempted conveyance, or possession ~~or~~, the person 659
is an active duty member of the armed forces of the United 660
States and ~~is carrying~~ has been issued a valid military 661
identification card and documentation of successful completion 662

of firearms training that meets or exceeds the training 663
requirements described in division (G) (1) of section 2923.125 of 664
the Revised Code that are valid at the time of the conveyance, 665
attempted conveyance, or possession, or the person is at least 666
twenty-one years of age and is not prohibited under the law of 667
this state or the United States from possessing a firearm. 668

(c) ~~The~~ One of the following applies: 669

(i) The person is in the school safety zone in accordance 670
with 18 U.S.C. 922(q) (2) (B).~~—~~ 671

~~(d) The person~~ and is not knowingly in a place described 672
in division (B) (1) or (B) (3) to (8) of section 2923.126 of the 673
Revised Code. 674

~~(4) This section does not apply to a person who conveys or~~ 675
~~attempts to convey a handgun into, or possesses a handgun in, a~~ 676
~~school safety zone if at the time of that conveyance, attempted~~ 677
~~conveyance, or possession of the handgun all of the following~~ 678
~~apply:~~ 679

~~(a) The person is carrying a valid concealed handgun~~ 680
~~license or the person is an active duty member of the armed~~ 681
~~forces of the United States and is carrying a valid military~~ 682
~~identification card and documentation of successful completion~~ 683
~~of firearms training that meets or exceeds the training~~ 684
~~requirements described in division (G) (1) of section 2923.125 of~~ 685
~~the Revised Code.~~ 686

~~(b) (ii) The person leaves the handgun in a motor vehicle.~~ 687

~~(c) The, the handgun does not leave the motor vehicle.~~ 688

~~(d) If, and, if the person exits the motor vehicle, the~~ 689
person locks the motor vehicle. 690

(E) (1) Whoever violates division (A) or (B) of this 691
section is guilty of illegal conveyance or possession of a 692
deadly weapon or dangerous ordnance in a school safety zone. 693
Except as otherwise provided in this division, illegal 694
conveyance or possession of a deadly weapon or dangerous 695
ordnance in a school safety zone is a felony of the fifth 696
degree. If the offender previously has been convicted of a 697
violation of this section, illegal conveyance or possession of a 698
deadly weapon or dangerous ordnance in a school safety zone is a 699
felony of the fourth degree. 700

(2) Whoever violates division (C) of this section is 701
guilty of illegal possession of an object indistinguishable from 702
a firearm in a school safety zone. Except as otherwise provided 703
in this division, illegal possession of an object 704
indistinguishable from a firearm in a school safety zone is a 705
misdemeanor of the first degree. If the offender previously has 706
been convicted of a violation of this section, illegal 707
possession of an object indistinguishable from a firearm in a 708
school safety zone is a felony of the fifth degree. 709

(F) (1) In addition to any other penalty imposed upon a 710
person who is convicted of or pleads guilty to a violation of 711
this section and subject to division (F) (2) of this section, if 712
the offender has not attained nineteen years of age, regardless 713
of whether the offender is attending or is enrolled in a school 714
operated by a board of education or for which the state board of 715
education prescribes minimum standards under section 3301.07 of 716
the Revised Code, the court shall impose upon the offender a 717
class four suspension of the offender's probationary driver's 718
license, restricted license, driver's license, commercial 719
driver's license, temporary instruction permit, or probationary 720
commercial driver's license that then is in effect from the 721

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. 751

(C) This section does not apply to any of the following: 752

(1) Except as provided in division (E) of this section, a 753
judge of a court of record of this state or a magistrate; 754

(2) A peace officer, officer of a law enforcement agency, 755
or person who is in either of the following categories: 756

(a) Except as provided in division (E) of this section, a 757
peace officer, or an officer of a law enforcement agency of 758
another state, a political subdivision of another state, or the 759
United States, who is authorized to carry a deadly weapon or 760
dangerous ordnance, who possesses or has under that individual's 761
control a deadly weapon or dangerous ordnance as a requirement 762
of that individual's duties, and who is acting within the scope 763
of that individual's duties at the time of that possession or 764
control; 765

(b) Except as provided in division (E) of this section, a 766
person who is employed in this state, who is authorized to carry 767
a deadly weapon or dangerous ordnance, who possesses or has 768
under that individual's control a deadly weapon or dangerous 769
ordnance as a requirement of that person's duties, and who is 770
subject to and in compliance with the requirements of section 771
109.801 of the Revised Code, unless the appointing authority of 772
the person has expressly specified that the exemption provided 773
in division (C) (2) (b) of this section does not apply to the 774
person. 775

(3) A person who conveys, attempts to convey, possesses, 776
or has under the person's control a deadly weapon or dangerous 777
ordnance that is to be used as evidence in a pending criminal or 778
civil action or proceeding; 779

(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) Except as provided in division (E) of this section, a
person who conveys or attempts to convey a handgun into a
courthouse or into another building or structure in which a
courtroom is located, and who, at the time of the conveyance or
attempt, ~~either is carrying has been issued a valid~~ concealed
handgun license that is valid at the time of the conveyance or
attempt or, is an active duty member of the armed forces of the
United States and ~~is carrying has been issued a~~ valid military
identification card and documentation of successful completion
of firearms training that meets or exceeds the training
requirements described in division (G) (1) of section 2923.125 of
the Revised Code that are valid at the time of the conveyance or
attempt, or is at least twenty-one years of age and is not
prohibited under the law of this state or the United States from
possessing a firearm, and who transfers possession of the
handgun to the officer or officer's designee who has charge of

the courthouse or building. The officer shall secure the handgun 811
until the licensee or other person who transferred it is 812
prepared to leave the premises. The exemption described in this 813
division applies only if the officer who has charge of the 814
courthouse or building provides services of the nature described 815
in this division. An officer who has charge of the courthouse or 816
building is not required to offer services of the nature 817
described in this division. 818

(D) (1) Whoever violates division (A) of this section is 819
guilty of illegal conveyance of a deadly weapon or dangerous 820
ordnance into a courthouse. Except as otherwise provided in this 821
division, illegal conveyance of a deadly weapon or dangerous 822
ordnance into a courthouse is a felony of the fifth degree. If 823
the offender previously has been convicted of a violation of 824
division (A) or (B) of this section, illegal conveyance of a 825
deadly weapon or dangerous ordnance into a courthouse is a 826
felony of the fourth degree. 827

(2) Whoever violates division (B) of this section is 828
guilty of illegal possession or control of a deadly weapon or 829
dangerous ordnance in a courthouse. Except as otherwise provided 830
in this division, illegal possession or control of a deadly 831
weapon or dangerous ordnance in a courthouse is a felony of the 832
fifth degree. If the offender previously has been convicted of a 833
violation of division (A) or (B) of this section, illegal 834
possession or control of a deadly weapon or dangerous ordnance 835
in a courthouse is a felony of the fourth degree. 836

(E) The exemptions described in divisions (C) (1), (2) (a), 837
(2) (b), (4), (5), and (6) of this section do not apply to any 838
judge, magistrate, peace officer, officer of a law enforcement 839
agency, bailiff, deputy bailiff, prosecutor, secret service 840

officer, or other person described in any of those divisions if 841
a rule of superintendence or another type of rule adopted by the 842
supreme court pursuant to Article IV, Ohio Constitution, or an 843
applicable local rule of court prohibits all persons from 844
conveying or attempting to convey a deadly weapon or dangerous 845
ordnance into a courthouse or into another building or structure 846
in which a courtroom is located or from possessing or having 847
under one's control a deadly weapon or dangerous ordnance in a 848
courthouse or in another building or structure in which a 849
courtroom is located. 850

(F) As used in this section: 851

(1) "Magistrate" means an individual who is appointed by a 852
court of record of this state and who has the powers and may 853
perform the functions specified in Civil Rule 53, Criminal Rule 854
19, or Juvenile Rule 40. 855

(2) "Peace officer" and "prosecutor" have the same 856
meanings as in section 2935.01 of the Revised Code. 857

Sec. 2923.125. (A)(1) It is the intent of the general 858
assembly that Ohio concealed handgun license law be compliant 859
with the national instant criminal background check system, that 860
the bureau of alcohol, tobacco, firearms, and explosives is able 861
to determine that Ohio law is compliant with the national 862
instant criminal background check system, and that no person 863
shall be eligible to receive a concealed handgun license permit 864
under section 2923.125 or 2923.1213 of the Revised Code unless 865
the person is eligible lawfully to receive or possess a firearm 866
in the United States. 867

~~(A)(2)~~ This section applies with respect to the 868
application for and issuance by this state of concealed handgun 869

licenses other than concealed handgun licenses on a temporary 870
emergency basis that are issued under section 2923.1213 of the 871
Revised Code. Upon the request of a person who wishes to obtain 872
a concealed handgun license with respect to which this section 873
applies or to renew a concealed handgun license with respect to 874
which this section applies, a sheriff, as provided in division 875
(I) of this section, shall provide to the person free of charge 876
an application form and the web site address at which a 877
printable version of the application form that can be downloaded 878
and the pamphlet described in division (B) of section 109.731 of 879
the Revised Code may be found. A sheriff shall accept a 880
completed application form and the fee, items, materials, and 881
information specified in divisions (B) (1) to (5) of this section 882
at the times and in the manners described in division (I) of 883
this section. 884

(B) An applicant for a concealed handgun license who is a 885
resident of this state shall submit a completed application form 886
and all of the material and information described in divisions 887
(B) (1) to (6) of this section to the sheriff of ~~the county in~~ 888
~~which the applicant resides or to the sheriff of any county~~ 889
~~adjacent to the county in which the applicant resides.~~ An 890
applicant for a license who resides in another state shall 891
submit a completed application form and all of the material and 892
information described in divisions (B) (1) to (7) of this section 893
to the sheriff of the county in which the applicant is employed 894
or to the sheriff of any county adjacent to the county in which 895
the applicant is employed: 896

(1) (a) A nonrefundable license fee as described in either 897
of the following: 898

(i) For an applicant who has been a resident of this state 899

for five or more years, a fee of sixty-seven dollars; 900

(ii) For an applicant who has been a resident of this 901
state for less than five years or who is not a resident of this 902
state, but who is employed in this state, a fee of sixty-seven 903
dollars plus the actual cost of having a background check 904
performed by the federal bureau of investigation. 905

(b) No sheriff shall require an applicant to pay for the 906
cost of a background check performed by the bureau of criminal 907
identification and investigation. 908

(c) A sheriff shall waive the payment of the license fee 909
described in division (B) (1) (a) of this section in connection 910
with an initial or renewal application for a license that is 911
submitted by an applicant who is an active or reserve member of 912
the armed forces of the United States or has retired from or was 913
honorably discharged from military service in the active or 914
reserve armed forces of the United States, a retired peace 915
officer, a retired person described in division (B) (1) (b) of 916
section 109.77 of the Revised Code, or a retired federal law 917
enforcement officer who, prior to retirement, was authorized 918
under federal law to carry a firearm in the course of duty, 919
unless the retired peace officer, person, or federal law 920
enforcement officer retired as the result of a mental 921
disability. 922

(d) The sheriff shall deposit all fees paid by an 923
applicant under division (B) (1) (a) of this section into the 924
sheriff's concealed handgun license issuance fund established 925
pursuant to section 311.42 of the Revised Code. The county shall 926
distribute the fees in accordance with section 311.42 of the 927
Revised Code. 928

(2) A color photograph of the applicant that was taken	929
within thirty days prior to the date of the application;	930
(3) One or more of the following competency	931
certifications, each of which shall reflect that, regarding a	932
certification described in division (B) (3) (a), (b), (c), (e), or	933
(f) of this section, within the three years immediately	934
preceding the application the applicant has performed that to	935
which the competency certification relates and that, regarding a	936
certification described in division (B) (3) (d) of this section,	937
the applicant currently is an active or reserve member of the	938
armed forces of the United States, the applicant has retired	939
from or was honorably discharged from military service in the	940
active or reserve armed forces of the United States, or within	941
the ten years immediately preceding the application the	942
retirement of the peace officer, person described in division	943
(B) (1) (b) of section 109.77 of the Revised Code, or federal law	944
enforcement officer to which the competency certification	945
relates occurred:	946
(a) An original or photocopy of a certificate of	947
completion of a firearms safety, training, or requalification or	948
firearms safety instructor course, class, or program that was	949
offered by or under the auspices of a national gun advocacy	950
organization and that complies with the requirements set forth	951
in division (G) of this section;	952
(b) An original or photocopy of a certificate of	953
completion of a firearms safety, training, or requalification or	954
firearms safety instructor course, class, or program that	955
satisfies all of the following criteria:	956
(i) It was open to members of the general public.	957

(ii) It utilized qualified instructors who were certified 958
by a national gun advocacy organization, the executive director 959
of the Ohio peace officer training commission pursuant to 960
section 109.75 or 109.78 of the Revised Code, or a governmental 961
official or entity of another state. 962

(iii) It was offered by or under the auspices of a law 963
enforcement agency of this or another state or the United 964
States, a public or private college, university, or other 965
similar postsecondary educational institution located in this or 966
another state, a firearms training school located in this or 967
another state, or another type of public or private entity or 968
organization located in this or another state. 969

(iv) It complies with the requirements set forth in 970
division (G) of this section. 971

(c) An original or photocopy of a certificate of 972
completion of a state, county, municipal, or department of 973
natural resources peace officer training school that is approved 974
by the executive director of the Ohio peace officer training 975
commission pursuant to section 109.75 of the Revised Code and 976
that complies with the requirements set forth in division (G) of 977
this section, or the applicant has satisfactorily completed and 978
been issued a certificate of completion of a basic firearms 979
training program, a firearms requalification training program, 980
or another basic training program described in section 109.78 or 981
109.801 of the Revised Code that complies with the requirements 982
set forth in division (G) of this section; 983

(d) A document that evidences both of the following: 984

(i) That the applicant is an active or reserve member of 985
the armed forces of the United States, has retired from or was 986

honorably discharged from military service in the active or 987
reserve armed forces of the United States, is a retired trooper 988
of the state highway patrol, or is a retired peace officer or 989
federal law enforcement officer described in division (B) (1) of 990
this section or a retired person described in division (B) (1) (b) 991
of section 109.77 of the Revised Code and division (B) (1) of 992
this section; 993

(ii) That, through participation in the military service 994
or through the former employment described in division (B) (3) (d) 995
(i) of this section, the applicant acquired experience with 996
handling handguns or other firearms, and the experience so 997
acquired was equivalent to training that the applicant could 998
have acquired in a course, class, or program described in 999
division (B) (3) (a), (b), or (c) of this section. 1000

(e) A certificate or another similar document that 1001
evidences satisfactory completion of a firearms training, 1002
safety, or requalification or firearms safety instructor course, 1003
class, or program that is not otherwise described in division 1004
(B) (3) (a), (b), (c), or (d) of this section, that was conducted 1005
by an instructor who was certified by an official or entity of 1006
the government of this or another state or the United States or 1007
by a national gun advocacy organization, and that complies with 1008
the requirements set forth in division (G) of this section; 1009

(f) An affidavit that attests to the applicant's 1010
satisfactory completion of a course, class, or program described 1011
in division (B) (3) (a), (b), (c), or (e) of this section and that 1012
is subscribed by the applicant's instructor or an authorized 1013
representative of the entity that offered the course, class, or 1014
program or under whose auspices the course, class, or program 1015
was offered; 1016

(g) A document that evidences that the applicant has 1017
successfully completed the Ohio peace officer training program 1018
described in section 109.79 of the Revised Code. 1019

(4) A certification by the applicant that the applicant 1020
has read the pamphlet prepared by the Ohio peace officer 1021
training commission pursuant to section 109.731 of the Revised 1022
Code that reviews firearms, dispute resolution, and use of 1023
deadly force matters. 1024

(5) A set of fingerprints of the applicant provided as 1025
described in section 311.41 of the Revised Code through use of 1026
an electronic fingerprint reading device or, if the sheriff to 1027
whom the application is submitted does not possess and does not 1028
have ready access to the use of such a reading device, on a 1029
standard impression sheet prescribed pursuant to division (C) (2) 1030
of section 109.572 of the Revised Code. 1031

(6) If the applicant is not a citizen or national of the 1032
United States, the name of the applicant's country of 1033
citizenship and the applicant's alien registration number issued 1034
by the United States citizenship and immigration services 1035
agency. 1036

(7) If the applicant resides in another state, adequate 1037
proof of employment in Ohio. 1038

(C) Upon receipt of the completed application form, 1039
supporting documentation, and, if not waived, license fee of an 1040
applicant under this section, a sheriff, in the manner specified 1041
in section 311.41 of the Revised Code, shall conduct or cause to 1042
be conducted the criminal records check and the incompetency 1043
records check described in section 311.41 of the Revised Code. 1044

(D) (1) Except as provided in division (D) (3) of this 1045

section, within forty-five days after a sheriff's receipt of an 1046
applicant's completed application form for a concealed handgun 1047
license under this section, the supporting documentation, and, 1048
if not waived, the license fee, the sheriff shall make available 1049
through the law enforcement automated data system in accordance 1050
with division (H) of this section the information described in 1051
that division and, upon making the information available through 1052
the system, shall issue to the applicant a concealed handgun 1053
license that shall expire as described in division (D) (2) (a) of 1054
this section if all of the following apply: 1055

(a) The applicant is legally living in the United States. 1056
For purposes of division (D) (1) (a) of this section, if a person 1057
is absent from the United States in compliance with military or 1058
naval orders as an active or reserve member of the armed forces 1059
of the United States and if prior to leaving the United States 1060
the person was legally living in the United States, the person, 1061
solely by reason of that absence, shall not be considered to 1062
have lost the person's status as living in the United States. 1063

(b) The applicant is at least twenty-one years of age. 1064

(c) The applicant is not a fugitive from justice. 1065

(d) The applicant is not under indictment for or otherwise 1066
charged with a felony; an offense under Chapter 2925., 3719., or 1067
4729. of the Revised Code that involves the illegal possession, 1068
use, sale, administration, or distribution of or trafficking in 1069
a drug of abuse; a misdemeanor offense of violence; or a 1070
violation of section 2903.14 or 2923.1211 of the Revised Code. 1071

(e) Except as otherwise provided in division (D) (4) or (5) 1072
of this section, the applicant has not been convicted of or 1073
pleaded guilty to a felony or an offense under Chapter 2925., 1074

3719., or 4729. of the Revised Code that involves the illegal 1075
possession, use, sale, administration, or distribution of or 1076
trafficking in a drug of abuse; has not been adjudicated a 1077
delinquent child for committing an act that if committed by an 1078
adult would be a felony or would be an offense under Chapter 1079
2925., 3719., or 4729. of the Revised Code that involves the 1080
illegal possession, use, sale, administration, or distribution 1081
of or trafficking in a drug of abuse; has not been convicted of, 1082
pleaded guilty to, or adjudicated a delinquent child for 1083
committing a violation of section 2903.13 of the Revised Code 1084
when the victim of the violation is a peace officer, regardless 1085
of whether the applicant was sentenced under division (C) (4) of 1086
that section; and has not been convicted of, pleaded guilty to, 1087
or adjudicated a delinquent child for committing any other 1088
offense that is not previously described in this division that 1089
is a misdemeanor punishable by imprisonment for a term exceeding 1090
one year. 1091

(f) Except as otherwise provided in division (D) (4) or (5) 1092
of this section, the applicant, within three years of the date 1093
of the application, has not been convicted of or pleaded guilty 1094
to a misdemeanor offense of violence other than a misdemeanor 1095
violation of section 2921.33 of the Revised Code or a violation 1096
of section 2903.13 of the Revised Code when the victim of the 1097
violation is a peace officer, or a misdemeanor violation of 1098
section 2923.1211 of the Revised Code; and has not been 1099
adjudicated a delinquent child for committing an act that if 1100
committed by an adult would be a misdemeanor offense of violence 1101
other than a misdemeanor violation of section 2921.33 of the 1102
Revised Code or a violation of section 2903.13 of the Revised 1103
Code when the victim of the violation is a peace officer or for 1104
committing an act that if committed by an adult would be a 1105

misdemeanor violation of section 2923.1211 of the Revised Code. 1106

(g) Except as otherwise provided in division (D)(1)(e) of 1107
this section, the applicant, within five years of the date of 1108
the application, has not been convicted of, pleaded guilty to, 1109
or adjudicated a delinquent child for committing two or more 1110
violations of section 2903.13 or 2903.14 of the Revised Code. 1111

(h) Except as otherwise provided in division (D)(4) or (5) 1112
of this section, the applicant, within ten years of the date of 1113
the application, has not been convicted of, pleaded guilty to, 1114
or adjudicated a delinquent child for committing a violation of 1115
section 2921.33 of the Revised Code. 1116

(i) The applicant has not been adjudicated as a mental 1117
defective, has not been committed to any mental institution, is 1118
not under adjudication of mental incompetence, has not been 1119
found by a court to be a mentally ill person subject to court 1120
order, and is not an involuntary patient other than one who is a 1121
patient only for purposes of observation. As used in this 1122
division, "mentally ill person subject to court order" and 1123
"patient" have the same meanings as in section 5122.01 of the 1124
Revised Code. 1125

(j) The applicant is not currently subject to a civil 1126
protection order, a temporary protection order, or a protection 1127
order issued by a court of another state. 1128

(k) The applicant certifies that the applicant desires a 1129
legal means to carry a concealed handgun for defense of the 1130
applicant or a member of the applicant's family while engaged in 1131
lawful activity. 1132

(l) The applicant submits a competency certification of 1133
the type described in division (B)(3) of this section and 1134

submits a certification of the type described in division (B) (4) 1135
of this section regarding the applicant's reading of the 1136
pamphlet prepared by the Ohio peace officer training commission 1137
pursuant to section 109.731 of the Revised Code. 1138

(m) The applicant currently is not subject to a suspension 1139
imposed under division (A) (2) of section 2923.128 of the Revised 1140
Code of a concealed handgun license that previously was issued 1141
to the applicant under this section or section 2923.1213 of the 1142
Revised Code or a similar suspension imposed by another state 1143
regarding a concealed handgun license issued by that state. 1144

(n) If the applicant resides in another state, the 1145
applicant is employed in this state. 1146

(o) The applicant certifies that the applicant is not an 1147
unlawful user of or addicted to any controlled substance as 1148
defined in 21 U.S.C. 802. 1149

(p) If the applicant is not a United States citizen, the 1150
applicant is an alien and has not been admitted to the United 1151
States under a nonimmigrant visa, as defined in the "Immigration 1152
and Nationality Act," 8 U.S.C. 1101(a) (26). 1153

(q) The applicant has not been discharged from the armed 1154
forces of the United States under dishonorable conditions. 1155

(r) The applicant certifies that the applicant has not 1156
renounced the applicant's United States citizenship, if 1157
applicable. 1158

(s) The applicant has not been convicted of, pleaded 1159
guilty to, or adjudicated a delinquent child for committing a 1160
violation of section 2919.25 of the Revised Code or a similar 1161
violation in another state. 1162

(2) (a) A concealed handgun license that a sheriff issues 1163
under division (D) (1) of this section shall expire five years 1164
after the date of issuance. 1165

If a sheriff issues a license under this section, the 1166
sheriff shall place on the license a unique combination of 1167
letters and numbers identifying the license in accordance with 1168
the procedure prescribed by the Ohio peace officer training 1169
commission pursuant to section 109.731 of the Revised Code. 1170

(b) If a sheriff denies an application under this section 1171
because the applicant does not satisfy the criteria described in 1172
division (D) (1) of this section, the sheriff shall specify the 1173
grounds for the denial in a written notice to the applicant. The 1174
applicant may appeal the denial pursuant to section 119.12 of 1175
the Revised Code in the county served by the sheriff who denied 1176
the application. If the denial was as a result of the criminal 1177
records check conducted pursuant to section 311.41 of the 1178
Revised Code and if, pursuant to section 2923.127 of the Revised 1179
Code, the applicant challenges the criminal records check 1180
results using the appropriate challenge and review procedure 1181
specified in that section, the time for filing the appeal 1182
pursuant to section 119.12 of the Revised Code and this division 1183
is tolled during the pendency of the request or the challenge 1184
and review. 1185

(c) If the court in an appeal under section 119.12 of the 1186
Revised Code and division (D) (2) (b) of this section enters a 1187
judgment sustaining the sheriff's refusal to grant to the 1188
applicant a concealed handgun license, the applicant may file a 1189
new application beginning one year after the judgment is 1190
entered. If the court enters a judgment in favor of the 1191
applicant, that judgment shall not restrict the authority of a 1192

sheriff to suspend or revoke the license pursuant to section 1193
2923.128 or 2923.1213 of the Revised Code or to refuse to renew 1194
the license for any proper cause that may occur after the date 1195
the judgment is entered. In the appeal, the court shall have 1196
full power to dispose of all costs. 1197

(3) If the sheriff with whom an application for a 1198
concealed handgun license was filed under this section becomes 1199
aware that the applicant has been arrested for or otherwise 1200
charged with an offense that would disqualify the applicant from 1201
holding the license, the sheriff shall suspend the processing of 1202
the application until the disposition of the case arising from 1203
the arrest or charge. 1204

(4) If an applicant has been convicted of or pleaded 1205
guilty to an offense identified in division (D)(1)(e), (f), or 1206
(h) of this section or has been adjudicated a delinquent child 1207
for committing an act or violation identified in any of those 1208
divisions, and if a court has ordered the sealing or expungement 1209
of the records of that conviction, guilty plea, or adjudication 1210
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 1211
2953.36, or section 2953.37 of the Revised Code or the applicant 1212
has been relieved under operation of law or legal process from 1213
the disability imposed pursuant to section 2923.13 of the 1214
Revised Code relative to that conviction, guilty plea, or 1215
adjudication, the sheriff with whom the application was 1216
submitted shall not consider the conviction, guilty plea, or 1217
adjudication in making a determination under division (D)(1) or 1218
(F) of this section or, in relation to an application for a 1219
concealed handgun license on a temporary emergency basis 1220
submitted under section 2923.1213 of the Revised Code, in making 1221
a determination under division (B)(2) of that section. 1222

(5) If an applicant has been convicted of or pleaded 1223
guilty to a minor misdemeanor offense or has been adjudicated a 1224
delinquent child for committing an act or violation that is a 1225
minor misdemeanor offense, the sheriff with whom the application 1226
was submitted shall not consider the conviction, guilty plea, or 1227
adjudication in making a determination under division (D)(1) or 1228
(F) of this section or, in relation to an application for a 1229
concealed handgun license on a temporary basis submitted under 1230
section 2923.1213 of the Revised Code, in making a determination 1231
under division (B)(2) of that section. 1232

(E) If a concealed handgun license issued under this 1233
section is lost or is destroyed, the licensee may obtain from 1234
the sheriff who issued that license a duplicate license upon the 1235
payment of a fee of fifteen dollars and the submission of an 1236
affidavit attesting to the loss or destruction of the license. 1237
The sheriff, in accordance with the procedures prescribed in 1238
section 109.731 of the Revised Code, shall place on the 1239
replacement license a combination of identifying numbers 1240
different from the combination on the license that is being 1241
replaced. 1242

(F)(1)(a) Except as provided in division (F)(1)(b) of this 1243
section, a licensee who wishes to renew a concealed handgun 1244
license issued under this section may do so at any time before 1245
the expiration date of the license or at any time after the 1246
expiration date of the license by filing with ~~the any county~~ 1247
~~sheriff of the county in which the applicant resides or with the~~ 1248
~~sheriff of an adjacent county~~, or in the case of an applicant 1249
who resides in another state with the sheriff of the county that 1250
issued the applicant's previous concealed handgun license an 1251
application for renewal of the license obtained pursuant to 1252
division (D) of this section, a certification by the applicant 1253

that, subsequent to the issuance of the license, the applicant 1254
has reread the pamphlet prepared by the Ohio peace officer 1255
training commission pursuant to section 109.731 of the Revised 1256
Code that reviews firearms, dispute resolution, and use of 1257
deadly force matters, and a nonrefundable license renewal fee in 1258
an amount determined pursuant to division (F) (4) of this section 1259
unless the fee is waived. 1260

(b) A person on active duty in the armed forces of the 1261
United States or in service with the peace corps, volunteers in 1262
service to America, or the foreign service of the United States 1263
is exempt from the license requirements of this section for the 1264
period of the person's active duty or service and for six months 1265
thereafter, provided the person was a licensee under this 1266
section at the time the person commenced the person's active 1267
duty or service or had obtained a license while on active duty 1268
or service. The spouse or a dependent of any such person on 1269
active duty or in service also is exempt from the license 1270
requirements of this section for the period of the person's 1271
active duty or service and for six months thereafter, provided 1272
the spouse or dependent was a licensee under this section at the 1273
time the person commenced the active duty or service or had 1274
obtained a license while the person was on active duty or 1275
service, and provided further that the person's active duty or 1276
service resulted in the spouse or dependent relocating outside 1277
of this state during the period of the active duty or service. 1278
This division does not prevent such a person or the person's 1279
spouse or dependent from making an application for the renewal 1280
of a concealed handgun license during the period of the person's 1281
active duty or service. 1282

(2) A sheriff shall accept a completed renewal 1283
application, the license renewal fee, and the information 1284

specified in division (F)(1) of this section at the times and in 1285
the manners described in division (I) of this section. Upon 1286
receipt of a completed renewal application, of certification 1287
that the applicant has reread the specified pamphlet prepared by 1288
the Ohio peace officer training commission, and of a license 1289
renewal fee unless the fee is waived, a sheriff, in the manner 1290
specified in section 311.41 of the Revised Code shall conduct or 1291
cause to be conducted the criminal records check and the 1292
incompetency records check described in section 311.41 of the 1293
Revised Code. The sheriff shall renew the license if the sheriff 1294
determines that the applicant continues to satisfy the 1295
requirements described in division (D)(1) of this section, 1296
except that the applicant is not required to meet the 1297
requirements of division (D)(1)(1) of this section. A renewed 1298
license shall expire five years after the date of issuance. A 1299
renewed license is subject to division (E) of this section and 1300
sections 2923.126 and 2923.128 of the Revised Code. A sheriff 1301
shall comply with divisions (D)(2) and (3) of this section when 1302
the circumstances described in those divisions apply to a 1303
requested license renewal. If a sheriff denies the renewal of a 1304
concealed handgun license, the applicant may appeal the denial, 1305
or challenge the criminal record check results that were the 1306
basis of the denial if applicable, in the same manner as 1307
specified in division (D)(2)(b) of this section and in section 1308
2923.127 of the Revised Code, regarding the denial of a license 1309
under this section. 1310

(3) A renewal application submitted pursuant to division 1311
(F) of this section shall only require the licensee to list on 1312
the application form information and matters occurring since the 1313
date of the licensee's last application for a license pursuant 1314
to division (B) or (F) of this section. A sheriff conducting the 1315

criminal records check and the incompetency records check 1316
described in section 311.41 of the Revised Code shall conduct 1317
the check only from the date of the licensee's last application 1318
for a license pursuant to division (B) or (F) of this section 1319
through the date of the renewal application submitted pursuant 1320
to division (F) of this section. 1321

(4) An applicant for a renewal concealed handgun license 1322
under this section shall submit to ~~the any county sheriff of the~~ 1323
~~county in which the applicant resides or to the sheriff of any~~ 1324
~~county adjacent to the county in which the applicant resides, or~~ 1325
in the case of an applicant who resides in another state to the 1326
sheriff of the county that issued the applicant's previous 1327
concealed handgun license, a nonrefundable license fee as 1328
described in either of the following: 1329

(a) For an applicant who has been a resident of this state 1330
for five or more years, a fee of fifty dollars; 1331

(b) For an applicant who has been a resident of this state 1332
for less than five years or who is not a resident of this state 1333
but who is employed in this state, a fee of fifty dollars plus 1334
the actual cost of having a background check performed by the 1335
federal bureau of investigation. 1336

(5) The concealed handgun license of a licensee who is no 1337
longer a resident of this state or no longer employed in this 1338
state, as applicable, is valid until the date of expiration on 1339
the license, and the licensee is prohibited from renewing the 1340
concealed handgun license. 1341

(G) (1) Each course, class, or program described in 1342
division (B) (3) (a), (b), (c), or (e) of this section shall 1343
provide to each person who takes the course, class, or program 1344

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

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

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

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

(d) Gun handling training;

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

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

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

(b) An in-person physical demonstration of competence in

the use of a handgun and in the rules for safe handling and 1373
storage of a handgun and a physical demonstration of the 1374
attitude necessary to shoot a handgun in a safe manner. 1375

(3) (a) Except as otherwise provided in this division, the 1376
training specified in division (G) (1) (a) of this section shall 1377
be provided to the person receiving the training in person by an 1378
instructor. If the training specified in division (G) (1) (a) of 1379
this section is provided by a course, class, or program 1380
described in division (B) (3) (a) of this section, or it is 1381
provided by a course, class, or program described in division 1382
(B) (3) (b), (c), or (e) of this section and the instructor is a 1383
qualified instructor certified by a national gun advocacy 1384
organization, the training so specified, other than the training 1385
that requires the person receiving the training to demonstrate 1386
handling abilities, may be provided online or as a combination 1387
of in-person and online training, as long as the online training 1388
includes an interactive component that regularly engages the 1389
person. 1390

(b) Except as otherwise provided in this division, the 1391
written section of the competency examination specified in 1392
division (G) (2) (a) of this section shall be administered to the 1393
person taking the competency examination in person by an 1394
instructor. If the training specified in division (G) (1) (a) of 1395
this section is provided to the person receiving the training by 1396
a course, class, or program described in division (B) (3) (a) of 1397
this section, or it is provided by a course, class, or program 1398
described in division (B) (3) (b), (c), or (e) of this section and 1399
the instructor is a qualified instructor certified by a national 1400
gun advocacy organization, the written section of the competency 1401
examination specified in division (G) (2) (a) of this section may 1402
be administered online, as long as the online training includes 1403

an interactive component that regularly engages the person. 1404

(4) The competency certification described in division (B) 1405
(3) (a), (b), (c), or (e) of this section shall be dated and 1406
shall attest that the course, class, or program the applicant 1407
successfully completed met the requirements described in 1408
division (G) (1) of this section and that the applicant passed 1409
the competency examination described in division (G) (2) of this 1410
section. 1411

(H) Upon deciding to issue a concealed handgun license, 1412
deciding to issue a replacement concealed handgun license, or 1413
deciding to renew a concealed handgun license pursuant to this 1414
section, and before actually issuing or renewing the license, 1415
the sheriff shall make available through the law enforcement 1416
automated data system all information contained on the license. 1417
If the license subsequently is suspended under division (A) (1) 1418
or (2) of section 2923.128 of the Revised Code, revoked pursuant 1419
to division (B) (1) of section 2923.128 of the Revised Code, or 1420
lost or destroyed, the sheriff also shall make available through 1421
the law enforcement automated data system a notation of that 1422
fact. The superintendent of the state highway patrol shall 1423
ensure that the law enforcement automated data system is so 1424
configured as to permit the transmission through the system of 1425
the information specified in this division. 1426

~~(I) (1)~~ (I) (1) (a) A sheriff shall accept a completed 1427
application form or renewal application, and the fee, items, 1428
materials, and information specified in divisions (B) (1) to (5) 1429
or division (F) of this section, whichever is applicable, and 1430
shall provide an application form or renewal application to any 1431
person during at least fifteen hours a week and shall provide 1432
the web site address at which a printable version of the 1433

application form that can be downloaded and the pamphlet 1434
described in division (B) of section 109.731 of the Revised Code 1435
may be found at any time, upon request. A sheriff may provide up 1436
to eight hours outside of the fifteen hours required in this 1437
division during which the sheriff is available to accept or 1438
provide the information described in this division only from or 1439
to county residents. For each hour in a week that the sheriff is 1440
available to accept or provide the information described in this 1441
division only from or to county residents, the sheriff must 1442
provide an additional hour outside of the fifteen hours required 1443
in this division during which the sheriff is available to accept 1444
or provide the information described in this division from or to 1445
any person. The sheriff shall post notice of the hours during 1446
which the sheriff is available to accept or provide the 1447
information described in this division. 1448

(b) Nothing in division (I)(1)(a) of this section shall be 1449
construed to prohibit the sheriff from offering more hours than 1450
are required by division (I)(1)(a) of this section during which 1451
the sheriff is available to accept or provide the information 1452
described in division (I)(1)(a) of this section from or to any 1453
person. 1454

(2) A sheriff shall transmit a notice to the attorney 1455
general, in a manner determined by the attorney general, every 1456
time a license is issued that waived payment under division (B) 1457
(1)(c) of this section for an applicant who is an active or 1458
reserve member of the armed forces of the United States or has 1459
retired from or was honorably discharged from military service 1460
in the active or reserve armed forces of the United States. The 1461
attorney general shall monitor and inform sheriffs issuing 1462
licenses under this section when the amount of license fee 1463
payments waived and transmitted to the attorney general reach 1464

one million five hundred thousand dollars each year. Once a 1465
sheriff is informed that the payments waived reached one million 1466
five hundred thousand dollars in any year, a sheriff shall no 1467
longer waive payment of a license fee for an applicant who is an 1468
active or reserve member of the armed forces of the United 1469
States or has retired from or was honorably discharged from 1470
military service in the active or reserve armed forces of the 1471
United States for the remainder of that year. 1472

(J) The availability of a concealed handgun license under 1473
this section or section 2923.1213 of the Revised Code shall not 1474
be construed to prohibit or restrict a person from possessing, 1475
carrying, or transporting a firearm in a vehicle or on or about 1476
the person's person, whether concealed or unconcealed, loaded or 1477
unloaded, without a valid concealed handgun license if the 1478
possession, carrying, or transport in the manner in question is 1479
otherwise permitted by the Revised Code or any other provision 1480
of law. 1481

Sec. 2923.126. (A) A concealed handgun license that is 1482
issued under section 2923.125 of the Revised Code shall expire 1483
five years after the date of issuance. A licensee who has been 1484
issued a license under that section shall be granted a grace 1485
period of thirty days after the licensee's license expires 1486
during which the licensee's license remains valid. Except as 1487
provided in divisions (B) and (C) of this section, a licensee 1488
who has been issued a concealed handgun license under section 1489
2923.125 or 2923.1213 of the Revised Code may carry a concealed 1490
handgun anywhere in this state if the ~~licensee also carries a~~ 1491
license is valid license when the licensee is in actual 1492
possession of a concealed handgun. The licensee shall give 1493
notice of any change in the licensee's residence address to the 1494
sheriff who issued the license within forty-five days after that 1495

change. 1496

~~If a licensee is the driver or an occupant of a motor 1497
vehicle that is stopped as the result of a traffic stop or a 1498
stop for another law enforcement purpose and if the licensee is 1499
transporting or has a loaded handgun in the motor vehicle at 1500
that time, the licensee shall promptly inform any law 1501
enforcement officer who approaches the vehicle while stopped 1502
that the licensee has been issued a concealed handgun license 1503
and that the licensee currently possesses or has a loaded 1504
handgun; the licensee shall not knowingly disregard or fail to 1505
comply with lawful orders of a law enforcement officer given 1506
while the motor vehicle is stopped, knowingly fail to remain in 1507
the motor vehicle while stopped, or knowingly fail to keep the 1508
licensee's hands in plain sight after any law enforcement 1509
officer begins approaching the licensee while stopped and before 1510
the officer leaves, unless directed otherwise by a law 1511
enforcement officer; and the licensee shall not knowingly have 1512
contact with the loaded handgun by touching it with the 1513
licensee's hands or fingers, in any manner in violation of 1514
division (E) of section 2923.16 of the Revised Code, after any 1515
law enforcement officer begins approaching the licensee while 1516
stopped and before the officer leaves. Additionally, if a 1517
licensee is the driver or an occupant of a commercial motor 1518
vehicle that is stopped by an employee of the motor carrier 1519
enforcement unit for the purposes defined in section 5503.34 of 1520
the Revised Code and the licensee is transporting or has a 1521
loaded handgun in the commercial motor vehicle at that time, the 1522
licensee shall promptly inform the employee of the unit who 1523
approaches the vehicle while stopped that the licensee has been 1524
issued a concealed handgun license and that the licensee 1525
currently possesses or has a loaded handgun. 1526~~

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

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

(1) A police station, sheriff's office, or state highway
patrol station, premises controlled by the bureau of criminal
identification and investigation; a state correctional
institution, jail, workhouse, or other detention facility; any
area of an airport passenger terminal that is beyond a passenger
or property screening checkpoint or to which access is

restricted through security measures by the airport authority or 1558
a public agency; or an institution that is maintained, operated, 1559
managed, and governed pursuant to division (A) of section 1560
5119.14 of the Revised Code or division (A) (1) of section 1561
5123.03 of the Revised Code; 1562

(2) A school safety zone if the licensee's carrying the 1563
concealed handgun is in violation of section 2923.122 of the 1564
Revised Code; 1565

(3) A courthouse or another building or structure in which 1566
a courtroom is located if the licensee's carrying the concealed 1567
handgun is in violation of section 2923.123 of the Revised Code; 1568

(4) Any premises or open air arena for which a D permit 1569
has been issued under Chapter 4303. of the Revised Code if the 1570
licensee's carrying the concealed handgun is in violation of 1571
section 2923.121 of the Revised Code; 1572

(5) Any premises owned or leased by any public or private 1573
college, university, or other institution of higher education, 1574
unless the handgun is in a locked motor vehicle or the licensee 1575
is in the immediate process of placing the handgun in a locked 1576
motor vehicle or unless the licensee is carrying the concealed 1577
handgun pursuant to a written policy, rule, or other 1578
authorization that is adopted by the institution's board of 1579
trustees or other governing body and that authorizes specific 1580
individuals or classes of individuals to carry a concealed 1581
handgun on the premises; 1582

(6) Any church, synagogue, mosque, or other place of 1583
worship, unless the church, synagogue, mosque, or other place of 1584
worship posts or permits otherwise; 1585

(7) Any building that is a government facility of this 1586

state or a political subdivision of this state and that is not a 1587
building that is used primarily as a shelter, restroom, parking 1588
facility for motor vehicles, or rest facility and is not a 1589
courthouse or other building or structure in which a courtroom 1590
is located that is subject to division (B)(3) of this section, 1591
unless the governing body with authority over the building has 1592
enacted a statute, ordinance, or policy that permits a licensee 1593
to carry a concealed handgun into the building; 1594

(8) A place in which federal law prohibits the carrying of 1595
handguns. 1596

(C) (1) Nothing in this section shall negate or restrict a 1597
rule, policy, or practice of a private employer that is not a 1598
private college, university, or other institution of higher 1599
education concerning or prohibiting the presence of firearms on 1600
the private employer's premises or property, including motor 1601
vehicles owned by the private employer. Nothing in this section 1602
shall require a private employer of that nature to adopt a rule, 1603
policy, or practice concerning or prohibiting the presence of 1604
firearms on the private employer's premises or property, 1605
including motor vehicles owned by the private employer. 1606

(2) (a) A private employer shall be immune from liability 1607
in a civil action for any injury, death, or loss to person or 1608
property that allegedly was caused by or related to a licensee 1609
bringing a handgun onto the premises or property of the private 1610
employer, including motor vehicles owned by the private 1611
employer, unless the private employer acted with malicious 1612
purpose. A private employer is immune from liability in a civil 1613
action for any injury, death, or loss to person or property that 1614
allegedly was caused by or related to the private employer's 1615
decision to permit a licensee to bring, or prohibit a licensee 1616

from bringing, a handgun onto the premises or property of the 1617
private employer. 1618

(b) A political subdivision shall be immune from liability 1619
in a civil action, to the extent and in the manner provided in 1620
Chapter 2744. of the Revised Code, for any injury, death, or 1621
loss to person or property that allegedly was caused by or 1622
related to a licensee bringing a handgun onto any premises or 1623
property owned, leased, or otherwise under the control of the 1624
political subdivision. As used in this division, "political 1625
subdivision" has the same meaning as in section 2744.01 of the 1626
Revised Code. 1627

(c) An institution of higher education shall be immune 1628
from liability in a civil action for any injury, death, or loss 1629
to person or property that allegedly was caused by or related to 1630
a licensee bringing a handgun onto the premises of the 1631
institution, including motor vehicles owned by the institution, 1632
unless the institution acted with malicious purpose. An 1633
institution of higher education is immune from liability in a 1634
civil action for any injury, death, or loss to person or 1635
property that allegedly was caused by or related to the 1636
institution's decision to permit a licensee or class of 1637
licensees to bring a handgun onto the premises of the 1638
institution. 1639

(d) A nonprofit corporation shall be immune from liability 1640
in a civil action for any injury, death, or loss to person or 1641
property that allegedly was caused by or related to a licensee 1642
bringing a handgun onto the premises of the nonprofit 1643
corporation, including any motor vehicle owned by the nonprofit 1644
corporation, or to any event organized by the nonprofit 1645
corporation, unless the nonprofit corporation acted with 1646

malicious purpose. A nonprofit corporation is immune from 1647
liability in a civil action for any injury, death, or loss to 1648
person or property that allegedly was caused by or related to 1649
the nonprofit corporation's decision to permit a licensee to 1650
bring a handgun onto the premises of the nonprofit corporation 1651
or to any event organized by the nonprofit corporation. 1652

(3) (a) Except as provided in division (C) (3) (b) of this 1653
section and section 2923.1214 of the Revised Code, the owner or 1654
person in control of private land or premises, and a private 1655
person or entity leasing land or premises owned by the state, 1656
the United States, or a political subdivision of the state or 1657
the United States, may post a sign in a conspicuous location on 1658
that land or on those premises prohibiting persons from carrying 1659
firearms or concealed firearms on or onto that land or those 1660
premises. Except as otherwise provided in this division, a 1661
person who knowingly violates a posted prohibition of that 1662
nature is guilty of criminal trespass in violation of division 1663
(A) (4) of section 2911.21 of the Revised Code and is guilty of a 1664
misdemeanor of the fourth degree. If a person knowingly violates 1665
a posted prohibition of that nature and the posted land or 1666
premises primarily was a parking lot or other parking facility, 1667
the person is not guilty of criminal trespass under section 1668
2911.21 of the Revised Code or under any other criminal law of 1669
this state or criminal law, ordinance, or resolution of a 1670
political subdivision of this state, and instead is subject only 1671
to a civil cause of action for trespass based on the violation. 1672

If a person knowingly violates a posted prohibition of the 1673
nature described in this division and the posted land or 1674
premises is a child day-care center, type A family day-care 1675
home, or type B family day-care home, unless the person is a 1676
licensee who resides in a type A family day-care home or type B 1677

family day-care home, the person is guilty of aggravated 1678
trespass in violation of section 2911.211 of the Revised Code. 1679
Except as otherwise provided in this division, the offender is 1680
guilty of a misdemeanor of the first degree. If the person 1681
previously has been convicted of a violation of this division or 1682
of any offense of violence, if the weapon involved is a firearm 1683
that is either loaded or for which the offender has ammunition 1684
ready at hand, or if the weapon involved is dangerous ordnance, 1685
the offender is guilty of a felony of the fourth degree. 1686

(b) A landlord may not prohibit or restrict a tenant who 1687
is a licensee and who on or after September 9, 2008, enters into 1688
a rental agreement with the landlord for the use of residential 1689
premises, and the tenant's guest while the tenant is present, 1690
from lawfully carrying or possessing a handgun on those 1691
residential premises. 1692

(c) As used in division (C)(3) of this section: 1693

(i) "Residential premises" has the same meaning as in 1694
section 5321.01 of the Revised Code, except "residential 1695
premises" does not include a dwelling unit that is owned or 1696
operated by a college or university. 1697

(ii) "Landlord," "tenant," and "rental agreement" have the 1698
same meanings as in section 5321.01 of the Revised Code. 1699

(D) A person who holds a valid concealed handgun license 1700
issued by another state that is recognized by the attorney 1701
general pursuant to a reciprocity agreement entered into 1702
pursuant to section 109.69 of the Revised Code or a person who 1703
holds a valid concealed handgun license under the circumstances 1704
described in division (B) of section 109.69 of the Revised Code 1705
has the same right to carry a concealed handgun in this state as 1706

a person who was issued a concealed handgun license under 1707
section 2923.125 of the Revised Code and is subject to the same 1708
restrictions that apply to a person who ~~carries~~ was issued a 1709
concealed handgun license issued under that section. 1710

(E) (1) A peace officer has the same right to carry a 1711
concealed handgun in this state as a person who was issued a 1712
concealed handgun license under section 2923.125 of the Revised 1713
Code, provided that the officer when carrying a concealed 1714
handgun under authority of this division is carrying validating 1715
identification. For purposes of reciprocity with other states, a 1716
peace officer shall be considered to be a licensee in this 1717
state. 1718

(2) An active duty member of the armed forces of the 1719
United States who ~~is carrying~~ has been issued a valid military 1720
identification card and documentation of successful completion 1721
of firearms training that meets or exceeds the training 1722
requirements described in division (G) (1) of section 2923.125 of 1723
the Revised Code that are valid at the time of the carrying or 1724
possession has the same right to carry a concealed handgun in 1725
this state as a person who was issued a concealed handgun 1726
license under section 2923.125 of the Revised Code and is 1727
subject to the same restrictions as specified in this section. 1728

(3) A tactical medical professional who is qualified to 1729
carry firearms while on duty under section 109.771 of the 1730
Revised Code has the same right to carry a concealed handgun in 1731
this state as a person who was issued a concealed handgun 1732
license under section 2923.125 of the Revised Code. 1733

(4) A person who is at least twenty-one years of age and 1734
is not prohibited under the law of this state or the United 1735
States from possessing a firearm has the same right to carry a 1736

concealed handgun in this state as a person who was issued a 1737
concealed handgun license under section 2923.125 of the Revised 1738
Code and is subject to the same restrictions as specified in 1739
this section. 1740

(F) (1) A qualified retired peace officer who possesses a 1741
retired peace officer identification card issued pursuant to 1742
division (F) (2) of this section and a valid firearms 1743
requalification certification issued pursuant to division (F) (3) 1744
of this section has the same right to carry a concealed handgun 1745
in this state as a person who was issued a concealed handgun 1746
license under section 2923.125 of the Revised Code and is 1747
subject to the same restrictions that apply to a person who 1748
~~carries~~ was issued a concealed handgun license issued under that 1749
section. For purposes of reciprocity with other states, a 1750
qualified retired peace officer who possesses a retired peace 1751
officer identification card issued pursuant to division (F) (2) 1752
of this section and a valid firearms requalification 1753
certification issued pursuant to division (F) (3) of this section 1754
shall be considered to be a licensee in this state. 1755

(2) (a) Each public agency of this state or of a political 1756
subdivision of this state that is served by one or more peace 1757
officers shall issue a retired peace officer identification card 1758
to any person who retired from service as a peace officer with 1759
that agency, if the issuance is in accordance with the agency's 1760
policies and procedures and if the person, with respect to the 1761
person's service with that agency, satisfies all of the 1762
following: 1763

(i) The person retired in good standing from service as a 1764
peace officer with the public agency, and the retirement was not 1765
for reasons of mental instability. 1766

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

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

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

(b) A retired peace officer identification card issued to a person under division (F)(2)(a) of this section shall identify the person by name, contain a photograph of the person, identify the public agency of this state or of the political subdivision of this state from which the person retired as a peace officer and that is issuing the identification card, and specify that the person retired in good standing from service as a peace officer with the issuing public agency and satisfies the criteria set forth in divisions (F)(2)(a)(i) to (iv) of this section. In addition to the required content specified in this division, a retired peace officer identification card issued to a person under division (F)(2)(a) of this section may include the firearms requalification certification described in division (F)(3) of this section, and if the identification card includes

that certification, the identification card shall serve as the 1797
firearms requalification certification for the retired peace 1798
officer. If the issuing public agency issues credentials to 1799
active law enforcement officers who serve the agency, the agency 1800
may comply with division (F)(2)(a) of this section by issuing 1801
the same credentials to persons who retired from service as a 1802
peace officer with the agency and who satisfy the criteria set 1803
forth in divisions (F)(2)(a)(i) to (iv) of this section, 1804
provided that the credentials so issued to retired peace 1805
officers are stamped with the word "RETIRED." 1806

(c) A public agency of this state or of a political 1807
subdivision of this state may charge persons who retired from 1808
service as a peace officer with the agency a reasonable fee for 1809
issuing to the person a retired peace officer identification 1810
card pursuant to division (F)(2)(a) of this section. 1811

(3) If a person retired from service as a peace officer 1812
with a public agency of this state or of a political subdivision 1813
of this state and the person satisfies the criteria set forth in 1814
divisions (F)(2)(a)(i) to (iv) of this section, the public 1815
agency may provide the retired peace officer with the 1816
opportunity to attend a firearms requalification program that is 1817
approved for purposes of firearms requalification required under 1818
section 109.801 of the Revised Code. The retired peace officer 1819
may be required to pay the cost of the course. 1820

If a retired peace officer who satisfies the criteria set 1821
forth in divisions (F)(2)(a)(i) to (iv) of this section attends 1822
a firearms requalification program that is approved for purposes 1823
of firearms requalification required under section 109.801 of 1824
the Revised Code, the retired peace officer's successful 1825
completion of the firearms requalification program requalifies 1826

the retired peace officer for purposes of division (F) of this 1827
section for five years from the date on which the program was 1828
successfully completed, and the requalification is valid during 1829
that five-year period. If a retired peace officer who satisfies 1830
the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 1831
section satisfactorily completes such a firearms requalification 1832
program, the retired peace officer shall be issued a firearms 1833
requalification certification that identifies the retired peace 1834
officer by name, identifies the entity that taught the program, 1835
specifies that the retired peace officer successfully completed 1836
the program, specifies the date on which the course was 1837
successfully completed, and specifies that the requalification 1838
is valid for five years from that date of successful completion. 1839
The firearms requalification certification for a retired peace 1840
officer may be included in the retired peace officer 1841
identification card issued to the retired peace officer under 1842
division (F) (2) of this section. 1843

A retired peace officer who attends a firearms 1844
requalification program that is approved for purposes of 1845
firearms requalification required under section 109.801 of the 1846
Revised Code may be required to pay the cost of the program. 1847

(G) As used in this section: 1848

(1) "Qualified retired peace officer" means a person who 1849
satisfies all of the following: 1850

(a) The person satisfies the criteria set forth in 1851
divisions (F) (2) (a) (i) to (v) of this section. 1852

(b) The person is not under the influence of alcohol or 1853
another intoxicating or hallucinatory drug or substance. 1854

(c) The person is not prohibited by federal law from 1855

receiving firearms. 1856

(2) "Retired peace officer identification card" means an 1857
identification card that is issued pursuant to division (F) (2) 1858
of this section to a person who is a retired peace officer. 1859

(3) "Government facility of this state or a political 1860
subdivision of this state" means any of the following: 1861

(a) A building or part of a building that is owned or 1862
leased by the government of this state or a political 1863
subdivision of this state and where employees of the government 1864
of this state or the political subdivision regularly are present 1865
for the purpose of performing their official duties as employees 1866
of the state or political subdivision; 1867

(b) The office of a deputy registrar serving pursuant to 1868
Chapter 4503. of the Revised Code that is used to perform deputy 1869
registrar functions. 1870

(4) "Governing body" has the same meaning as in section 1871
154.01 of the Revised Code. 1872

(5) "Tactical medical professional" has the same meaning 1873
as in section 109.71 of the Revised Code. 1874

(6) "Validating identification" means photographic 1875
identification issued by the agency for which an individual 1876
serves as a peace officer that identifies the individual as a 1877
peace officer of the agency. 1878

(7) "Nonprofit corporation" means any private organization 1879
that is exempt from federal income taxation pursuant to 1880
subsection 501(a) and described in subsection 501(c) of the 1881
Internal Revenue Code. 1882

Sec. 2923.128. (A) (1) (a) If a licensee holding a valid 1883

concealed handgun license is arrested for or otherwise charged 1884
with an offense described in division (D) (1) (d) of section 1885
2923.125 of the Revised Code or with a violation of section 1886
2923.15 of the Revised Code or becomes subject to a temporary 1887
protection order or to a protection order issued by a court of 1888
another state that is substantially equivalent to a temporary 1889
protection order, the sheriff who issued the license shall 1890
suspend it and shall comply with division (A) (3) of this section 1891
upon becoming aware of the arrest, charge, or protection order. 1892
Upon suspending the license, the sheriff also shall comply with 1893
division (H) of section 2923.125 of the Revised Code. 1894

(b) A suspension under division (A) (1) (a) of this section 1895
shall be considered as beginning on the date that the licensee 1896
is arrested for or otherwise charged with an offense described 1897
in that division or on the date the appropriate court issued the 1898
protection order described in that division, irrespective of 1899
when the sheriff notifies the licensee under division (A) (3) of 1900
this section. The suspension shall end on the date on which the 1901
charges are dismissed or the licensee is found not guilty of the 1902
offense described in division (A) (1) (a) of this section or, 1903
subject to division (B) of this section, on the date the 1904
appropriate court terminates the protection order described in 1905
that division. If the suspension so ends, the sheriff shall 1906
return the license or temporary emergency license to the 1907
licensee. 1908

(2) (a) If a licensee holding a valid concealed handgun 1909
license is convicted of or pleads guilty to a misdemeanor 1910
violation of division (B) ~~(1), (2)~~, or (4) of section 2923.12 of 1911
the Revised Code or of division (E) ~~(1), (2), (3)~~, or (5) of 1912
section 2923.16 of the Revised Code, ~~except as provided in~~ 1913
~~division (A) (2) (c) of this section and~~ subject to division (C) 1914

of this section, the sheriff who issued the license shall 1915
suspend it and shall comply with division (A) (3) of this section 1916
upon becoming aware of the conviction or guilty plea. Upon 1917
suspending the license, the sheriff also shall comply with 1918
division (H) of section 2923.125 of the Revised Code. 1919

(b) A suspension under division (A) (2) (a) of this section 1920
shall be considered as beginning on the date that the licensee 1921
is convicted of or pleads guilty to the offense described in 1922
that division, irrespective of when the sheriff notifies the 1923
licensee under division (A) (3) of this section. If the 1924
suspension is imposed for a misdemeanor violation of division 1925
(B) ~~(1) or~~ (2) of section 2923.12 of the Revised Code or of 1926
division (E) ~~(1), (2), or~~ (3) of section 2923.16 of the Revised 1927
Code, it shall end on the date that is one year after the date 1928
that the licensee is convicted of or pleads guilty to that 1929
violation. If the suspension is imposed for a misdemeanor 1930
violation of division (B) (4) of section 2923.12 of the Revised 1931
Code or of division (E) (5) of section 2923.16 of the Revised 1932
Code, it shall end on the date that is two years after the date 1933
that the licensee is convicted of or pleads guilty to that 1934
violation. If the licensee's license was issued under section 1935
2923.125 of the Revised Code and the license remains valid after 1936
the suspension ends as described in this division, when the 1937
suspension ends, the sheriff shall return the license to the 1938
licensee. If the licensee's license was issued under section 1939
2923.125 of the Revised Code and the license expires before the 1940
suspension ends as described in this division, or if the 1941
licensee's license was issued under section 2923.1213 of the 1942
Revised Code, the licensee is not eligible to apply for a new 1943
license under section 2923.125 or 2923.1213 of the Revised Code 1944
or to renew the license under section 2923.125 of the Revised 1945

Code until after the suspension ends as described in this 1946
division. 1947

~~(c) The license of a licensee who is convicted of or 1948
pleads guilty to a violation of division (B) (1) of section 1949
2923.12 or division (E) (1) or (2) of section 2923.16 of the 1950
Revised Code shall not be suspended pursuant to division (A) (2) 1951
(a) of this section if, at the time of the stop of the licensee 1952
for a law enforcement purpose, for a traffic stop, or for a 1953
purpose defined in section 5503.34 of the Revised Code that was 1954
the basis of the violation, any law enforcement officer involved 1955
with the stop or the employee of the motor carrier enforcement 1956
unit who made the stop had actual knowledge of the licensee's 1957
status as a licensee. 1958~~

(3) Upon becoming aware of an arrest, charge, or 1959
protection order described in division (A) (1) (a) of this section 1960
with respect to a licensee who was issued a concealed handgun 1961
license, or a conviction of or plea of guilty to a misdemeanor 1962
offense described in division (A) (2) (a) of this section with 1963
respect to a licensee who was issued a concealed handgun license 1964
and with respect to which ~~division (A) (2) (c) of this section 1965
does not apply,~~ subject to division (C) of this section, the 1966
sheriff who issued the licensee's license shall notify the 1967
licensee, by certified mail, return receipt requested, at the 1968
licensee's last known residence address that the license has 1969
been suspended and that the licensee is required to surrender 1970
the license at the sheriff's office within ten days of the date 1971
on which the notice was mailed. If the suspension is pursuant to 1972
division (A) (2) of this section, the notice shall identify the 1973
date on which the suspension ends. 1974

(B) (1) A sheriff who issues a concealed handgun license to 1975

a licensee shall revoke the license in accordance with division 1976
(B) (2) of this section upon becoming aware that the licensee 1977
satisfies any of the following: 1978

(a) The licensee is under twenty-one years of age. 1979

(b) Subject to division (C) of this section, at the time 1980
of the issuance of the license, the licensee did not satisfy the 1981
eligibility requirements of division (D) (1) (c), (d), (e), (f), 1982
(g), or (h) of section 2923.125 of the Revised Code. 1983

(c) Subject to division (C) of this section, on or after 1984
the date on which the license was issued, the licensee is 1985
convicted of or pleads guilty to a violation of section 2923.15 1986
of the Revised Code or an offense described in division (D) (1) 1987
(e), (f), (g), or (h) of section 2923.125 of the Revised Code. 1988

(d) On or after the date on which the license was issued, 1989
the licensee becomes subject to a civil protection order or to a 1990
protection order issued by a court of another state that is 1991
substantially equivalent to a civil protection order. 1992

(e) The licensee knowingly carries a concealed handgun 1993
into a place that the licensee knows is an unauthorized place 1994
specified in division (B) of section 2923.126 of the Revised 1995
Code. 1996

(f) On or after the date on which the license was issued, 1997
the licensee is adjudicated as a mental defective or is 1998
committed to a mental institution. 1999

(g) At the time of the issuance of the license, the 2000
licensee did not meet the residency requirements described in 2001
division (D) (1) of section 2923.125 of the Revised Code and 2002
currently does not meet the residency requirements described in 2003
that division. 2004

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

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

(C) If a sheriff who issues a concealed handgun license to a licensee becomes aware that at the time of the issuance of the license the licensee had been convicted of or pleaded guilty to an offense identified in division (D)(1)(e), (f), or (h) of section 2923.125 of the Revised Code or had been adjudicated a delinquent child for committing an act or violation identified in any of those divisions or becomes aware that on or after the

date on which the license was issued the licensee has been 2036
convicted of or pleaded guilty to an offense identified in 2037
division (A) (2) (a) or (B) (1) (c) of this section, the sheriff 2038
shall not consider that conviction, guilty plea, or adjudication 2039
as having occurred for purposes of divisions (A) (2), (A) (3), (B) 2040
(1), and (B) (2) of this section if a court has ordered the 2041
sealing or expungement of the records of that conviction, guilty 2042
plea, or adjudication pursuant to sections 2151.355 to 2151.358 2043
or sections 2953.31 to 2953.36 of the Revised Code or the 2044
licensee has been relieved under operation of law or legal 2045
process from the disability imposed pursuant to section 2923.13 2046
of the Revised Code relative to that conviction, guilty plea, or 2047
adjudication. 2048

(D) As used in this section, "motor carrier enforcement 2049
unit" has the same meaning as in section 2923.16 of the Revised 2050
Code. 2051

Sec. 2923.1210. (A) A business entity, property owner, or 2052
public or private employer may not establish, maintain, or 2053
enforce a policy or rule that prohibits or has the effect of 2054
prohibiting a person who has been issued a ~~valid~~-concealed 2055
handgun license, who is an active duty member of the armed 2056
forces of the United States and has been issued a valid military 2057
identification card and documentation of successful completion 2058
of firearms training that meets or exceeds the training 2059
requirements described in division (G) (1) of section 2923.125 of 2060
the Revised Code, or who is at least twenty-one years of age and 2061
is not prohibited under the law of this state or the United 2062
States from possessing a firearm, from transporting or storing a 2063
firearm or ammunition when both of the following conditions are 2064
met: 2065

(1) Each firearm and all of the ammunition remains inside 2066
the person's privately owned motor vehicle while the person is 2067
physically present inside the motor vehicle, or each firearm and 2068
all of the ammunition is locked within the trunk, glove box, or 2069
other enclosed compartment or container within or on the 2070
person's privately owned motor vehicle; 2071

(2) The vehicle is in a location where it is otherwise 2072
permitted to be. 2073

(B) A business entity, property owner, or public or 2074
private employer that violates division (A) of this section may 2075
be found liable in a civil action for injunctive relief brought 2076
by any individual injured by the violation. The court may grant 2077
any injunctive relief it finds appropriate. 2078

(C) No business entity, property owner, or public or 2079
private employer shall be held liable in any civil action for 2080
damages, injuries, or death resulting from or arising out of 2081
another person's actions involving a firearm or ammunition 2082
transported or stored pursuant to division (A) of this section 2083
including the theft of a firearm from an employee's or invitee's 2084
automobile, unless the business entity, property owner, or 2085
public or private employer intentionally solicited or procured 2086
the other person's injurious actions. 2087

Sec. 2923.1213. (A) As used in this section: 2088

(1) "Evidence of imminent danger" means any of the 2089
following: 2090

(a) A statement sworn by the person seeking to carry a 2091
concealed handgun that is made under threat of perjury and that 2092
states that the person has reasonable cause to fear a criminal 2093
attack upon the person or a member of the person's family, such 2094

as would justify a prudent person in going armed; 2095

(b) A written document prepared by a governmental entity 2096
or public official describing the facts that give the person 2097
seeking to carry a concealed handgun reasonable cause to fear a 2098
criminal attack upon the person or a member of the person's 2099
family, such as would justify a prudent person in going armed. 2100
Written documents of this nature include, but are not limited 2101
to, any temporary protection order, civil protection order, 2102
protection order issued by another state, or other court order, 2103
any court report, and any report filed with or made by a law 2104
enforcement agency or prosecutor. 2105

(2) "Prosecutor" has the same meaning as in section 2106
2935.01 of the Revised Code. 2107

(B) (1) A person seeking a concealed handgun license on a 2108
temporary emergency basis shall submit to the sheriff of ~~the any~~ 2109
county ~~in which the person resides~~ or, if the person usually 2110
resides in another state, to the sheriff of the county in which 2111
the person is temporarily staying, all of the following: 2112

(a) Evidence of imminent danger to the person or a member 2113
of the person's family; 2114

(b) A sworn affidavit that contains all of the information 2115
required to be on the license and attesting that the person is 2116
legally living in the United States; is at least twenty-one 2117
years of age; is not a fugitive from justice; is not under 2118
indictment for or otherwise charged with an offense identified 2119
in division (D) (1) (d) of section 2923.125 of the Revised Code; 2120
has not been convicted of or pleaded guilty to an offense, and 2121
has not been adjudicated a delinquent child for committing an 2122
act, identified in division (D) (1) (e) of that section and to 2123

which division (B) (3) of this section does not apply; within 2124
three years of the date of the submission, has not been 2125
convicted of or pleaded guilty to an offense, and has not been 2126
adjudicated a delinquent child for committing an act, identified 2127
in division (D) (1) (f) of that section and to which division (B) 2128
(3) of this section does not apply; within five years of the 2129
date of the submission, has not been convicted of, pleaded 2130
guilty, or adjudicated a delinquent child for committing two or 2131
more violations identified in division (D) (1) (g) of that 2132
section; within ten years of the date of the submission, has not 2133
been convicted of, pleaded guilty, or adjudicated a delinquent 2134
child for committing a violation identified in division (D) (1) 2135
(h) of that section and to which division (B) (3) of this section 2136
does not apply; has not been adjudicated as a mental defective, 2137
has not been committed to any mental institution, is not under 2138
adjudication of mental incompetence, has not been found by a 2139
court to be a mentally ill person subject to court order, and is 2140
not an involuntary patient other than one who is a patient only 2141
for purposes of observation, as described in division (D) (1) (i) 2142
of that section; is not currently subject to a civil protection 2143
order, a temporary protection order, or a protection order 2144
issued by a court of another state, as described in division (D) 2145
(1) (j) of that section; is not currently subject to a suspension 2146
imposed under division (A) (2) of section 2923.128 of the Revised 2147
Code of a concealed handgun license that previously was issued 2148
to the person or a similar suspension imposed by another state 2149
regarding a concealed handgun license issued by that state; is 2150
not an unlawful user of or addicted to any controlled substance 2151
as defined in 21 U.S.C. 802; if applicable, is an alien and has 2152
not been admitted to the United States under a nonimmigrant 2153
visa, as defined in the "Immigration and Nationality Act," 8 2154
U.S.C. 1101(a) (26); has not been discharged from the armed 2155

forces of the United States under dishonorable conditions; if 2156
applicable, has not renounced the applicant's United States 2157
citizenship; and has not been convicted of, pleaded guilty to, 2158
or been adjudicated a delinquent child for committing a 2159
violation identified in division (D) (1) (s) of section 2923.125 2160
of the Revised Code; 2161

(c) A nonrefundable temporary emergency license fee as 2162
described in either of the following: 2163

(i) For an applicant who has been a resident of this state 2164
for five or more years, a fee of fifteen dollars plus the actual 2165
cost of having a background check performed by the bureau of 2166
criminal identification and investigation pursuant to section 2167
311.41 of the Revised Code; 2168

(ii) For an applicant who has been a resident of this 2169
state for less than five years or who is not a resident of this 2170
state, but is temporarily staying in this state, a fee of 2171
fifteen dollars plus the actual cost of having background checks 2172
performed by the federal bureau of investigation and the bureau 2173
of criminal identification and investigation pursuant to section 2174
311.41 of the Revised Code. 2175

(d) A set of fingerprints of the applicant provided as 2176
described in section 311.41 of the Revised Code through use of 2177
an electronic fingerprint reading device or, if the sheriff to 2178
whom the application is submitted does not possess and does not 2179
have ready access to the use of an electronic fingerprint 2180
reading device, on a standard impression sheet prescribed 2181
pursuant to division (C) (2) of section 109.572 of the Revised 2182
Code. If the fingerprints are provided on a standard impression 2183
sheet, the person also shall provide the person's social 2184
security number to the sheriff. 2185

(2) A sheriff shall accept the evidence of imminent 2186
danger, the sworn affidavit, the fee, and the set of 2187
fingerprints required under division (B) (1) of this section at 2188
the times and in the manners described in division (I) of this 2189
section. Upon receipt of the evidence of imminent danger, the 2190
sworn affidavit, the fee, and the set of fingerprints required 2191
under division (B) (1) of this section, the sheriff, in the 2192
manner specified in section 311.41 of the Revised Code, 2193
immediately shall conduct or cause to be conducted the criminal 2194
records check and the incompetency records check described in 2195
section 311.41 of the Revised Code. Immediately upon receipt of 2196
the results of the records checks, the sheriff shall review the 2197
information and shall determine whether the criteria set forth 2198
in divisions (D) (1) (a) to (j) and (m) to (s) of section 2923.125 2199
of the Revised Code apply regarding the person. If the sheriff 2200
determines that all of the criteria set forth in divisions (D) 2201
(1) (a) to (j) and (m) to (s) of section 2923.125 of the Revised 2202
Code apply regarding the person, the sheriff shall immediately 2203
make available through the law enforcement automated data system 2204
all information that will be contained on the temporary 2205
emergency license for the person if one is issued, and the 2206
superintendent of the state highway patrol shall ensure that the 2207
system is so configured as to permit the transmission through 2208
the system of that information. Upon making that information 2209
available through the law enforcement automated data system, the 2210
sheriff shall immediately issue to the person a concealed 2211
handgun license on a temporary emergency basis. 2212

If the sheriff denies the issuance of a license on a 2213
temporary emergency basis to the person, the sheriff shall 2214
specify the grounds for the denial in a written notice to the 2215
person. The person may appeal the denial, or challenge criminal 2216

records check results that were the basis of the denial if 2217
applicable, in the same manners specified in division (D) (2) of 2218
section 2923.125 and in section 2923.127 of the Revised Code, 2219
regarding the denial of an application for a concealed handgun 2220
license under that section. 2221

The license on a temporary emergency basis issued under 2222
this division shall be in the form, and shall include all of the 2223
information, described in divisions (A) (2) (a) and (d) of section 2224
109.731 of the Revised Code, and also shall include a unique 2225
combination of identifying letters and numbers in accordance 2226
with division (A) (2) (c) of that section. 2227

The license on a temporary emergency basis issued under 2228
this division is valid for ninety days and may not be renewed. A 2229
person who has been issued a license on a temporary emergency 2230
basis under this division shall not be issued another license on 2231
a temporary emergency basis unless at least four years has 2232
expired since the issuance of the prior license on a temporary 2233
emergency basis. 2234

(3) If a person seeking a concealed handgun license on a 2235
temporary emergency basis has been convicted of or pleaded 2236
guilty to an offense identified in division (D) (1) (e), (f), or 2237
(h) of section 2923.125 of the Revised Code or has been 2238
adjudicated a delinquent child for committing an act or 2239
violation identified in any of those divisions, and if a court 2240
has ordered the sealing or expungement of the records of that 2241
conviction, guilty plea, or adjudication pursuant to sections 2242
2151.355 to 2151.358 or sections 2953.31 to 2953.36 of the 2243
Revised Code or the applicant has been relieved under operation 2244
of law or legal process from the disability imposed pursuant to 2245
section 2923.13 of the Revised Code relative to that conviction, 2246

guilty plea, or adjudication, the conviction, guilty plea, or 2247
adjudication shall not be relevant for purposes of the sworn 2248
affidavit described in division (B) (1) (b) of this section, and 2249
the person may complete, and swear to the truth of, the 2250
affidavit as if the conviction, guilty plea, or adjudication 2251
never had occurred. 2252

(4) The sheriff shall waive the payment pursuant to 2253
division (B) (1) (c) of this section of the license fee in 2254
connection with an application that is submitted by an applicant 2255
who is a retired peace officer, a retired person described in 2256
division (B) (1) (b) of section 109.77 of the Revised Code, or a 2257
retired federal law enforcement officer who, prior to 2258
retirement, was authorized under federal law to carry a firearm 2259
in the course of duty, unless the retired peace officer, person, 2260
or federal law enforcement officer retired as the result of a 2261
mental disability. 2262

The sheriff shall deposit all fees paid by an applicant 2263
under division (B) (1) (c) of this section into the sheriff's 2264
concealed handgun license issuance fund established pursuant to 2265
section 311.42 of the Revised Code. 2266

(C) A person who holds a concealed handgun license on a 2267
temporary emergency basis has the same right to carry a 2268
concealed handgun as a person who was issued a concealed handgun 2269
license under section 2923.125 of the Revised Code, and any 2270
exceptions to the prohibitions contained in section 1547.69 and 2271
sections 2923.12 to 2923.16 of the Revised Code for a licensee 2272
under section 2923.125 of the Revised Code apply to a licensee 2273
under this section. The person is subject to the same 2274
restrictions, and to all other procedures, duties, and 2275
sanctions, that apply to a person who ~~carries~~ has been issued a 2276

license issued under section 2923.125 of the Revised Code, other 2277
than the license renewal procedures set forth in that section. 2278

(D) A sheriff who issues a concealed handgun license on a 2279
temporary emergency basis under this section shall not require a 2280
person seeking to carry a concealed handgun in accordance with 2281
this section to submit a competency certificate as a 2282
prerequisite for issuing the license and shall comply with 2283
division (H) of section 2923.125 of the Revised Code in regards 2284
to the license. The sheriff shall suspend or revoke the license 2285
in accordance with section 2923.128 of the Revised Code. In 2286
addition to the suspension or revocation procedures set forth in 2287
section 2923.128 of the Revised Code, the sheriff may revoke the 2288
license upon receiving information, verifiable by public 2289
documents, that the person is not eligible to possess a firearm 2290
under either the laws of this state or of the United States or 2291
that the person committed perjury in obtaining the license; if 2292
the sheriff revokes a license under this additional authority, 2293
the sheriff shall notify the person, by certified mail, return 2294
receipt requested, at the person's last known residence address 2295
that the license has been revoked and that the person is 2296
required to surrender the license at the sheriff's office within 2297
ten days of the date on which the notice was mailed. Division 2298
(H) of section 2923.125 of the Revised Code applies regarding 2299
any suspension or revocation of a concealed handgun license on a 2300
temporary emergency basis. 2301

(E) A sheriff who issues a concealed handgun license on a 2302
temporary emergency basis under this section shall retain, for 2303
the entire period during which the license is in effect, the 2304
evidence of imminent danger that the person submitted to the 2305
sheriff and that was the basis for the license, or a copy of 2306
that evidence, as appropriate. 2307

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

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

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

(I) A sheriff shall accept evidence of imminent danger, a sworn affidavit, the fee, and the set of fingerprints specified

in division (B)(1) of this section at any time during normal 2338
business hours. In no case shall a sheriff require an 2339
appointment, or designate a specific period of time, for the 2340
submission or acceptance of evidence of imminent danger, a sworn 2341
affidavit, the fee, and the set of fingerprints specified in 2342
division (B)(1) of this section, or for the provision to any 2343
person of a standard form to be used for a person to apply for a 2344
concealed handgun license on a temporary emergency basis. 2345

(J) The availability of a concealed handgun license under 2346
this section or section 2923.125 of the Revised Code shall not 2347
be construed to prohibit or restrict a person from possessing, 2348
carrying, or transporting a firearm in a vehicle or on or about 2349
the person's person, whether concealed or unconcealed, loaded or 2350
unloaded, without a valid concealed handgun license if the 2351
possession, carrying, or transport in the manner in question is 2352
otherwise permitted by the Revised Code or any other provision 2353
of law. 2354

Sec. 2923.16. (A) No person shall knowingly discharge a 2355
firearm while in or on a motor vehicle. 2356

(B) No person shall knowingly transport or have a loaded 2357
firearm in a motor vehicle in such a manner that the firearm is 2358
accessible to the operator or any passenger without leaving the 2359
vehicle. 2360

(C) No person shall knowingly transport or have a firearm 2361
in a motor vehicle, unless the person may lawfully possess that 2362
firearm under applicable law of this state or the United States, 2363
the firearm is unloaded, and the firearm is carried in one of 2364
the following ways: 2365

(1) In a closed package, box, or case; 2366

(2) In a compartment that can be reached only by leaving the vehicle; 2367
2368

(3) In plain sight and secured in a rack or holder made for the purpose; 2369
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(4) If the firearm is at least twenty-four inches in overall length as measured from the muzzle to the part of the stock furthest from the muzzle and if the barrel is at least eighteen inches in length, either in plain sight with the action open or the weapon stripped, or, if the firearm is of a type on which the action will not stay open or which cannot easily be stripped, in plain sight. 2371
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(D) No person shall knowingly transport or have a loaded handgun in a motor vehicle if, at the time of that transportation or possession, any of the following applies: 2378
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2380

(1) The person is under the influence of alcohol, a drug of abuse, or a combination of them. 2381
2382

(2) The person's whole blood, blood serum or plasma, breath, or urine contains a concentration of alcohol, a listed controlled substance, or a listed metabolite of a controlled substance prohibited for persons operating a vehicle, as specified in division (A) of section 4511.19 of the Revised Code, regardless of whether the person at the time of the transportation or possession as described in this division is the operator of or a passenger in the motor vehicle. 2383
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(E) No person who has been issued a concealed handgun license ~~or~~, who is an active duty member of the armed forces of the United States and ~~is carrying~~ has been issued a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the 2391
2392
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training requirements described in division (G) (1) of section 2396
2923.125 of the Revised Code, or who is at least twenty-one 2397
years of age and is not prohibited under the law of this state 2398
or the United States from possessing a firearm, who in any of 2399
those cases is the driver or an occupant of a motor vehicle that 2400
is stopped as a result of a traffic stop or a stop for another 2401
law enforcement purpose or is the driver or an occupant of a 2402
commercial motor vehicle that is stopped by an employee of the 2403
motor carrier enforcement unit for the purposes defined in 2404
section 5503.34 of the Revised Code, and who is transporting or 2405
has a loaded handgun in the motor vehicle or commercial motor 2406
vehicle in any manner, shall do any of the following: 2407

(1) ~~Fail to promptly inform any law enforcement officer~~ 2408
~~who approaches the vehicle while stopped that the person has~~ 2409
~~been issued a concealed handgun license or is authorized to~~ 2410
~~carry a concealed handgun as an active duty member of the armed~~ 2411
~~forces of the United States~~ Before or at the time a law 2412
enforcement officer asks if the person is carrying a concealed 2413
handgun, fail to disclose and that the person then possesses or 2414
has a loaded handgun in the motor vehicle; 2415

(2) ~~Fail to promptly inform the employee of the unit who~~ 2416
~~approaches the vehicle while stopped that the person has been~~ 2417
~~issued a concealed handgun license or is authorized to carry a~~ 2418
~~concealed handgun as an active duty member of the armed forces~~ 2419
~~of the United States and~~ Before or at the time an employee of 2420
the motor carrier enforcement unit asks if the person is 2421
carrying a concealed handgun, fail to disclose that the person 2422
then possesses or has a loaded handgun in the commercial motor 2423
vehicle; 2424

(3) Knowingly fail to remain in the motor vehicle while 2425

stopped or knowingly fail to keep the person's hands in plain 2426
sight at any time after any law enforcement officer begins 2427
approaching the person while stopped and before the law 2428
enforcement officer leaves, unless the failure is pursuant to 2429
and in accordance with directions given by a law enforcement 2430
officer; 2431

(4) Knowingly have contact with the loaded handgun by 2432
touching it with the person's hands or fingers in the motor 2433
vehicle at any time after the law enforcement officer begins 2434
approaching and before the law enforcement officer leaves, 2435
unless the person has contact with the loaded handgun pursuant 2436
to and in accordance with directions given by the law 2437
enforcement officer; 2438

(5) Knowingly disregard or fail to comply with any lawful 2439
order of any law enforcement officer given while the motor 2440
vehicle is stopped, including, but not limited to, a specific 2441
order to the person to keep the person's hands in plain sight. 2442

(F) (1) Divisions (A), (B), (C), and (E) of this section do 2443
not apply to any of the following: 2444

(a) An officer, agent, or employee of this or any other 2445
state or the United States, or a law enforcement officer, when 2446
authorized to carry or have loaded or accessible firearms in 2447
motor vehicles and acting within the scope of the officer's, 2448
agent's, or employee's duties; 2449

(b) Any person who is employed in this state, who is 2450
authorized to carry or have loaded or accessible firearms in 2451
motor vehicles, and who is subject to and in compliance with the 2452
requirements of section 109.801 of the Revised Code, unless the 2453
appointing authority of the person has expressly specified that 2454

the exemption provided in division (F) (1) (b) of this section 2455
does not apply to the person. 2456

(2) Division (A) of this section does not apply to a 2457
person if all of the following circumstances apply: 2458

(a) The person discharges a firearm from a motor vehicle 2459
at a coyote or groundhog, the discharge is not during the deer 2460
gun hunting season as set by the chief of the division of 2461
wildlife of the department of natural resources, and the 2462
discharge at the coyote or groundhog, but for the operation of 2463
this section, is lawful. 2464

(b) The motor vehicle from which the person discharges the 2465
firearm is on real property that is located in an unincorporated 2466
area of a township and that either is zoned for agriculture or 2467
is used for agriculture. 2468

(c) The person owns the real property described in 2469
division (F) (2) (b) of this section, is the spouse or a child of 2470
another person who owns that real property, is a tenant of 2471
another person who owns that real property, or is the spouse or 2472
a child of a tenant of another person who owns that real 2473
property. 2474

(d) The person does not discharge the firearm in any of 2475
the following manners: 2476

(i) While under the influence of alcohol, a drug of abuse, 2477
or alcohol and a drug of abuse; 2478

(ii) In the direction of a street, highway, or other 2479
public or private property used by the public for vehicular 2480
traffic or parking; 2481

(iii) At or into an occupied structure that is a permanent 2482

or temporary habitation;	2483
(iv) In the commission of any violation of law, including,	2484
but not limited to, a felony that includes, as an essential	2485
element, purposely or knowingly causing or attempting to cause	2486
the death of or physical harm to another and that was committed	2487
by discharging a firearm from a motor vehicle.	2488
(3) Division (A) of this section does not apply to a	2489
person if all of the following apply:	2490
(a) The person possesses a valid all-purpose vehicle	2491
permit issued under section 1533.103 of the Revised Code by the	2492
chief of the division of wildlife.	2493
(b) The person discharges a firearm at a wild quadruped or	2494
game bird as defined in section 1531.01 of the Revised Code	2495
during the open hunting season for the applicable wild quadruped	2496
or game bird.	2497
(c) The person discharges a firearm from a stationary all-	2498
purpose vehicle as defined in section 1531.01 of the Revised	2499
Code from private or publicly owned lands or from a motor	2500
vehicle that is parked on a road that is owned or administered	2501
by the division of wildlife.	2502
(d) The person does not discharge the firearm in any of	2503
the following manners:	2504
(i) While under the influence of alcohol, a drug of abuse,	2505
or alcohol and a drug of abuse;	2506
(ii) In the direction of a street, a highway, or other	2507
public or private property that is used by the public for	2508
vehicular traffic or parking;	2509
(iii) At or into an occupied structure that is a permanent	2510

or temporary habitation; 2511

(iv) In the commission of any violation of law, including, 2512
but not limited to, a felony that includes, as an essential 2513
element, purposely or knowingly causing or attempting to cause 2514
the death of or physical harm to another and that was committed 2515
by discharging a firearm from a motor vehicle. 2516

(4) Divisions (B) and (C) of this section do not apply to 2517
a person if all of the following circumstances apply: 2518

(a) At the time of the alleged violation of either of 2519
those divisions, the person is the operator of or a passenger in 2520
a motor vehicle. 2521

(b) The motor vehicle is on real property that is located 2522
in an unincorporated area of a township and that either is zoned 2523
for agriculture or is used for agriculture. 2524

(c) The person owns the real property described in 2525
division (D) (4) (b) of this section, is the spouse or a child of 2526
another person who owns that real property, is a tenant of 2527
another person who owns that real property, or is the spouse or 2528
a child of a tenant of another person who owns that real 2529
property. 2530

(d) The person, prior to arriving at the real property 2531
described in division (D) (4) (b) of this section, did not 2532
transport or possess a firearm in the motor vehicle in a manner 2533
prohibited by division (B) or (C) of this section while the 2534
motor vehicle was being operated on a street, highway, or other 2535
public or private property used by the public for vehicular 2536
traffic or parking. 2537

(5) Divisions (B) and (C) of this section do not apply to 2538
a person who transports or possesses a handgun in a motor 2539

vehicle if, at the time of that transportation or possession, 2540
both of the following apply: 2541

(a) ~~The person transporting or possessing the handgun is~~ 2542
~~either carrying has been issued a valid~~ concealed handgun 2543
~~license or that is valid at the time of the transporting or~~ 2544
~~possessing,~~ is an active duty member of the armed forces of the 2545
United States and ~~is carrying has been issued a~~ valid military 2546
identification card and documentation of successful completion 2547
of firearms training that meets or exceeds the training 2548
requirements described in division (G) (1) of section 2923.125 of 2549
the Revised Code that are valid at the time of the transporting 2550
or possessing, or is at least twenty-one years of age and is not 2551
prohibited under the law of this state or the United States from 2552
possessing a firearm. 2553

(b) The person transporting or possessing the handgun is 2554
not knowingly in a place described in division (B) of section 2555
2923.126 of the Revised Code. 2556

(6) Divisions (B) and (C) of this section do not apply to 2557
a person if all of the following apply: 2558

(a) The person possesses a valid all-purpose vehicle 2559
permit issued under section 1533.103 of the Revised Code by the 2560
chief of the division of wildlife. 2561

(b) The person is on or in an all-purpose vehicle as 2562
defined in section 1531.01 of the Revised Code or a motor 2563
vehicle during the open hunting season for a wild quadruped or 2564
game bird. 2565

(c) The person is on or in an all-purpose vehicle as 2566
defined in section 1531.01 of the Revised Code on private or 2567
publicly owned lands or on or in a motor vehicle that is parked 2568

on a road that is owned or administered by the division of 2569
wildlife. 2570

(7) Nothing in this section prohibits or restricts a 2571
person from possessing, storing, or leaving a firearm in a 2572
locked motor vehicle that is parked in the state underground 2573
parking garage at the state capitol building or in the parking 2574
garage at the Riffe center for government and the arts in 2575
Columbus, if the person's transportation and possession of the 2576
firearm in the motor vehicle while traveling to the premises or 2577
facility was not in violation of division (A), (B), (C), (D), or 2578
(E) of this section or any other provision of the Revised Code. 2579

(G) (1) The affirmative defenses authorized in divisions 2580
(D) (1) and (2) of section 2923.12 of the Revised Code are 2581
affirmative defenses to a charge under division (B) or (C) of 2582
this section that involves a firearm other than a handgun. 2583

(2) It is an affirmative defense to a charge under 2584
division (B) or (C) of this section of improperly handling 2585
firearms in a motor vehicle that the actor transported or had 2586
the firearm in the motor vehicle for any lawful purpose and 2587
while the motor vehicle was on the actor's own property, 2588
provided that this affirmative defense is not available unless 2589
the person, immediately prior to arriving at the actor's own 2590
property, did not transport or possess the firearm in a motor 2591
vehicle in a manner prohibited by division (B) or (C) of this 2592
section while the motor vehicle was being operated on a street, 2593
highway, or other public or private property used by the public 2594
for vehicular traffic. 2595

(H) (1) No person who is charged with a violation of 2596
division (B), (C), or (D) of this section shall be required to 2597
obtain a concealed handgun license as a condition for the 2598

dismissal of the charge. 2599

(2) (a) If a person is convicted of, was convicted of, 2600
pleads guilty to, or has pleaded guilty to a violation of 2601
division (E) of this section as it existed prior to September 2602
30, 2011, and if the conduct that was the basis of the violation 2603
no longer would be a violation of division (E) of this section 2604
on or after September 30, 2011, the person may file an 2605
application under section 2953.37 of the Revised Code requesting 2606
the expungement of the record of conviction. 2607

If a person is convicted of, was convicted of, pleads 2608
guilty to, or has pleaded guilty to a violation of division (B) 2609
or (C) of this section as the division existed prior to 2610
September 30, 2011, and if the conduct that was the basis of the 2611
violation no longer would be a violation of division (B) or (C) 2612
of this section on or after September 30, 2011, due to the 2613
application of division (F) (5) of this section as it exists on 2614
and after September 30, 2011, the person may file an application 2615
under section 2953.37 of the Revised Code requesting the 2616
expungement of the record of conviction. 2617

(b) The attorney general shall develop a public media 2618
advisory that summarizes the expungement procedure established 2619
under section 2953.37 of the Revised Code and the offenders 2620
identified in division (H) (2) (a) of this section who are 2621
authorized to apply for the expungement. Within thirty days 2622
after September 30, 2011, the attorney general shall provide a 2623
copy of the advisory to each daily newspaper published in this 2624
state and each television station that broadcasts in this state. 2625
The attorney general may provide the advisory in a tangible 2626
form, an electronic form, or in both tangible and electronic 2627
forms. 2628

(I) Whoever violates this section is guilty of improperly 2629
handling firearms in a motor vehicle. ~~Violation~~ A violation of 2630
division (A) of this section is a felony of the fourth degree. 2631
~~Violation~~ A violation of division (C) of this section is a 2632
misdemeanor of the fourth degree. A violation of division (D) of 2633
this section is a felony of the fifth degree or, if the loaded 2634
handgun is concealed on the person's person, a felony of the 2635
fourth degree. ~~Except as otherwise provided in this division, a~~ 2636
~~violation of division (E) (1) or (2) of this section is a~~ 2637
~~misdemeanor of the first degree, and, in addition to any other~~ 2638
~~penalty or sanction imposed for the violation, the offender's~~ 2639
~~concealed handgun license shall be suspended pursuant to~~ 2640
~~division (A) (2) of section 2923.128 of the Revised Code. If at~~ 2641
~~the time of the stop of the offender for a traffic stop, for~~ 2642
~~another law enforcement purpose, or for a purpose defined in~~ 2643
~~section 5503.34 of the Revised Code that was the basis of the~~ 2644
~~violation any law enforcement officer involved with the stop or~~ 2645
~~the employee of the motor carrier enforcement unit who made the~~ 2646
~~stop had actual knowledge of the offender's status as a~~ 2647
~~licensee, a violation of division (E) (1) or (2) of this section~~ 2648
~~is a minor misdemeanor, and the offender's concealed handgun~~ 2649
~~license shall not be suspended pursuant to division (A) (2) of~~ 2650
~~section 2923.128 of the Revised Code.~~ A violation of division 2651
(E) (4) of this section is a felony of the fifth degree. A 2652
violation of division (E) (3) or (5) of this section is a 2653
misdemeanor of the first degree or, if the offender previously 2654
has been convicted of or pleaded guilty to a violation of 2655
division (E) (3) or (5) of this section, a felony of the fifth 2656
degree. In addition to any other penalty or sanction imposed for 2657
a misdemeanor violation of division (E) (3) or (5) of this 2658
section, if the offender has been issued a concealed handgun 2659
license, the offender's ~~concealed handgun~~ license shall be 2660

suspended pursuant to division (A) (2) of section 2923.128 of the Revised Code. A violation of division (B) of this section is a felony of the fourth degree.

(J) If a law enforcement officer stops a motor vehicle for a traffic stop or any other purpose, if any person in the motor vehicle surrenders a firearm to the officer, either voluntarily or pursuant to a request or demand of the officer, and if the officer does not charge the person with a violation of this section or arrest the person for any offense, the person is not otherwise prohibited by law from possessing the firearm, and the firearm is not contraband, the officer shall return the firearm to the person at the termination of the stop. If a court orders a law enforcement officer to return a firearm to a person pursuant to the requirement set forth in this division, division (B) of section 2923.163 of the Revised Code applies.

(K) As used in this section:

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

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

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

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

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

(i) There is no ammunition in a magazine or speed loader 2690
that is in the vehicle in question and that may be used with the 2691
firearm in question. 2692

(ii) Any magazine or speed loader that contains ammunition 2693
and that may be used with the firearm in question is stored in a 2694
compartment within the vehicle in question that cannot be 2695
accessed without leaving the vehicle or is stored in a container 2696
that provides complete and separate enclosure. 2697

(b) For the purposes of division (K) (5) (a) (ii) of this 2698
section, a "container that provides complete and separate 2699
enclosure" includes, but is not limited to, any of the 2700
following: 2701

(i) A package, box, or case with multiple compartments, as 2702
long as the loaded magazine or speed loader and the firearm in 2703
question either are in separate compartments within the package, 2704
box, or case, or, if they are in the same compartment, the 2705
magazine or speed loader is contained within a separate 2706
enclosure in that compartment that does not contain the firearm 2707
and that closes using a snap, button, buckle, zipper, hook and 2708
loop closing mechanism, or other fastener that must be opened to 2709
access the contents or the firearm is contained within a 2710
separate enclosure of that nature in that compartment that does 2711
not contain the magazine or speed loader; 2712

(ii) A pocket or other enclosure on the person of the 2713
person in question that closes using a snap, button, buckle, 2714
zipper, hook and loop closing mechanism, or other fastener that 2715
must be opened to access the contents. 2716

(c) For the purposes of divisions (K) (5) (a) and (b) of 2717
this section, ammunition held in stripper-clips or in en-bloc 2718

clips is not considered ammunition that is loaded into a 2719
magazine or speed loader. 2720

(6) "Unloaded" means, with respect to a firearm employing 2721
a percussion cap, flintlock, or other obsolete ignition system, 2722
when the weapon is uncapped or when the priming charge is 2723
removed from the pan. 2724

(7) "Commercial motor vehicle" has the same meaning as in 2725
division (A) of section 4506.25 of the Revised Code. 2726

(8) "Motor carrier enforcement unit" means the motor 2727
carrier enforcement unit in the department of public safety, 2728
division of state highway patrol, that is created by section 2729
5503.34 of the Revised Code. 2730

(L) Divisions (K) (5) (a) and (b) of this section do not 2731
affect the authority of a person who ~~is carrying~~ has been issued 2732
a ~~valid~~ concealed handgun license that is valid at the time of 2733
the possession, who is an active duty member of the armed forces 2734
of the United States and has been issued a valid military 2735
identification card and documentation of successful completion 2736
of firearms training that meets or exceeds the training 2737
requirements described in division (G) (1) of section 2923.125 of 2738
the Revised Code that is valid at the time of the possession, or 2739
who is at least twenty-one years of age and not prohibited under 2740
the law of this state or the United States from possessing a 2741
firearm to have one or more magazines or speed loaders 2742
containing ammunition anywhere in a vehicle, without being 2743
transported as described in those divisions, as long as no 2744
ammunition is in a firearm, other than a handgun, in the vehicle 2745
other than as permitted under any other provision of this 2746
chapter. A person who ~~is carrying~~ has been issued a valid 2747
concealed handgun license that is valid at the time of the 2748

possession, who is an active duty member of the armed forces of 2749
the United States and has been issued a valid military 2750
identification card and documentation of successful completion 2751
of firearms training that meets or exceeds the training 2752
requirements described in division (G) (1) of section 2923.125 of 2753
the Revised Code that is valid at the time of the possession, or 2754
who is at least twenty-one years of age and not prohibited under 2755
the law of this state or the United States from possessing a 2756
firearm may have one or more magazines or speed loaders 2757
containing ammunition anywhere in a vehicle without further 2758
restriction, as long as no ammunition is in a firearm, other 2759
than a handgun, in the vehicle other than as permitted under any 2760
provision of this chapter. 2761

Section 2. That existing sections 311.42, 1547.69, 2762
2923.12, 2923.121, 2923.122, 2923.123, 2923.125, 2923.126, 2763
2923.128, 2923.1210, 2923.1213, and 2923.16 of the Revised Code 2764
are hereby repealed. 2765

Section 3. The General Assembly, applying the principle 2766
stated in division (B) of section 1.52 of the Revised Code that 2767
amendments are to be harmonized if reasonably capable of 2768
simultaneous operation, finds that the following section, 2769
presented in this act as a composite of the section as amended 2770
by the acts indicated, is the resulting version of the section 2771
in effect prior to the effective date of the section as 2772
presented in this act: 2773

Section 2923.1213 of the Revised Code as amended by both 2774
H.B. 234 and S.B. 43 of the 130th General Assembly. 2775