

As Introduced

**134th General Assembly
Regular Session
2021-2022**

H. B. No. 630

Representative Galonski

A BILL

To amend sections 1547.69, 2923.12, 2923.121, 1
2923.122, 2923.123, 2923.126, 2923.128, 2923.16, 2
and 2953.37 and to repeal section 2923.111 of 3
the Revised Code to repeal the changes made by 4
S.B. 215 of the 134th General Assembly to the 5
laws regarding a concealed handgun licensee's 6
duty to carry the license and notify a law 7
enforcement officer if the licensee is carrying 8
a concealed handgun, and the rights of a 9
qualifying adult to carry a concealed handgun in 10
the same manner as if the person was a licensee. 11

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

Section 1. That sections 1547.69, 2923.12, 2923.121, 12
2923.122, 2923.123, 2923.126, 2923.128, 2923.16, and 2953.37 of 13
the Revised Code be amended to read as follows: 14

Sec. 1547.69. (A) As used in this section: 15

(1) "Firearm," "concealed handgun license," "handgun," 16
"valid concealed handgun license," and "active duty" have the 17
same meanings as in section 2923.11 of the Revised Code. 18

(2) "Unloaded" has the same meanings as in divisions (K) 19

(5) and (6) of section 2923.16 of the Revised Code, except that 20
all references in the definition in division (K) (5) of that 21
section to "vehicle" shall be construed for purposes of this 22
section to be references to "vessel." 23

(B) No person shall knowingly discharge a firearm while in 24
or on a vessel. 25

(C) No person shall knowingly transport or have a loaded 26
firearm in a vessel in a manner that the firearm is accessible 27
to the operator or any passenger. 28

(D) No person shall knowingly transport or have a firearm 29
in a vessel unless it is unloaded and is carried in one of the 30
following ways: 31

(1) In a closed package, box, or case; 32

(2) In plain sight with the action opened or the weapon 33
stripped, or, if the firearm is of a type on which the action 34
will not stay open or that cannot easily be stripped, in plain 35
sight. 36

(E) (1) The affirmative defenses authorized in divisions 37
(D) (1) and (2) of section 2923.12 of the Revised Code are 38
affirmative defenses to a charge under division (C) or (D) of 39
this section that involves a firearm other than a handgun. It is 40
an affirmative defense to a charge under division (C) or (D) of 41
this section of transporting or having a firearm of any type, 42
including a handgun, in a vessel that the actor transported or 43
had the firearm in the vessel for any lawful purpose and while 44
the vessel was on the actor's own property, provided that this 45
affirmative defense is not available unless the actor, prior to 46
arriving at the vessel on the actor's own property, did not 47
transport or possess the firearm in the vessel or in a motor 48

vehicle in a manner prohibited by this section or division (B) 49
or (C) of section 2923.16 of the Revised Code while the vessel 50
was being operated on a waterway that was not on the actor's own 51
property or while the motor vehicle was being operated on a 52
street, highway, or other public or private property used by the 53
public for vehicular traffic. 54

(2) No person who is charged with a violation of division 55
(C) or (D) of this section shall be required to obtain a license 56
or temporary emergency license to carry a concealed handgun 57
under section 2923.125 or 2923.1213 of the Revised Code as a 58
condition for the dismissal of the charge. 59

(F) Divisions (B), (C), and (D) of this section do not 60
apply to the possession or discharge of a United States coast 61
guard approved signaling device required to be carried aboard a 62
vessel under section 1547.251 of the Revised Code when the 63
signaling device is possessed or used for the purpose of giving 64
a visual distress signal. No person shall knowingly transport or 65
possess any signaling device of that nature in or on a vessel in 66
a loaded condition at any time other than immediately prior to 67
the discharge of the signaling device for the purpose of giving 68
a visual distress signal. 69

(G) No person shall operate or permit to be operated any 70
vessel on the waters in this state in violation of this section. 71

(H) (1) This section does not apply to any of the 72
following: 73

(a) An officer, agent, or employee of this or any other 74
state or of the United States, or to a law enforcement officer, 75
when authorized to carry or have loaded or accessible firearms 76
in a vessel and acting within the scope of the officer's, 77

agent's, or employee's duties; 78

(b) Any person who is employed in this state, who is 79
authorized to carry or have loaded or accessible firearms in a 80
vessel, and who is subject to and in compliance with the 81
requirements of section 109.801 of the Revised Code, unless the 82
appointing authority of the person has expressly specified that 83
the exemption provided in division (H) (1) (b) of this section 84
does not apply to the person; 85

(c) Any person legally engaged in hunting. 86

(2) Divisions (C) and (D) of this section do not apply to 87
a person who transports or possesses a handgun in a vessel and 88
~~who has been issued a concealed handgun license that is valid at~~ 89
~~the time of that transportation or possession or~~ who, at the 90
time of that transportation or possession, either is carrying a 91
valid concealed handgun license or is an active duty member of 92
the armed forces of the United States and is carrying a valid 93
military identification card and documentation of successful 94
completion of firearms training that meets or exceeds the 95
training requirements described in division (G) (1) of section 96
2923.125 of the Revised Code, unless the person knowingly is in 97
a place on the vessel described in division (B) of section 98
2923.126 of the Revised Code. 99

(I) If a law enforcement officer stops a vessel for a 100
violation of this section or any other law enforcement purpose, 101
if any person on the vessel surrenders a firearm to the officer, 102
either voluntarily or pursuant to a request or demand of the 103
officer, and if the officer does not charge the person with a 104
violation of this section or arrest the person for any offense, 105
the person is not otherwise prohibited by law from possessing 106
the firearm, and the firearm is not contraband, the officer 107

shall return the firearm to the person at the termination of the 108
stop. 109

(J) Division (L) of section 2923.16 of the Revised Code 110
applies with respect to division (A)(2) of this section, except 111
that all references in division (L) of section 2923.16 of the 112
Revised Code to "vehicle," to "this chapter," or to "division 113
(K) (5) (a) or (b) of this section" shall be construed for 114
purposes of this section to be, respectively, references to 115
"vessel," to "section 1547.69 of the Revised Code," and to 116
divisions (K) (5) (a) and (b) of section 2923.16 of the Revised 117
Code as incorporated under the definition of firearm adopted 118
under division (A) (2) of this section. 119

Sec. 2923.12. (A) No person shall knowingly carry or have, 120
concealed on the person's person or concealed ready at hand, any 121
of the following: 122

(1) A deadly weapon other than a handgun; 123

(2) A handgun other than a dangerous ordnance; 124

(3) A dangerous ordnance. 125

(B) No person who has been issued a concealed handgun 126
license shall do any of the following: 127

(1) If the person is stopped for a law enforcement purpose 128
and is carrying a concealed handgun, ~~before or at the time a law~~ 129
~~enforcement officer asks if the person is carrying a concealed~~ 130
~~handgun, knowingly fail to disclose that~~promptly inform any law 131
enforcement officer who approaches the person after the person 132
has been stopped that the person has been issued a concealed 133
handgun license and that the person then is carrying a concealed 134
handgun, ~~provided that it is not a violation of this division if~~ 135
~~the person fails to disclose that fact to an officer during the~~ 136

~~stop and the person already has notified another officer of that~~ 137
~~fact during the same stop;~~ 138

(2) If the person is stopped for a law enforcement purpose 139
and is carrying a concealed handgun, knowingly fail to keep the 140
person's hands in plain sight at any time after any law 141
enforcement officer begins approaching the person while stopped 142
and before the law enforcement officer leaves, unless the 143
failure is pursuant to and in accordance with directions given 144
by a law enforcement officer; 145

(3) If the person is stopped for a law enforcement 146
purpose, if the person is carrying a concealed handgun, and if 147
the person is approached by any law enforcement officer while 148
stopped, knowingly remove or attempt to remove the loaded 149
handgun from the holster, pocket, or other place in which the 150
person is carrying it, knowingly grasp or hold the loaded 151
handgun, or knowingly have contact with the loaded handgun by 152
touching it with the person's hands or fingers at any time after 153
the law enforcement officer begins approaching and before the 154
law enforcement officer leaves, unless the person removes, 155
attempts to remove, grasps, holds, or has contact with the 156
loaded handgun pursuant to and in accordance with directions 157
given by the law enforcement officer; 158

(4) If the person is stopped for a law enforcement purpose 159
and is carrying a concealed handgun, knowingly disregard or fail 160
to comply with any lawful order of any law enforcement officer 161
given while the person is stopped, including, but not limited 162
to, a specific order to the person to keep the person's hands in 163
plain sight. 164

(C) (1) This section does not apply to any of the 165
following: 166

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

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

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

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

(2) Division (A) (2) of this section does not apply to any ~~person who has been issued a concealed handgun license that is valid at the time of the alleged carrying or possession of a handgun or~~ who, at the time of the alleged carrying or possession of a handgun, either is carrying a valid concealed handgun license or is an active duty member of the armed forces of the United States and is carrying a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G) (1) of section 2923.125 of

the Revised Code, unless the person knowingly is in a place 197
described in division (B) of section 2923.126 of the Revised 198
Code. 199

(D) It is an affirmative defense to a charge under 200
division (A)(1) of this section of carrying or having control of 201
a weapon other than a handgun and other than a dangerous 202
ordnance that the actor was not otherwise prohibited by law from 203
having the weapon and that any of the following applies: 204

(1) The weapon was carried or kept ready at hand by the 205
actor for defensive purposes while the actor was engaged in or 206
was going to or from the actor's lawful business or occupation, 207
which business or occupation was of a character or was 208
necessarily carried on in a manner or at a time or place as to 209
render the actor particularly susceptible to criminal attack, 210
such as would justify a prudent person in going armed. 211

(2) The weapon was carried or kept ready at hand by the 212
actor for defensive purposes while the actor was engaged in a 213
lawful activity and had reasonable cause to fear a criminal 214
attack upon the actor, a member of the actor's family, or the 215
actor's home, such as would justify a prudent person in going 216
armed. 217

(3) The weapon was carried or kept ready at hand by the 218
actor for any lawful purpose and while in the actor's own home. 219

~~(E)(1)~~ (E) No person who is charged with a violation of 220
this section shall be required to obtain a concealed handgun 221
license as a condition for the dismissal of the charge. 222

~~(2) If a person is convicted of, was convicted of, pleads-~~ 223
~~guilty to, or has pleaded guilty to a violation of division (B)-~~ 224
~~(1) of this section as it existed prior to the effective date of-~~ 225

~~this amendment, the person may file an application under 226
section 2953.37 of the Revised Code requesting the expungement 227
of the record of conviction. 228~~

(F) (1) Whoever violates this section is guilty of carrying 229
concealed weapons. Except as otherwise provided in this division 230
or divisions (F) (2), (6), and (7) of this section, carrying 231
concealed weapons in violation of division (A) of this section 232
is a misdemeanor of the first degree. Except as otherwise 233
provided in this division or divisions (F) (2), (6), and (7) of 234
this section, if the offender previously has been convicted of a 235
violation of this section or of any offense of violence, if the 236
weapon involved is a firearm that is either loaded or for which 237
the offender has ammunition ready at hand, or if the weapon 238
involved is dangerous ordnance, carrying concealed weapons in 239
violation of division (A) of this section is a felony of the 240
fourth degree. Except as otherwise provided in divisions (F) (2) 241
and (6) of this section, if the offense is committed aboard an 242
aircraft, or with purpose to carry a concealed weapon aboard an 243
aircraft, regardless of the weapon involved, carrying concealed 244
weapons in violation of division (A) of this section is a felony 245
of the third degree. 246

(2) A~~Except as provided in division (F) (6) of this~~ 247
section, if a person shall not be being arrested for a violation 248
of division (A) (2) of this section ~~solely because the person~~ 249
~~does not~~ promptly produce ~~produces~~ a valid concealed handgun 250
license. ~~If a person is arrested for a violation of division (A)~~ 251
~~(2) of this section and is convicted of or pleads guilty to the~~ 252
violation, and if at the time of the violation the person was 253
not knowingly in a place described in division (B) of section 254
2923.126 of the Revised Code, the officer shall not arrest the 255
person for a violation of that division. If the person is not 256

able to promptly produce any concealed handgun license and if 257
the person is not in a place described in that section, the 258
officer may arrest the person for a violation of that division, 259
and the offender shall be punished as follows: 260

(a) The offender shall be guilty of a minor misdemeanor if 261
both of the following apply: 262

(i) Within ten days after the arrest, the offender 263
presents a concealed handgun license, which license was valid at 264
the time of the arrest, to the law enforcement agency that 265
employs the arresting officer. 266

(ii) At the time of the arrest, the offender was not 267
knowingly in a place described in division (B) of section 268
2923.126 of the Revised Code. 269

(b) The offender shall be guilty of a misdemeanor and 270
shall be fined five hundred dollars if all of the following 271
apply: 272

(i) The offender previously had been issued a concealed 273
handgun license, and that license expired within the two years 274
immediately preceding the arrest. 275

(ii) Within forty-five days after the arrest, the offender 276
presents a concealed handgun license to the law enforcement 277
agency that employed the arresting officer, and the offender 278
waives in writing the offender's right to a speedy trial on the 279
charge of the violation that is provided in section 2945.71 of 280
the Revised Code. 281

(iii) At the time of the commission of the offense, the 282
offender was not knowingly in a place described in division (B) 283
of section 2923.126 of the Revised Code. 284

(c) 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.

(3) ~~Carrying~~Except as otherwise provided in this division, carrying concealed weapons in violation of division (B) (1) of this section is a misdemeanor of the ~~second~~ 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.

(4) Carrying concealed weapons in violation of division (B) (2) or (4) of this section is a misdemeanor of the first degree or, if the offender previously has been convicted of or pleaded guilty to a violation of division (B) (2) or (4) of this section, a felony of the fifth degree. In addition to any other penalty or sanction imposed for a misdemeanor violation of division (B) (2) or (4) 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.

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

(6) If a person being arrested for a violation of division

(A) (2) of this section is an active duty member of the armed 315
forces of the United States and is carrying a valid military 316
identification card and documentation of successful completion 317
of firearms training that meets or exceeds the training 318
requirements described in division (G) (1) of section 2923.125 of 319
the Revised Code, and if at the time of the violation the person 320
was not knowingly in a place described in division (B) of 321
section 2923.126 of the Revised Code, the officer shall not 322
arrest the person for a violation of that division. If the 323
person is not able to promptly produce a valid military 324
identification card and documentation of successful completion 325
of firearms training that meets or exceeds the training 326
requirements described in division (G) (1) of section 2923.125 of 327
the Revised Code and if the person is not in a place described 328
in division (B) of section 2923.126 of the Revised Code, the 329
officer shall issue a citation and the offender shall be 330
assessed a civil penalty of not more than five hundred dollars. 331
The citation shall be automatically dismissed and the civil 332
penalty shall not be assessed if both of the following apply: 333

(a) Within ten days after the issuance of the citation, 334
the offender presents a valid military identification card and 335
documentation of successful completion of firearms training that 336
meets or exceeds the training requirements described in division 337
(G) (1) of section 2923.125 of the Revised Code, which were both 338
valid at the time of the issuance of the citation to the law 339
enforcement agency that employs the citing officer. 340

(b) At the time of the citation, the offender was not 341
knowingly in a place described in division (B) of section 342
2923.126 of the Revised Code. 343

(7) If a person being arrested for a violation of division 344

(A) (2) of this section is knowingly in a place described in 345
division (B) (5) of section 2923.126 of the Revised Code and is 346
not authorized to carry a handgun or have a handgun concealed on 347
the person's person or concealed ready at hand under that 348
division, the penalty shall be as follows: 349

(a) Except as otherwise provided in this division, if the 350
person produces a valid concealed handgun license within ten 351
days after the arrest and has not previously been convicted or 352
pleaded guilty to a violation of division (A) (2) of this 353
section, the person is guilty of a minor misdemeanor; 354

(b) Except as otherwise provided in this division, if the 355
person has previously been convicted of or pleaded guilty to a 356
violation of division (A) (2) of this section, the person is 357
guilty of a misdemeanor of the fourth degree; 358

(c) Except as otherwise provided in this division, if the 359
person has previously been convicted of or pleaded guilty to two 360
violations of division (A) (2) of this section, the person is 361
guilty of a misdemeanor of the third degree; 362

(d) Except as otherwise provided in this division, if the 363
person has previously been convicted of or pleaded guilty to 364
three or more violations of division (A) (2) of this section, or 365
convicted of or pleaded guilty to any offense of violence, if 366
the weapon involved is a firearm that is either loaded or for 367
which the offender has ammunition ready at hand, or if the 368
weapon involved is a dangerous ordnance, the person is guilty of 369
a misdemeanor of the second degree. 370

(G) If a law enforcement officer stops a person to 371
question the person regarding a possible violation of this 372
section, for a traffic stop, or for any other law enforcement 373

purpose, if the person surrenders a firearm to the officer, 374
either voluntarily or pursuant to a request or demand of the 375
officer, and if the officer does not charge the person with a 376
violation of this section or arrest the person for any offense, 377
the person is not otherwise prohibited by law from possessing 378
the firearm, and the firearm is not contraband, the officer 379
shall return the firearm to the person at the termination of the 380
stop. If a court orders a law enforcement officer to return a 381
firearm to a person pursuant to the requirement set forth in 382
this division, division (B) of section 2923.163 of the Revised 383
Code applies. 384

(H) For purposes of this section, "deadly weapon" or 385
"weapon" does not include any knife, razor, or cutting 386
instrument if the instrument was not used as a weapon. 387

Sec. 2923.121. (A) No person shall possess a firearm in 388
any room in which any person is consuming beer or intoxicating 389
liquor in a premises for which a D permit has been issued under 390
Chapter 4303. of the Revised Code or in an open air arena for 391
which a permit of that nature has been issued. 392

(B) (1) This section does not apply to any of the 393
following: 394

(a) An officer, agent, or employee of this or any other 395
state or the United States, or a law enforcement officer, who is 396
authorized to carry firearms and is acting within the scope of 397
the officer's, agent's, or employee's duties; 398

(b) A law enforcement officer or investigator who is 399
authorized to carry firearms but is not acting within the scope 400
of the officer's or investigator's duties, as long as all of the 401
following apply: 402

(i) The officer or investigator is carrying validating identification. 403
404

(ii) If the firearm the officer or investigator possesses is a firearm issued or approved by the law enforcement agency served by the officer or by the bureau of criminal identification and investigation with respect to an investigator, the agency or bureau does not have a restrictive firearms carrying policy. 405
406
407
408
409
410

(iii) The officer or investigator is not consuming beer or intoxicating liquor and is not under the influence of alcohol or a drug of abuse. 411
412
413

(c) Any room used for the accommodation of guests of a hotel, as defined in section 4301.01 of the Revised Code; 414
415

(d) The principal holder of a D permit issued for a premises or an open air arena under Chapter 4303. of the Revised Code while in the premises or open air arena for which the permit was issued if the principal holder of the D permit also ~~has been issued~~ possesses a valid concealed handgun license ~~that is valid at the time in question~~ 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 agent or employee of that holder who 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. 416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431

(e) Any person who ~~has been issued a concealed handgun~~ 432
~~license that is valid at the time in question is carrying a~~ 433
valid concealed handgun license or any person who is an active 434
duty member of the armed forces of the United States and is 435
carrying a valid military identification card and documentation 436
of successful completion of firearms training that meets or 437
exceeds the training requirements described in division (G) (1) 438
of section 2923.125 of the Revised Code, as long as the person 439
is not consuming beer or intoxicating liquor or under the 440
influence of alcohol or a drug of abuse. 441

(2) This section does not prohibit any person who is a 442
member of a veteran's organization, as defined in section 443
2915.01 of the Revised Code, from possessing a rifle in any room 444
in any premises owned, leased, or otherwise under the control of 445
the veteran's organization, if the rifle is not loaded with live 446
ammunition and if the person otherwise is not prohibited by law 447
from having the rifle. 448

(3) This section does not apply to any person possessing 449
or displaying firearms in any room used to exhibit unloaded 450
firearms for sale or trade in a soldiers' memorial established 451
pursuant to Chapter 345. of the Revised Code, in a convention 452
center, or in any other public meeting place, if the person is 453
an exhibitor, trader, purchaser, or seller of firearms and is 454
not otherwise prohibited by law from possessing, trading, 455
purchasing, or selling the firearms. 456

(C) It is an affirmative defense to a charge under this 457
section of illegal possession of a firearm in a liquor permit 458
premises that involves the possession of a firearm other than a 459
handgun, that the actor was not otherwise prohibited by law from 460
having the firearm, and that any of the following apply: 461

(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.	491
(3) "Restrictive firearms carrying policy" means a	492
specific policy of a law enforcement agency or the bureau of	493
criminal identification and investigation that prohibits all	494
officers of the agency or all investigators of the bureau, while	495
not acting within the scope of the officer's or investigator's	496
duties, from doing either of the following:	497
(a) Carrying a firearm issued or approved by the agency or	498
bureau in any room, premises, or arena described in division (A)	499
of this section;	500
(b) Carrying a firearm issued or approved by the agency or	501
bureau in premises described in division (A) of section	502
2923.1214 of the Revised Code.	503
(4) "Law enforcement officer" has the same meaning as in	504
section 9.69 of the Revised Code.	505
(5) "Validating identification" means one of the	506
following:	507
(a) Photographic identification issued by the law	508
enforcement agency for which an individual serves as a law	509
enforcement officer that identifies the individual as a law	510
enforcement officer of the agency;	511
(b) Photographic identification issued by the bureau of	512
criminal identification and investigation that identifies an	513
individual as an investigator of the bureau.	514
Sec. 2923.122. (A) No person shall knowingly convey, or	515
attempt to convey, a deadly weapon or dangerous ordnance into a	516
school safety zone.	517
(B) No person shall knowingly possess a deadly weapon or	518

dangerous ordnance in a school safety zone. 519

(C) No person shall knowingly possess an object in a 520
school safety zone if both of the following apply: 521

(1) The object is indistinguishable from a firearm, 522
whether or not the object is capable of being fired. 523

(2) The person indicates that the person possesses the 524
object and that it is a firearm, or the person knowingly 525
displays or brandishes the object and indicates that it is a 526
firearm. 527

(D) (1) This section does not apply to any of the 528
following: 529

(a) An officer, agent, or employee of this or any other 530
state or the United States who is authorized to carry deadly 531
weapons or dangerous ordnance and is acting within the scope of 532
the officer's, agent's, or employee's duties, a law enforcement 533
officer who is authorized to carry deadly weapons or dangerous 534
ordnance, a security officer employed by a board of education or 535
governing body of a school during the time that the security 536
officer is on duty pursuant to that contract of employment, or 537
any other person who has written authorization from the board of 538
education or governing body of a school to convey deadly weapons 539
or dangerous ordnance into a school safety zone or to possess a 540
deadly weapon or dangerous ordnance in a school safety zone and 541
who conveys or possesses the deadly weapon or dangerous ordnance 542
in accordance with that authorization; 543

(b) Any person who is employed in this state, who is 544
authorized to carry deadly weapons or dangerous ordnance, and 545
who is subject to and in compliance with the requirements of 546
section 109.801 of the Revised Code, unless the appointing 547

authority of the person has expressly specified that the 548
exemption provided in division (D) (1) (b) of this section does 549
not apply to the person. 550

(2) Division (C) of this section does not apply to 551
premises upon which home schooling is conducted. Division (C) of 552
this section also does not apply to a school administrator, 553
teacher, or employee who possesses an object that is 554
indistinguishable from a firearm for legitimate school purposes 555
during the course of employment, a student who uses an object 556
that is indistinguishable from a firearm under the direction of 557
a school administrator, teacher, or employee, or any other 558
person who with the express prior approval of a school 559
administrator possesses an object that is indistinguishable from 560
a firearm for a legitimate purpose, including the use of the 561
object in a ceremonial activity, a play, reenactment, or other 562
dramatic presentation, school safety training, or a ROTC 563
activity or another similar use of the object. 564

(3) This section does not apply to a person who conveys or 565
attempts to convey a handgun into, or possesses a handgun in, a 566
school safety zone if, at the time of that conveyance, attempted 567
conveyance, or possession of the handgun, all of the following 568
apply: 569

(a) The person does not enter into a school building or 570
onto school premises and is not at a school activity. 571

(b) ~~The person has been issued~~ is carrying a valid 572
~~concealed handgun license that is valid at the time of the~~ 573
~~conveyance, attempted conveyance, or possession~~ or the person is 574
an active duty member of the armed forces of the United States 575
and is carrying a valid military identification card and 576
documentation of successful completion of firearms training that 577

meets or exceeds the training requirements described in division 578
(G) (1) of section 2923.125 of the Revised Code. 579

(c) The person is in the school safety zone in accordance 580
with 18 U.S.C. 922(q) (2) (B). 581

(d) The person is not knowingly in a place described in 582
division (B) (1) or (B) (3) to (8) of section 2923.126 of the 583
Revised Code. 584

(4) This section does not apply to a person who conveys or 585
attempts to convey a handgun into, or possesses a handgun in, a 586
school safety zone if at the time of that conveyance, attempted 587
conveyance, or possession of the handgun all of the following 588
apply: 589

(a) The person ~~has been issued~~ is carrying a valid 590
concealed handgun license ~~that is valid at the time of the~~ 591
~~conveyance, attempted conveyance, or possession~~ or the person is 592
an active duty member of the armed forces of the United States 593
and is carrying a valid military identification card and 594
documentation of successful completion of firearms training that 595
meets or exceeds the training requirements described in division 596
(G) (1) of section 2923.125 of the Revised Code. 597

(b) The person leaves the handgun in a motor vehicle. 598

(c) The handgun does not leave the motor vehicle. 599

(d) If the person exits the motor vehicle, the person 600
locks the motor vehicle. 601

(E) (1) Whoever violates division (A) or (B) of this 602
section is guilty of illegal conveyance or possession of a 603
deadly weapon or dangerous ordnance in a school safety zone. 604
Except as otherwise provided in this division, illegal 605

conveyance or possession of a deadly weapon or dangerous
ordnance in a school safety zone is a felony of the fifth
degree. If the offender previously has been convicted of a
violation of this section, illegal conveyance or possession of a
deadly weapon or dangerous ordnance in a school safety zone is a
felony of the fourth degree.

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

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

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

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

(2) A peace officer, officer of a law enforcement agency, 666
or person who is in either of the following categories: 667

(a) Except as provided in division (E) of this section, a 668
peace officer, or an officer of a law enforcement agency of 669
another state, a political subdivision of another state, or the 670
United States, who is authorized to carry a deadly weapon or 671
dangerous ordnance, who possesses or has under that individual's 672
control a deadly weapon or dangerous ordnance as a requirement 673
of that individual's duties, and who is acting within the scope 674
of that individual's duties at the time of that possession or 675
control; 676

(b) Except as provided in division (E) of this section, a 677
person who is employed in this state, who is authorized to carry 678
a deadly weapon or dangerous ordnance, who possesses or has 679
under that individual's control a deadly weapon or dangerous 680
ordnance as a requirement of that person's duties, and who is 681
subject to and in compliance with the requirements of section 682
109.801 of the Revised Code, unless the appointing authority of 683
the person has expressly specified that the exemption provided 684
in division (C) (2) (b) of this section does not apply to the 685
person. 686

(3) A person who conveys, attempts to convey, possesses, 687
or has under the person's control a deadly weapon or dangerous 688
ordnance that is to be used as evidence in a pending criminal or 689
civil action or proceeding; 690

(4) Except as provided in division (E) of this section, a 691
bailiff or deputy bailiff of a court of record of this state who 692
is authorized to carry a firearm pursuant to section 109.77 of 693
the Revised Code, who possesses or has under that individual's 694
control a firearm as a requirement of that individual's duties, 695

and who is acting within the scope of that individual's duties 696
at the time of that possession or control; 697

(5) Except as provided in division (E) of this section, a 698
prosecutor, or a secret service officer appointed by a county 699
prosecuting attorney, who is authorized to carry a deadly weapon 700
or dangerous ordnance in the performance of the individual's 701
duties, who possesses or has under that individual's control a 702
deadly weapon or dangerous ordnance as a requirement of that 703
individual's duties, and who is acting within the scope of that 704
individual's duties at the time of that possession or control; 705

(6) Except as provided in division (E) of this section, a 706
person who conveys or attempts to convey a handgun into a 707
courthouse or into another building or structure in which a 708
courtroom is located, ~~if the person has been issued a concealed~~ 709
~~handgun license that is valid at the time of the conveyance or~~ 710
~~attempt or who,~~ at the time of the conveyance or attempt, ~~the~~ 711
~~person either is carrying a valid concealed handgun license or~~ 712
is an active duty member of the armed forces of the United 713
States and is carrying a valid military identification card and 714
documentation of successful completion of firearms training that 715
meets or exceeds the training requirements described in division 716
(G) (1) of section 2923.125 of the Revised Code, and ~~if in either~~ 717
~~case the person who~~ transfers possession of the handgun to the 718
officer or officer's designee who has charge of the courthouse 719
or building. The officer shall secure the handgun until the 720
licensee is prepared to leave the premises. The exemption 721
described in this division applies only if the officer who has 722
charge of the courthouse or building provides services of the 723
nature described in this division. An officer who has charge of 724
the courthouse or building is not required to offer services of 725
the nature described in this division. 726

(D) (1) Whoever violates division (A) of this section is 727
guilty of illegal conveyance of a deadly weapon or dangerous 728
ordnance into a courthouse. Except as otherwise provided in this 729
division, illegal conveyance of a deadly weapon or dangerous 730
ordnance into a courthouse is a felony of the fifth degree. If 731
the offender previously has been convicted of a violation of 732
division (A) or (B) of this section, illegal conveyance of a 733
deadly weapon or dangerous ordnance into a courthouse is a 734
felony of the fourth degree. 735

(2) Whoever violates division (B) of this section is 736
guilty of illegal possession or control of a deadly weapon or 737
dangerous ordnance in a courthouse. Except as otherwise provided 738
in this division, illegal possession or control of a deadly 739
weapon or dangerous ordnance in a courthouse is a felony of the 740
fifth degree. If the offender previously has been convicted of a 741
violation of division (A) or (B) of this section, illegal 742
possession or control of a deadly weapon or dangerous ordnance 743
in a courthouse is a felony of the fourth degree. 744

(E) The exemptions described in divisions (C) (1), (2) (a), 745
(2) (b), (4), (5), and (6) of this section do not apply to any 746
judge, magistrate, peace officer, officer of a law enforcement 747
agency, bailiff, deputy bailiff, prosecutor, secret service 748
officer, or other person described in any of those divisions if 749
a rule of superintendence or another type of rule adopted by the 750
supreme court pursuant to Article IV, Ohio Constitution, or an 751
applicable local rule of court prohibits all persons from 752
conveying or attempting to convey a deadly weapon or dangerous 753
ordnance into a courthouse or into another building or structure 754
in which a courtroom is located or from possessing or having 755
under one's control a deadly weapon or dangerous ordnance in a 756
courthouse or in another building or structure in which a 757

courtroom is located. 758

(F) As used in this section: 759

(1) "Magistrate" means an individual who is appointed by a 760
court of record of this state and who has the powers and may 761
perform the functions specified in Civil Rule 53, Criminal Rule 762
19, or Juvenile Rule 40. 763

(2) "Peace officer" and "prosecutor" have the same 764
meanings as in section 2935.01 of the Revised Code. 765

Sec. 2923.126. (A) A concealed handgun license that is 766
issued under section 2923.125 of the Revised Code shall expire 767
five years after the date of issuance. A licensee who has been 768
issued a license under that section shall be granted a grace 769
period of thirty days after the licensee's license expires 770
during which the licensee's license remains valid. Except as 771
provided in divisions (B) and (C) of this section, a licensee 772
who has been issued a concealed handgun license under section 773
2923.125 or 2923.1213 of the Revised Code may carry a concealed 774
handgun anywhere in this state if the license is licensee also 775
carries a valid license when the licensee is in actual 776
possession of a concealed handgun. The licensee shall give 777
notice of any change in the licensee's residence address to the 778
sheriff who issued the license within forty-five days after that 779
change. 780

If a licensee is the driver or an occupant of a motor 781
vehicle that is stopped as the result of a traffic stop or a 782
stop for another law enforcement purpose and if the licensee is 783
transporting or has a loaded handgun in the motor vehicle at 784
that time, the licensee shall promptly inform any law 785
enforcement officer who approaches the vehicle while stopped 786

that the licensee has been issued a concealed handgun license 787
and that the licensee currently possesses or has a loaded 788
handgun; the licensee shall not knowingly disregard or fail to 789
comply with lawful orders of a law enforcement officer given 790
while the motor vehicle is stopped, knowingly fail to remain in 791
the motor vehicle while stopped, or knowingly fail to keep the 792
licensee's hands in plain sight after any law enforcement 793
officer begins approaching the licensee while stopped and before 794
the officer leaves, unless directed otherwise by a law 795
enforcement officer; and the licensee shall not knowingly have 796
contact with the loaded handgun by touching it with the 797
licensee's hands or fingers, in any manner in violation of 798
division (E) of section 2923.16 of the Revised Code, after any 799
law enforcement officer begins approaching the licensee while 800
stopped and before the officer leaves. Additionally, if a 801
licensee is the driver or an occupant of a commercial motor 802
vehicle that is stopped by an employee of the motor carrier 803
enforcement unit for the purposes defined in section 5503.34 of 804
the Revised Code and the licensee is transporting or has a 805
loaded handgun in the commercial motor vehicle at that time, the 806
licensee shall promptly inform the employee of the unit who 807
approaches the vehicle while stopped that the licensee has been 808
issued a concealed handgun license and that the licensee 809
currently possesses or has a loaded handgun. 810

If a licensee is stopped for a law enforcement purpose and 811
if the licensee is carrying a concealed handgun at the time the 812
officer approaches, the licensee shall promptly inform any law 813
enforcement officer who approaches the licensee while stopped 814
that the licensee has been issued a concealed handgun license 815
and that the licensee currently is carrying a concealed handgun; 816
the licensee shall not knowingly disregard or fail to comply 817

with lawful orders of a law enforcement officer given while the 818
licensee is stopped, or knowingly fail to keep the licensee's 819
hands in plain sight after any law enforcement officer begins 820
approaching the licensee while stopped and before the officer 821
leaves, unless directed otherwise by a law enforcement officer; 822
and the licensee shall not knowingly remove, attempt to remove, 823
grasp, or hold the loaded handgun or knowingly have contact with 824
the loaded handgun by touching it with the licensee's hands or 825
fingers, in any manner in violation of division (B) of section 826
2923.12 of the Revised Code, after any law enforcement officer 827
begins approaching the licensee while stopped and before the 828
officer leaves. 829

(B) A valid concealed handgun license does not authorize 830
the licensee to carry a concealed handgun in any manner 831
prohibited under division (B) of section 2923.12 of the Revised 832
Code or in any manner prohibited under section 2923.16 of the 833
Revised Code. A valid license does not authorize the licensee to 834
carry a concealed handgun into any of the following places: 835

(1) A police station, sheriff's office, or state highway 836
patrol station, premises controlled by the bureau of criminal 837
identification and investigation; a state correctional 838
institution, jail, workhouse, or other detention facility; any 839
area of an airport passenger terminal that is beyond a passenger 840
or property screening checkpoint or to which access is 841
restricted through security measures by the airport authority or 842
a public agency; or an institution that is maintained, operated, 843
managed, and governed pursuant to division (A) of section 844
5119.14 of the Revised Code or division (A) (1) of section 845
5123.03 of the Revised Code; 846

(2) A school safety zone if the licensee's carrying the 847

concealed handgun is in violation of section 2923.122 of the Revised Code; 848
849

(3) A courthouse or another building or structure in which a courtroom is located if the licensee's carrying the concealed handgun is in violation of section 2923.123 of the Revised Code; 850
851
852

(4) Any premises or open air arena for which a D permit has been issued under Chapter 4303. of the Revised Code if the licensee's carrying the concealed handgun is in violation of section 2923.121 of the Revised Code; 853
854
855
856

(5) Any premises owned or leased by any public or private college, university, or other institution of higher education, unless the handgun is in a locked motor vehicle or the licensee is in the immediate process of placing the handgun in a locked motor vehicle or unless the licensee is carrying the concealed handgun pursuant to a written policy, rule, or other authorization that is adopted by the institution's board of trustees or other governing body and that authorizes specific individuals or classes of individuals to carry a concealed handgun on the premises; 857
858
859
860
861
862
863
864
865
866

(6) Any church, synagogue, mosque, or other place of worship, unless the church, synagogue, mosque, or other place of worship posts or permits otherwise; 867
868
869

(7) Any building that is a government facility of this state or a political subdivision of this state and that is not a building that is used primarily as a shelter, restroom, parking facility for motor vehicles, or rest facility and is not a courthouse or other building or structure in which a courtroom is located that is subject to division (B)(3) of this section, unless the governing body with authority over the building has 870
871
872
873
874
875
876

enacted a statute, ordinance, or policy that permits a licensee 877
to carry a concealed handgun into the building; 878

(8) A place in which federal law prohibits the carrying of 879
handguns. 880

(C) (1) Nothing in this section shall negate or restrict a 881
rule, policy, or practice of a private employer that is not a 882
private college, university, or other institution of higher 883
education concerning or prohibiting the presence of firearms on 884
the private employer's premises or property, including motor 885
vehicles owned by the private employer. Nothing in this section 886
shall require a private employer of that nature to adopt a rule, 887
policy, or practice concerning or prohibiting the presence of 888
firearms on the private employer's premises or property, 889
including motor vehicles owned by the private employer. 890

(2) (a) A private employer shall be immune from liability 891
in a civil action for any injury, death, or loss to person or 892
property that allegedly was caused by or related to a licensee 893
bringing a handgun onto the premises or property of the private 894
employer, including motor vehicles owned by the private 895
employer, unless the private employer acted with malicious 896
purpose. A private employer is immune from liability in a civil 897
action for any injury, death, or loss to person or property that 898
allegedly was caused by or related to the private employer's 899
decision to permit a licensee to bring, or prohibit a licensee 900
from bringing, a handgun onto the premises or property of the 901
private employer. 902

(b) A political subdivision shall be immune from liability 903
in a civil action, to the extent and in the manner provided in 904
Chapter 2744. of the Revised Code, for any injury, death, or 905
loss to person or property that allegedly was caused by or 906

related to a licensee bringing a handgun onto any premises or 907
property owned, leased, or otherwise under the control of the 908
political subdivision. As used in this division, "political 909
subdivision" has the same meaning as in section 2744.01 of the 910
Revised Code. 911

(c) An institution of higher education shall be immune 912
from liability in a civil action for any injury, death, or loss 913
to person or property that allegedly was caused by or related to 914
a licensee bringing a handgun onto the premises of the 915
institution, including motor vehicles owned by the institution, 916
unless the institution acted with malicious purpose. An 917
institution of higher education is immune from liability in a 918
civil action for any injury, death, or loss to person or 919
property that allegedly was caused by or related to the 920
institution's decision to permit a licensee or class of 921
licensees to bring a handgun onto the premises of the 922
institution. 923

(d) A nonprofit corporation shall be immune from liability 924
in a civil action for any injury, death, or loss to person or 925
property that allegedly was caused by or related to a licensee 926
bringing a handgun onto the premises of the nonprofit 927
corporation, including any motor vehicle owned by the nonprofit 928
corporation, or to any event organized by the nonprofit 929
corporation, unless the nonprofit corporation acted with 930
malicious purpose. A nonprofit corporation is immune from 931
liability in a civil action for any injury, death, or loss to 932
person or property that allegedly was caused by or related to 933
the nonprofit corporation's decision to permit a licensee to 934
bring a handgun onto the premises of the nonprofit corporation 935
or to any event organized by the nonprofit corporation. 936

(3) (a) Except as provided in division (C) (3) (b) of this 937
section and section 2923.1214 of the Revised Code, the owner or 938
person in control of private land or premises, and a private 939
person or entity leasing land or premises owned by the state, 940
the United States, or a political subdivision of the state or 941
the United States, may post a sign in a conspicuous location on 942
that land or on those premises prohibiting persons from carrying 943
firearms or concealed firearms on or onto that land or those 944
premises. Except as otherwise provided in this division, a 945
person who knowingly violates a posted prohibition of that 946
nature is guilty of criminal trespass in violation of division 947
(A) (4) of section 2911.21 of the Revised Code and is guilty of a 948
misdemeanor of the fourth degree. If a person knowingly violates 949
a posted prohibition of that nature and the posted land or 950
premises primarily was a parking lot or other parking facility, 951
the person is not guilty of criminal trespass under section 952
2911.21 of the Revised Code or under any other criminal law of 953
this state or criminal law, ordinance, or resolution of a 954
political subdivision of this state, and instead is subject only 955
to a civil cause of action for trespass based on the violation. 956

If a person knowingly violates a posted prohibition of the 957
nature described in this division and the posted land or 958
premises is a child day-care center, type A family day-care 959
home, or type B family day-care home, unless the person is a 960
licensee who resides in a type A family day-care home or type B 961
family day-care home, the person is guilty of aggravated 962
trespass in violation of section 2911.211 of the Revised Code. 963
Except as otherwise provided in this division, the offender is 964
guilty of a misdemeanor of the first degree. If the person 965
previously has been convicted of a violation of this division or 966
of any offense of violence, if the weapon involved is a firearm 967

that is either loaded or for which the offender has ammunition 968
ready at hand, or if the weapon involved is dangerous ordnance, 969
the offender is guilty of a felony of the fourth degree. 970

(b) A landlord may not prohibit or restrict a tenant who 971
is a licensee and who on or after September 9, 2008, enters into 972
a rental agreement with the landlord for the use of residential 973
premises, and the tenant's guest while the tenant is present, 974
from lawfully carrying or possessing a handgun on those 975
residential premises. 976

(c) As used in division (C) (3) of this section: 977

(i) "Residential premises" has the same meaning as in 978
section 5321.01 of the Revised Code, except "residential 979
premises" does not include a dwelling unit that is owned or 980
operated by a college or university. 981

(ii) "Landlord," "tenant," and "rental agreement" have the 982
same meanings as in section 5321.01 of the Revised Code. 983

(D) A person who holds a valid concealed handgun license 984
issued by another state that is recognized by the attorney 985
general pursuant to a reciprocity agreement entered into 986
pursuant to section 109.69 of the Revised Code or a person who 987
holds a valid concealed handgun license under the circumstances 988
described in division (B) of section 109.69 of the Revised Code 989
has the same right to carry a concealed handgun in this state as 990
a person who was issued a concealed handgun license under 991
section 2923.125 of the Revised Code and is subject to the same 992
restrictions that apply to a person who ~~has been issued~~ carries 993
a license issued under that section ~~that is valid at the time in~~ 994
question. 995

(E) (1) A peace officer has the same right to carry a 996

concealed handgun in this state as a person who was issued a 997
concealed handgun license under section 2923.125 of the Revised 998
Code, provided that the officer when carrying a concealed 999
handgun under authority of this division is carrying validating 1000
identification. For purposes of reciprocity with other states, a 1001
peace officer shall be considered to be a licensee in this 1002
state. 1003

(2) An active duty member of the armed forces of the 1004
United States who is carrying a valid military identification 1005
card and documentation of successful completion of firearms 1006
training that meets or exceeds the training requirements 1007
described in division (G) (1) of section 2923.125 of the Revised 1008
Code has the same right to carry a concealed handgun in this 1009
state as a person who was issued a concealed handgun license 1010
under section 2923.125 of the Revised Code and is subject to the 1011
same restrictions as specified in this section. 1012

(3) A tactical medical professional who is qualified to 1013
carry firearms while on duty under section 109.771 of the 1014
Revised Code has the same right to carry a concealed handgun in 1015
this state as a person who was issued a concealed handgun 1016
license under section 2923.125 of the Revised Code. 1017

(F) (1) A qualified retired peace officer who possesses a 1018
retired peace officer identification card issued pursuant to 1019
division (F) (2) of this section and a valid firearms 1020
requalification certification issued pursuant to division (F) (3) 1021
of this section has the same right to carry a concealed handgun 1022
in this state as a person who was issued a concealed handgun 1023
license under section 2923.125 of the Revised Code and is 1024
subject to the same restrictions that apply to a person who ~~has~~ 1025
~~been issued~~ carries a license issued under that section ~~that is~~ 1026

~~valid at the time in question.~~ For purposes of reciprocity with 1027
other states, a qualified retired peace officer who possesses a 1028
retired peace officer identification card issued pursuant to 1029
division (F) (2) of this section and a valid firearms 1030
requalification certification issued pursuant to division (F) (3) 1031
of this section shall be considered to be a licensee in this 1032
state. 1033

(2) (a) Each public agency of this state or of a political 1034
subdivision of this state that is served by one or more peace 1035
officers shall issue a retired peace officer identification card 1036
to any person who retired from service as a peace officer with 1037
that agency, if the issuance is in accordance with the agency's 1038
policies and procedures and if the person, with respect to the 1039
person's service with that agency, satisfies all of the 1040
following: 1041

(i) The person retired in good standing from service as a 1042
peace officer with the public agency, and the retirement was not 1043
for reasons of mental instability. 1044

(ii) Before retiring from service as a peace officer with 1045
that agency, the person was authorized to engage in or supervise 1046
the prevention, detection, investigation, or prosecution of, or 1047
the incarceration of any person for, any violation of law and 1048
the person had statutory powers of arrest. 1049

(iii) At the time of the person's retirement as a peace 1050
officer with that agency, the person was trained and qualified 1051
to carry firearms in the performance of the peace officer's 1052
duties. 1053

(iv) Before retiring from service as a peace officer with 1054
that agency, the person was regularly employed as a peace 1055

officer for an aggregate of fifteen years or more, or, in the 1056
alternative, the person retired from service as a peace officer 1057
with that agency, after completing any applicable probationary 1058
period of that service, due to a service-connected disability, 1059
as determined by the agency. 1060

(b) A retired peace officer identification card issued to 1061
a person under division (F)(2)(a) of this section shall identify 1062
the person by name, contain a photograph of the person, identify 1063
the public agency of this state or of the political subdivision 1064
of this state from which the person retired as a peace officer 1065
and that is issuing the identification card, and specify that 1066
the person retired in good standing from service as a peace 1067
officer with the issuing public agency and satisfies the 1068
criteria set forth in divisions (F)(2)(a)(i) to (iv) of this 1069
section. In addition to the required content specified in this 1070
division, a retired peace officer identification card issued to 1071
a person under division (F)(2)(a) of this section may include 1072
the firearms requalification certification described in division 1073
(F)(3) of this section, and if the identification card includes 1074
that certification, the identification card shall serve as the 1075
firearms requalification certification for the retired peace 1076
officer. If the issuing public agency issues credentials to 1077
active law enforcement officers who serve the agency, the agency 1078
may comply with division (F)(2)(a) of this section by issuing 1079
the same credentials to persons who retired from service as a 1080
peace officer with the agency and who satisfy the criteria set 1081
forth in divisions (F)(2)(a)(i) to (iv) of this section, 1082
provided that the credentials so issued to retired peace 1083
officers are stamped with the word "RETIRED." 1084

(c) A public agency of this state or of a political 1085
subdivision of this state may charge persons who retired from 1086

service as a peace officer with the agency a reasonable fee for 1087
issuing to the person a retired peace officer identification 1088
card pursuant to division (F) (2) (a) of this section. 1089

(3) If a person retired from service as a peace officer 1090
with a public agency of this state or of a political subdivision 1091
of this state and the person satisfies the criteria set forth in 1092
divisions (F) (2) (a) (i) to (iv) of this section, the public 1093
agency may provide the retired peace officer with the 1094
opportunity to attend a firearms requalification program that is 1095
approved for purposes of firearms requalification required under 1096
section 109.801 of the Revised Code. The retired peace officer 1097
may be required to pay the cost of the course. 1098

If a retired peace officer who satisfies the criteria set 1099
forth in divisions (F) (2) (a) (i) to (iv) of this section attends 1100
a firearms requalification program that is approved for purposes 1101
of firearms requalification required under section 109.801 of 1102
the Revised Code, the retired peace officer's successful 1103
completion of the firearms requalification program requalifies 1104
the retired peace officer for purposes of division (F) of this 1105
section for five years from the date on which the program was 1106
successfully completed, and the requalification is valid during 1107
that five-year period. If a retired peace officer who satisfies 1108
the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 1109
section satisfactorily completes such a firearms requalification 1110
program, the retired peace officer shall be issued a firearms 1111
requalification certification that identifies the retired peace 1112
officer by name, identifies the entity that taught the program, 1113
specifies that the retired peace officer successfully completed 1114
the program, specifies the date on which the course was 1115
successfully completed, and specifies that the requalification 1116
is valid for five years from that date of successful completion. 1117

The firearms requalification certification for a retired peace officer may be included in the retired peace officer identification card issued to the retired peace officer under division (F) (2) of this section.

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

(G) As used in this section:

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

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

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

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

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

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

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

(b) The office of a deputy registrar serving pursuant to 1146
Chapter 4503. of the Revised Code that is used to perform deputy 1147
registrar functions. 1148

(4) "Governing body" has the same meaning as in section 1149
154.01 of the Revised Code. 1150

(5) "Tactical medical professional" has the same meaning 1151
as in section 109.71 of the Revised Code. 1152

(6) "Validating identification" means photographic 1153
identification issued by the agency for which an individual 1154
serves as a peace officer that identifies the individual as a 1155
peace officer of the agency. 1156

(7) "Nonprofit corporation" means any private organization 1157
that is exempt from federal income taxation pursuant to 1158
subsection 501(a) and described in subsection 501(c) of the 1159
Internal Revenue Code. 1160

Sec. 2923.128. (A) (1) (a) If a licensee holding a valid 1161
concealed handgun license is arrested for or otherwise charged 1162
with an offense described in division (D) (1) (d) of section 1163
2923.125 of the Revised Code or with a violation of section 1164
2923.15 of the Revised Code or becomes subject to a temporary 1165
protection order or to a protection order issued by a court of 1166
another state that is substantially equivalent to a temporary 1167
protection order, the sheriff who issued the license shall 1168
suspend it and shall comply with division (A) (3) of this section 1169
upon becoming aware of the arrest, charge, or protection order. 1170
Upon suspending the license, the sheriff also shall comply with 1171
division (H) of section 2923.125 of the Revised Code. 1172

(b) A suspension under division (A) (1) (a) of this section 1173
shall be considered as beginning on the date that the licensee 1174

is arrested for or otherwise charged with an offense described 1175
in that division or on the date the appropriate court issued the 1176
protection order described in that division, irrespective of 1177
when the sheriff notifies the licensee under division (A) (3) of 1178
this section. The suspension shall end on the date on which the 1179
charges are dismissed or the licensee is found not guilty of the 1180
offense described in division (A) (1) (a) of this section or, 1181
subject to division (B) of this section, on the date the 1182
appropriate court terminates the protection order described in 1183
that division. If the suspension so ends, the sheriff shall 1184
return the license or temporary emergency license to the 1185
licensee. 1186

(2) (a) If a licensee holding a valid concealed handgun 1187
license is convicted of or pleads guilty to a misdemeanor 1188
violation of division ~~(B) (2)~~ (B) (1), (2), or (4) of section 1189
2923.12 of the Revised Code or of division ~~(E) (3)~~ (E) (1), (2), 1190
(3), or (5) of section 2923.16 of the Revised Code, except as 1191
provided in division (A) (2) (c) of this section and subject to 1192
division (C) of this section, the sheriff who issued the license 1193
shall suspend it and shall comply with division (A) (3) of this 1194
section upon becoming aware of the conviction or guilty plea. 1195
Upon suspending the license, the sheriff also shall comply with 1196
division (H) of section 2923.125 of the Revised Code. 1197

(b) A suspension under division (A) (2) (a) of this section 1198
shall be considered as beginning on the date that the licensee 1199
is convicted of or pleads guilty to the offense described in 1200
that division, irrespective of when the sheriff notifies the 1201
licensee under division (A) (3) of this section. If the 1202
suspension is imposed for a misdemeanor violation of division 1203
~~(B) (2)~~ (B) (1) or (2) of section 2923.12 of the Revised Code or of 1204
division ~~(E) (3)~~ (E) (1), (2), or (3) of section 2923.16 of the 1205

Revised Code, it shall end on the date that is one year after 1206
the date that the licensee is convicted of or pleads guilty to 1207
that violation. If the suspension is imposed for a misdemeanor 1208
violation of division (B) (4) of section 2923.12 of the Revised 1209
Code or of division (E) (5) of section 2923.16 of the Revised 1210
Code, it shall end on the date that is two years after the date 1211
that the licensee is convicted of or pleads guilty to that 1212
violation. If the licensee's license was issued under section 1213
2923.125 of the Revised Code and the license remains valid after 1214
the suspension ends as described in this division, when the 1215
suspension ends, the sheriff shall return the license to the 1216
licensee. If the licensee's license was issued under section 1217
2923.125 of the Revised Code and the license expires before the 1218
suspension ends as described in this division, or if the 1219
licensee's license was issued under section 2923.1213 of the 1220
Revised Code, the licensee is not eligible to apply for a new 1221
license under section 2923.125 or 2923.1213 of the Revised Code 1222
or to renew the license under section 2923.125 of the Revised 1223
Code until after the suspension ends as described in this 1224
division. 1225

(c) The license of a licensee who is convicted of or 1226
pleads guilty to a violation of division (B) (1) of section 1227
2923.12 or division (E) (1) or (2) of section 2923.16 of the 1228
Revised Code shall not be suspended pursuant to division (A) (2) 1229
(a) of this section if, at the time of the stop of the licensee 1230
for a law enforcement purpose, for a traffic stop, or for a 1231
purpose defined in section 5503.34 of the Revised Code that was 1232
the basis of the violation, any law enforcement officer involved 1233
with the stop or the employee of the motor carrier enforcement 1234
unit who made the stop had actual knowledge of the licensee's 1235
status as a licensee. 1236

(3) Upon becoming aware of an arrest, charge, or 1237
protection order described in division (A) (1) (a) of this section 1238
with respect to a licensee who was issued a concealed handgun 1239
license, or a conviction of or plea of guilty to a misdemeanor 1240
offense described in division (A) (2) (a) of this section with 1241
respect to a licensee who was issued a concealed handgun license 1242
and with respect to which division (A) (2) (c) of this section 1243
does not apply, subject to division (C) of this section, the 1244
sheriff who issued the licensee's license shall notify the 1245
licensee, by certified mail, return receipt requested, at the 1246
licensee's last known residence address that the license has 1247
been suspended and that the licensee is required to surrender 1248
the license at the sheriff's office within ten days of the date 1249
on which the notice was mailed. If the suspension is pursuant to 1250
division (A) (2) of this section, the notice shall identify the 1251
date on which the suspension ends. 1252

(B) (1) A sheriff who issues a concealed handgun license to 1253
a licensee shall revoke the license in accordance with division 1254
(B) (2) of this section upon becoming aware that the licensee 1255
satisfies any of the following: 1256

(a) The licensee is under twenty-one years of age. 1257

(b) Subject to division (C) of this section, at the time 1258
of the issuance of the license, the licensee did not satisfy the 1259
eligibility requirements of division (D) (1) (c), (d), (e), (f), 1260
(g), or (h) of section 2923.125 of the Revised Code. 1261

(c) Subject to division (C) of this section, on or after 1262
the date on which the license was issued, the licensee is 1263
convicted of or pleads guilty to a violation of section 2923.15 1264
of the Revised Code or an offense described in division (D) (1) 1265
(e), (f), (g), or (h) of section 2923.125 of the Revised Code. 1266

(d) On or after the date on which the license was issued, 1267
the licensee becomes subject to a civil protection order or to a 1268
protection order issued by a court of another state that is 1269
substantially equivalent to a civil protection order. 1270

(e) The licensee knowingly carries a concealed handgun 1271
into a place that the licensee knows is an unauthorized place 1272
specified in division (B) of section 2923.126 of the Revised 1273
Code. 1274

(f) On or after the date on which the license was issued, 1275
the licensee is adjudicated as a mental defective or is 1276
committed to a mental institution. 1277

(g) At the time of the issuance of the license, the 1278
licensee did not meet the residency requirements described in 1279
division (D)(1) of section 2923.125 of the Revised Code and 1280
currently does not meet the residency requirements described in 1281
that division. 1282

(h) Regarding a license issued under section 2923.125 of 1283
the Revised Code, the competency certificate the licensee 1284
submitted was forged or otherwise was fraudulent. 1285

(2) Upon becoming aware of any circumstance listed in 1286
division (B)(1) of this section that applies to a particular 1287
licensee who was issued a concealed handgun license, subject to 1288
division (C) of this section, the sheriff who issued the license 1289
to the licensee shall notify the licensee, by certified mail, 1290
return receipt requested, at the licensee's last known residence 1291
address that the license is subject to revocation and that the 1292
licensee may come to the sheriff's office and contest the 1293
sheriff's proposed revocation within fourteen days of the date 1294
on which the notice was mailed. After the fourteen-day period 1295

and after consideration of any information that the licensee 1296
provides during that period, if the sheriff determines on the 1297
basis of the information of which the sheriff is aware that the 1298
licensee is described in division (B) (1) of this section and no 1299
longer satisfies the requirements described in division (D) (1) 1300
of section 2923.125 of the Revised Code that are applicable to 1301
the licensee's type of license, the sheriff shall revoke the 1302
license, notify the licensee of that fact, and require the 1303
licensee to surrender the license. Upon revoking the license, 1304
the sheriff also shall comply with division (H) of section 1305
2923.125 of the Revised Code. 1306

(C) If a sheriff who issues a concealed handgun license to 1307
a licensee becomes aware that at the time of the issuance of the 1308
license the licensee had been convicted of or pleaded guilty to 1309
an offense identified in division (D) (1) (e), (f), or (h) of 1310
section 2923.125 of the Revised Code or had been adjudicated a 1311
delinquent child for committing an act or violation identified 1312
in any of those divisions or becomes aware that on or after the 1313
date on which the license was issued the licensee has been 1314
convicted of or pleaded guilty to an offense identified in 1315
division (A) (2) (a) or (B) (1) (c) of this section, the sheriff 1316
shall not consider that conviction, guilty plea, or adjudication 1317
as having occurred for purposes of divisions (A) (2), (A) (3), (B) 1318
(1), and (B) (2) of this section if a court has ordered the 1319
sealing or expungement of the records of that conviction, guilty 1320
plea, or adjudication pursuant to sections 2151.355 to 2151.358 1321
or sections 2953.31 to 2953.36 of the Revised Code or the 1322
licensee has been relieved under operation of law or legal 1323
process from the disability imposed pursuant to section 2923.13 1324
of the Revised Code relative to that conviction, guilty plea, or 1325
adjudication. 1326

(D) As used in this section, "motor carrier enforcement unit" has the same meaning as in section 2923.16 of the Revised Code. 1327
1328
1329

Sec. 2923.16. (A) No person shall knowingly discharge a firearm while in or on a motor vehicle. 1330
1331

(B) No person shall knowingly transport or have a loaded firearm in a motor vehicle in such a manner that the firearm is accessible to the operator or any passenger without leaving the vehicle. 1332
1333
1334
1335

(C) No person shall knowingly transport or have a firearm in a motor vehicle, unless the person may lawfully possess that firearm under applicable law of this state or the United States, the firearm is unloaded, and the firearm is carried in one of the following ways: 1336
1337
1338
1339
1340

(1) In a closed package, box, or case; 1341

(2) In a compartment that can be reached only by leaving the vehicle; 1342
1343

(3) In plain sight and secured in a rack or holder made for the purpose; 1344
1345

(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. 1346
1347
1348
1349
1350
1351
1352

(D) No person shall knowingly transport or have a loaded handgun in a motor vehicle if, at the time of that 1353
1354

transportation or possession, any of the following applies: 1355

(1) The person is under the influence of alcohol, a drug 1356
of abuse, or a combination of them. 1357

(2) The person's whole blood, blood serum or plasma, 1358
breath, or urine contains a concentration of alcohol, a listed 1359
controlled substance, or a listed metabolite of a controlled 1360
substance prohibited for persons operating a vehicle, as 1361
specified in division (A) of section 4511.19 of the Revised 1362
Code, regardless of whether the person at the time of the 1363
transportation or possession as described in this division is 1364
the operator of or a passenger in the motor vehicle. 1365

(E) No person who has been issued a concealed handgun 1366
license or who is an active duty member of the armed forces of 1367
the United States and is carrying a valid military 1368
identification card and documentation of successful completion 1369
of firearms training that meets or exceeds the training 1370
requirements described in division (G) (1) of section 2923.125 of 1371
the Revised Code, who is the driver or an occupant of a motor 1372
vehicle that is stopped as a result of a traffic stop or a stop 1373
for another law enforcement purpose or is the driver or an 1374
occupant of a commercial motor vehicle that is stopped by an 1375
employee of the motor carrier enforcement unit for the purposes 1376
defined in section 5503.34 of the Revised Code, and who is 1377
transporting or has a loaded handgun in the motor vehicle or 1378
commercial motor vehicle in any manner, shall do any of the 1379
following: 1380

~~(1) Before or at the time a law enforcement officer asks~~ 1381
~~if the person is carrying a concealed handgun, knowingly fail to~~ 1382
~~disclose~~ Fail to promptly inform any law enforcement officer who 1383
approaches the vehicle while stopped that the person has been 1384

issued a concealed handgun license or is authorized to carry a 1385
concealed handgun as an active duty member of the armed forces 1386
of the United States and that the person then possesses or has a 1387
loaded handgun in the motor vehicle, ~~provided that it is not a~~ 1388
~~violation of this division if the person fails to disclose that~~ 1389
~~fact to an officer during the stop and the person already has~~ 1390
~~notified another officer of that fact during the same stop;~~ 1391

(2) ~~Before or at the time an employee of the motor carrier~~ 1392
~~enforcement unit asks if the person is carrying a concealed~~ 1393
~~handgun, knowingly fail to disclose~~ Fail to promptly inform the 1394
employee of the unit who approaches the vehicle while stopped 1395
that the person has been issued a concealed handgun license or 1396
is authorized to carry a concealed handgun as an active duty 1397
member of the armed forces of the United States and that the 1398
person then possesses or has a loaded handgun in the commercial 1399
motor vehicle, ~~provided that it is not a violation of this~~ 1400
~~division if the person fails to disclose that fact to an~~ 1401
~~employee of the unit during the stop and the person already has~~ 1402
~~notified another employee of the unit of that fact during the~~ 1403
~~same stop;~~ 1404

(3) Knowingly fail to remain in the motor vehicle while 1405
stopped or knowingly fail to keep the person's hands in plain 1406
sight at any time after any law enforcement officer begins 1407
approaching the person while stopped and before the law 1408
enforcement officer leaves, unless the failure is pursuant to 1409
and in accordance with directions given by a law enforcement 1410
officer; 1411

(4) Knowingly have contact with the loaded handgun by 1412
touching it with the person's hands or fingers in the motor 1413
vehicle at any time after the law enforcement officer begins 1414

approaching and before the law enforcement officer leaves, 1415
unless the person has contact with the loaded handgun pursuant 1416
to and in accordance with directions given by the law 1417
enforcement officer; 1418

(5) Knowingly disregard or fail to comply with any lawful 1419
order of any law enforcement officer given while the motor 1420
vehicle is stopped, including, but not limited to, a specific 1421
order to the person to keep the person's hands in plain sight. 1422

(F)(1) Divisions (A), (B), (C), and (E) of this section do 1423
not apply to any of the following: 1424

(a) An officer, agent, or employee of this or any other 1425
state or the United States, or a law enforcement officer, when 1426
authorized to carry or have loaded or accessible firearms in 1427
motor vehicles and acting within the scope of the officer's, 1428
agent's, or employee's duties; 1429

(b) Any person who is employed in this state, who is 1430
authorized to carry or have loaded or accessible firearms in 1431
motor vehicles, and who is subject to and in compliance with the 1432
requirements of section 109.801 of the Revised Code, unless the 1433
appointing authority of the person has expressly specified that 1434
the exemption provided in division (F)(1)(b) of this section 1435
does not apply to the person. 1436

(2) Division (A) of this section does not apply to a 1437
person if all of the following circumstances apply: 1438

(a) The person discharges a firearm from a motor vehicle 1439
at a coyote or groundhog, the discharge is not during the deer 1440
gun hunting season as set by the chief of the division of 1441
wildlife of the department of natural resources, and the 1442
discharge at the coyote or groundhog, but for the operation of 1443

this section, is lawful. 1444

(b) The motor vehicle from which the person discharges the 1445
firearm is on real property that is located in an unincorporated 1446
area of a township and that either is zoned for agriculture or 1447
is used for agriculture. 1448

(c) The person owns the real property described in 1449
division (F) (2) (b) of this section, is the spouse or a child of 1450
another person who owns that real property, is a tenant of 1451
another person who owns that real property, or is the spouse or 1452
a child of a tenant of another person who owns that real 1453
property. 1454

(d) The person does not discharge the firearm in any of 1455
the following manners: 1456

(i) While under the influence of alcohol, a drug of abuse, 1457
or alcohol and a drug of abuse; 1458

(ii) In the direction of a street, highway, or other 1459
public or private property used by the public for vehicular 1460
traffic or parking; 1461

(iii) At or into an occupied structure that is a permanent 1462
or temporary habitation; 1463

(iv) In the commission of any violation of law, including, 1464
but not limited to, a felony that includes, as an essential 1465
element, purposely or knowingly causing or attempting to cause 1466
the death of or physical harm to another and that was committed 1467
by discharging a firearm from a motor vehicle. 1468

(3) Division (A) of this section does not apply to a 1469
person if all of the following apply: 1470

(a) The person possesses a valid all-purpose vehicle 1471

permit issued under section 1533.103 of the Revised Code by the 1472
chief of the division of wildlife. 1473

(b) The person discharges a firearm at a wild quadruped or 1474
game bird as defined in section 1531.01 of the Revised Code 1475
during the open hunting season for the applicable wild quadruped 1476
or game bird. 1477

(c) The person discharges a firearm from a stationary all- 1478
purpose vehicle as defined in section 1531.01 of the Revised 1479
Code from private or publicly owned lands or from a motor 1480
vehicle that is parked on a road that is owned or administered 1481
by the division of wildlife. 1482

(d) The person does not discharge the firearm in any of 1483
the following manners: 1484

(i) While under the influence of alcohol, a drug of abuse, 1485
or alcohol and a drug of abuse; 1486

(ii) In the direction of a street, a highway, or other 1487
public or private property that is used by the public for 1488
vehicular traffic or parking; 1489

(iii) At or into an occupied structure that is a permanent 1490
or temporary habitation; 1491

(iv) In the commission of any violation of law, including, 1492
but not limited to, a felony that includes, as an essential 1493
element, purposely or knowingly causing or attempting to cause 1494
the death of or physical harm to another and that was committed 1495
by discharging a firearm from a motor vehicle. 1496

(4) Divisions (B) and (C) of this section do not apply to 1497
a person if all of the following circumstances apply: 1498

(a) At the time of the alleged violation of either of 1499

those divisions, the person is the operator of or a passenger in 1500
a motor vehicle. 1501

(b) The motor vehicle is on real property that is located 1502
in an unincorporated area of a township and that either is zoned 1503
for agriculture or is used for agriculture. 1504

(c) The person owns the real property described in 1505
division (F) (4) (b) of this section, is the spouse or a child of 1506
another person who owns that real property, is a tenant of 1507
another person who owns that real property, or is the spouse or 1508
a child of a tenant of another person who owns that real 1509
property. 1510

(d) The person, prior to arriving at the real property 1511
described in division (F) (4) (b) of this section, did not 1512
transport or possess a firearm in the motor vehicle in a manner 1513
prohibited by division (B) or (C) of this section while the 1514
motor vehicle was being operated on a street, highway, or other 1515
public or private property used by the public for vehicular 1516
traffic or parking. 1517

(5) Divisions (B) and (C) of this section do not apply to 1518
a person who transports or possesses a handgun in a motor 1519
vehicle if, at the time of that transportation or possession, 1520
both of the following apply: 1521

(a) The person transporting or possessing the handgun ~~has~~ 1522
~~been issued a~~ is either carrying a valid concealed handgun 1523
~~license that is valid at the time in question or the person~~ is 1524
an active duty member of the armed forces of the United States 1525
and is carrying a valid military identification card and 1526
documentation of successful completion of firearms training that 1527
meets or exceeds the training requirements described in division 1528

(G) (1) of section 2923.125 of the Revised Code.	1529
(b) The person transporting or possessing the handgun is not knowingly in a place described in division (B) of section 2923.126 of the Revised Code.	1530 1531 1532
(6) Divisions (B) and (C) of this section do not apply to a person if all of the following apply:	1533 1534
(a) The person possesses a valid all-purpose vehicle permit issued under section 1533.103 of the Revised Code by the chief of the division of wildlife.	1535 1536 1537
(b) The person is on or in an all-purpose vehicle as defined in section 1531.01 of the Revised Code or a motor vehicle during the open hunting season for a wild quadruped or game bird.	1538 1539 1540 1541
(c) The person is on or in an all-purpose vehicle as defined in section 1531.01 of the Revised Code on private or publicly owned lands or on or in a motor vehicle that is parked on a road that is owned or administered by the division of wildlife.	1542 1543 1544 1545 1546
(7) Nothing in this section prohibits or restricts a person from possessing, storing, or leaving a firearm in a locked motor vehicle that is parked in the state underground parking garage at the state capitol building or in the parking garage at the Riffe center for government and the arts in Columbus, if the person's transportation and possession of the firearm in the motor vehicle while traveling to the premises or facility was not in violation of division (A), (B), (C), (D), or (E) of this section or any other provision of the Revised Code.	1547 1548 1549 1550 1551 1552 1553 1554 1555
(G) (1) The affirmative defenses authorized in divisions (D) (1) and (2) of section 2923.12 of the Revised Code are	1556 1557

affirmative defenses to a charge under division (B) or (C) of 1558
this section that involves a firearm other than a handgun. 1559

(2) It is an affirmative defense to a charge under 1560
division (B) or (C) of this section of improperly handling 1561
firearms in a motor vehicle that the actor transported or had 1562
the firearm in the motor vehicle for any lawful purpose and 1563
while the motor vehicle was on the actor's own property, 1564
provided that this affirmative defense is not available unless 1565
the person, immediately prior to arriving at the actor's own 1566
property, did not transport or possess the firearm in a motor 1567
vehicle in a manner prohibited by division (B) or (C) of this 1568
section while the motor vehicle was being operated on a street, 1569
highway, or other public or private property used by the public 1570
for vehicular traffic. 1571

(H) (1) No person who is charged with a violation of 1572
division (B), (C), or (D) of this section shall be required to 1573
obtain a concealed handgun license as a condition for the 1574
dismissal of the charge. 1575

(2) (a) If a person is convicted of, was convicted of, 1576
pleads guilty to, or has pleaded guilty to a violation of 1577
division (E) of this section as it existed prior to September 1578
30, 2011, and if the conduct that was the basis of the violation 1579
no longer would be a violation of division (E) of this section 1580
on or after September 30, 2011, ~~or if a person is convicted of,~~ 1581
~~was convicted of, pleads guilty to, or has pleaded guilty to a~~ 1582
~~violation of division (E) (1) or (2) of this section as it~~ 1583
~~existed prior to the effective date of this amendment,~~ the 1584
person may file an application under section 2953.37 of the 1585
Revised Code requesting the expungement of the record of 1586
conviction. 1587

If a person is convicted of, was convicted of, pleads 1588
guilty to, or has pleaded guilty to a violation of division (B) 1589
or (C) of this section as the division existed prior to 1590
September 30, 2011, and if the conduct that was the basis of the 1591
violation no longer would be a violation of division (B) or (C) 1592
of this section on or after September 30, 2011, due to the 1593
application of division (F) (5) of this section as it exists on 1594
and after September 30, 2011, the person may file an application 1595
under section 2953.37 of the Revised Code requesting the 1596
expungement of the record of conviction. 1597

(b) The attorney general shall develop a public media 1598
advisory that summarizes the expungement procedure established 1599
under section 2953.37 of the Revised Code and the offenders 1600
identified in division (H) (2) (a) of this section ~~and those~~ 1601
~~identified in division (E) (2) of section 2923.12 of the Revised~~ 1602
~~Code~~ who are authorized to apply for the expungement. Within 1603
thirty days after September 30, 2011, ~~with respect to violations~~ 1604
~~of division (B), (C), or (E) of this section as they existed~~ 1605
~~prior to that date, and within thirty days after the effective~~ 1606
~~date of this amendment with respect to a violation of division~~ 1607
~~(E) (1) or (2) of this section or division (B) (1) of section~~ 1608
~~2923.12 of the Revised Code as they existed prior to the~~ 1609
~~effective date of this amendment,~~ the attorney general shall 1610
provide a copy of the advisory to each daily newspaper published 1611
in this state and each television station that broadcasts in 1612
this state. The attorney general may provide the advisory in a 1613
tangible form, an electronic form, or in both tangible and 1614
electronic forms. 1615

(I) Whoever violates this section is guilty of improperly 1616
handling firearms in a motor vehicle. ~~A violation~~Violation of 1617
division (A) of this section is a felony of the fourth degree. ~~A~~ 1618

~~violation~~Violation of division (C) of this section is a 1619
misdemeanor of the fourth degree. A violation of division (D) of 1620
this section is a felony of the fifth degree or, if the loaded 1621
handgun is concealed on the person's person, a felony of the 1622
fourth degree. ~~A~~Except as otherwise provided in this division, 1623
a violation of division (E) (1) or (2) of this section is a 1624
misdemeanor of the ~~second~~ first degree, and, in addition to any 1625
other penalty or sanction imposed for the violation, the 1626
offender's concealed handgun license shall be suspended pursuant 1627
to division (A) (2) of section 2923.128 of the Revised Code. If 1628
at the time of the stop of the offender for a traffic stop, for 1629
another law enforcement purpose, or for a purpose defined in 1630
section 5503.34 of the Revised Code that was the basis of the 1631
violation any law enforcement officer involved with the stop or 1632
the employee of the motor carrier enforcement unit who made the 1633
stop had actual knowledge of the offender's status as a 1634
licensee, a violation of division (E) (1) or (2) of this section 1635
is a minor misdemeanor, and the offender's concealed handgun 1636
license shall not be suspended pursuant to division (A) (2) of 1637
section 2923.128 of the Revised Code. A violation of division 1638
(E) (4) of this section is a felony of the fifth degree. A 1639
violation of division (E) (3) or (5) of this section is a 1640
misdemeanor of the first degree or, if the offender previously 1641
has been convicted of or pleaded guilty to a violation of 1642
division (E) (3) or (5) of this section, a felony of the fifth 1643
degree. In addition to any other penalty or sanction imposed for 1644
a misdemeanor violation of division (E) (3) or (5) of this 1645
section, the offender's concealed handgun license shall be 1646
suspended pursuant to division (A) (2) of section 2923.128 of the 1647
Revised Code. A violation of division (B) of this section is a 1648
felony of the fourth degree. 1649

(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 that is in the vehicle in question and that may be used with the firearm in question.

(ii) Any magazine or speed loader that contains ammunition 1679
and that may be used with the firearm in question is stored in a 1680
compartment within the vehicle in question that cannot be 1681
accessed without leaving the vehicle or is stored in a container 1682
that provides complete and separate enclosure. 1683

(b) For the purposes of division (K) (5) (a) (ii) of this 1684
section, a "container that provides complete and separate 1685
enclosure" includes, but is not limited to, any of the 1686
following: 1687

(i) A package, box, or case with multiple compartments, as 1688
long as the loaded magazine or speed loader and the firearm in 1689
question either are in separate compartments within the package, 1690
box, or case, or, if they are in the same compartment, the 1691
magazine or speed loader is contained within a separate 1692
enclosure in that compartment that does not contain the firearm 1693
and that closes using a snap, button, buckle, zipper, hook and 1694
loop closing mechanism, or other fastener that must be opened to 1695
access the contents or the firearm is contained within a 1696
separate enclosure of that nature in that compartment that does 1697
not contain the magazine or speed loader; 1698

(ii) A pocket or other enclosure on the person of the 1699
person in question that closes using a snap, button, buckle, 1700
zipper, hook and loop closing mechanism, or other fastener that 1701
must be opened to access the contents. 1702

(c) For the purposes of divisions (K) (5) (a) and (b) of 1703
this section, ammunition held in stripper-clips or in en-bloc 1704
clips is not considered ammunition that is loaded into a 1705
magazine or speed loader. 1706

(6) "Unloaded" means, with respect to a firearm employing 1707

a percussion cap, flintlock, or other obsolete ignition system, 1708
when the weapon is uncapped or when the priming charge is 1709
removed from the pan. 1710

(7) "Commercial motor vehicle" has the same meaning as in 1711
division (A) of section 4506.25 of the Revised Code. 1712

(8) "Motor carrier enforcement unit" means the motor 1713
carrier enforcement unit in the department of public safety, 1714
division of state highway patrol, that is created by section 1715
5503.34 of the Revised Code. 1716

(L) Divisions (K) (5) (a) and (b) of this section do not 1717
affect the authority of a person who ~~has been issued~~ is carrying 1718
a valid concealed handgun license ~~that is valid at the time in~~ 1719
~~question~~ to have one or more magazines or speed loaders 1720
containing ammunition anywhere in a vehicle, without being 1721
transported as described in those divisions, as long as no 1722
ammunition is in a firearm, other than a handgun, in the vehicle 1723
other than as permitted under any other provision of this 1724
chapter. A person who ~~has been issued~~ is carrying a valid 1725
concealed handgun license ~~that is valid at the time in question~~ 1726
may have one or more magazines or speed loaders containing 1727
ammunition anywhere in a vehicle without further restriction, as 1728
long as no ammunition is in a firearm, other than a handgun, in 1729
the vehicle other than as permitted under any provision of this 1730
chapter. 1731

Sec. 2953.37. (A) As used in this section: 1732

(1) "Expunge" means to destroy, delete, and erase a record 1733
as appropriate for the record's physical or electronic form or 1734
characteristic so that the record is permanently irretrievable. 1735

(2) "Official records" has the same meaning as in section 1736

2953.51 of the Revised Code. 1737

(3) "Prosecutor" has the same meaning as in section 1738
2953.31 of the Revised Code. 1739

(4) "Record of conviction" means the record related to a 1740
conviction of or plea of guilty to an offense. 1741

(B) Any person who is convicted of, was convicted of, 1742
pleads guilty to, or has pleaded guilty to a violation of 1743
division (B), (C), or (E) of section 2923.16 of the Revised Code 1744
as the division existed prior to September 30, 2011, ~~or a~~ 1745
~~violation of division (E) (1) or (2) of section 2923.16 of the~~ 1746
~~Revised Code as the division existed prior to the effective date~~ 1747
~~of this amendment~~ and who is authorized by division (H) (2) (a) 1748
of that section to file an application under this section for 1749
the expungement of the conviction record may apply to the 1750
sentencing court for the expungement of the record of 1751
conviction. ~~Any person who is convicted of, was convicted of,~~ 1752
~~pleads guilty to, or has pleaded guilty to a violation of~~ 1753
~~division (B) (1) of section 2923.12 of the Revised Code as it~~ 1754
~~existed prior to the effective date of this amendment~~ and who 1755
~~is authorized by division (E) (2) of that section may apply to~~ 1756
~~the sentencing court for the expungement of the record of~~ 1757
~~conviction.~~ The person may file the application at any time on 1758
or after September 30, 2011, ~~with respect to violations of~~ 1759
~~division (B), (C), or (E) of section 2923.16 of the Revised Code~~ 1760
~~as they existed prior to that date, or at any time on or after~~ 1761
~~the effective date of this amendment~~ with respect to a 1762
~~violation of division (B) (1) of section 2923.12 of the Revised~~ 1763
~~Code or of division (E) (1) or (2) of section 2923.16 of the~~ 1764
~~Revised Code as the particular division existed prior to the~~ 1765
~~effective date of this amendment.~~ The application shall do all 1766

of the following: 1767

(1) Identify the applicant, the offense for which the 1768
expungement is sought, the date of the conviction of or plea of 1769
guilty to that offense, and the court in which the conviction 1770
occurred or the plea of guilty was entered; 1771

(2) Include evidence that the offense was a violation of 1772
division (B), (C), or (E) of section 2923.16 of the Revised Code 1773
as the division existed prior to September 30, 2011, ~~or was a~~ 1774
~~violation of division (B) (1) of section 2923.12 of the Revised~~ 1775
~~Code or of division (E) (1) or (2) of section 2923.16 of the~~ 1776
~~Revised Code as the particular division existed prior to the~~ 1777
~~effective date of this amendment~~ and that the applicant is 1778
authorized by division (H) (2) (a) of that ~~section 2923.16 or~~ 1779
~~division (E) (2) of section 2923.12 of the Revised Code,~~ 1780
~~whichever is applicable,~~ to file an application under this 1781
section; 1782

(3) Include a request for expungement of the record of 1783
conviction of that offense under this section. 1784

(C) Upon the filing of an application under division (B) 1785
of this section and the payment of the fee described in division 1786
(D) (3) of this section if applicable, the court shall set a date 1787
for a hearing and shall notify the prosecutor for the case of 1788
the hearing on the application. The prosecutor may object to the 1789
granting of the application by filing an objection with the 1790
court prior to the date set for the hearing. The prosecutor 1791
shall specify in the objection the reasons for believing a 1792
denial of the application is justified. The court shall direct 1793
its regular probation officer, a state probation officer, or the 1794
department of probation of the county in which the applicant 1795
resides to make inquiries and written reports as the court 1796

requires concerning the applicant. The court shall hold the hearing scheduled under this division.

(D) (1) At the hearing held under division (C) of this section, the court shall do each of the following:

(a) Determine whether the applicant has been convicted of or pleaded guilty to a violation of division (E) of section 2923.16 of the Revised Code as the division existed prior to September 30, 2011, and whether the conduct that was the basis of the violation no longer would be a violation of that division on or after September 30, 2011;

(b) Determine whether the applicant has been convicted of or pleaded guilty to a violation of division (B) or (C) of section 2923.16 of the Revised Code as the division existed prior to September 30, 2011, and whether the conduct that was the basis of the violation no longer would be a violation of that division on or after September 30, 2011, due to the application of division (F) (5) of that section as it exists on and after September 30, 2011;

~~(c) Determine whether the applicant has been convicted of or pleaded guilty to a violation of division (B) (1) of section 2923.12 of the Revised Code or of division (E) (1) or (2) of section 2923.16 of the Revised Code as the particular division existed prior to the effective date of this amendment;~~

~~(d)~~ If the prosecutor has filed an objection in accordance with division (C) of this section, consider the reasons against granting the application specified by the prosecutor in the objection;

~~(e)~~ (d) Weigh the interests of the applicant in having the records pertaining to the applicant's conviction or guilty plea

expunged against the legitimate needs, if any, of the government 1826
to maintain those records. 1827

(2) (a) The court may order the expungement of all official 1828
records pertaining to the case and the deletion of all index 1829
references to the case and, if it does order the expungement, 1830
shall send notice of the order to each public office or agency 1831
that the court has reason to believe may have an official record 1832
pertaining to the case if the court, after complying with 1833
division (D) (1) of this section, determines both of the 1834
following: 1835

(i) That the applicant has been convicted of or pleaded 1836
guilty to a violation of division (E) of section 2923.16 of the 1837
Revised Code as it existed prior to September 30, 2011, and the 1838
conduct that was the basis of the violation no longer would be a 1839
violation of that division on or after September 30, 2011, ~~or~~ or 1840
that the applicant has been convicted of or pleaded guilty to a 1841
violation of division (B) or (C) of section 2923.16 of the 1842
Revised Code as the division existed prior to September 30, 1843
2011, and the conduct that was the basis of the violation no 1844
longer would be a violation of that division on or after 1845
September 30, 2011, due to the application of division (F) (5) of 1846
that section as it exists on and after September 30, 2011, ~~or~~ 1847
~~that the applicant has been convicted of or pleaded guilty to a~~ 1848
~~violation of division (B) (1) of section 2923.12 of the Revised~~ 1849
~~Code or of division (E) (1) or (2) of section 2923.16 of the~~ 1850
~~Revised Code as the particular division existed prior to the~~ 1851
~~effective date of this amendment;~~ 1852

(ii) That the interests of the applicant in having the 1853
records pertaining to the applicant's conviction or guilty plea 1854
expunged are not outweighed by any legitimate needs of the 1855

government to maintain those records. 1856

(b) The proceedings in the case that is the subject of an 1857
order issued under division (D)(2)(a) of this section shall be 1858
considered not to have occurred and the conviction or guilty 1859
plea of the person who is the subject of the proceedings shall 1860
be expunged. The record of the conviction shall not be used for 1861
any purpose, including, but not limited to, a criminal records 1862
check under section 109.572 of the Revised Code or a 1863
determination under section 2923.125 or 2923.1213 of the Revised 1864
Code of eligibility for a concealed handgun license. The 1865
applicant may, and the court shall, reply that no record exists 1866
with respect to the applicant upon any inquiry into the matter. 1867

(3) Upon the filing of an application under this section, 1868
the applicant, unless indigent, shall pay a fee of fifty 1869
dollars. The court shall pay thirty dollars of the fee into the 1870
state treasury and shall pay twenty dollars of the fee into the 1871
county general revenue fund. 1872

Section 2. That existing sections 1547.69, 2923.12, 1873
2923.121, 2923.122, 2923.123, 2923.126, 2923.128, 2923.16, and 1874
2953.37 of the Revised Code are hereby repealed. 1875

Section 3. That section 2923.111 of the Revised Code is 1876
hereby repealed. 1877