

**As Introduced**

**135th General Assembly  
Regular Session  
2023-2024**

**H. B. No. 272**

**Representatives Mathews, Pizzulli**

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**A BILL**

To amend section 2923.123 of the Revised Code to  
allow a concealed handgun licensee to carry a  
deadly weapon or dangerous ordnance in a  
building or structure that is not a courthouse  
but in which a courtroom is located if court is  
not in session. 1 2 3 4 5 6

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

**Section 1.** That section 2923.123 of the Revised Code be  
amended to read as follows: 7 8

**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. 9 10 11 12

(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. 13 14 15 16

(C) This section does not apply to any of the following: 17

(1) Except as provided in division (E) of this section, a 18

judge of a court of record of this state or a magistrate; 19

(2) A peace officer, officer of a law enforcement agency, 20  
or person who is in either of the following categories: 21

(a) Except as provided in division (E) of this section, a 22  
peace officer, or an officer of a law enforcement agency of 23  
another state, a political subdivision of another state, or the 24  
United States, who is authorized to carry a deadly weapon or 25  
dangerous ordnance, who possesses or has under that individual's 26  
control a deadly weapon or dangerous ordnance as a requirement 27  
of that individual's duties, and who is acting within the scope 28  
of that individual's duties at the time of that possession or 29  
control; 30

(b) Except as provided in division (E) of this section, a 31  
person who is employed in this state, who is authorized to carry 32  
a deadly weapon or dangerous ordnance, who possesses or has 33  
under that individual's control a deadly weapon or dangerous 34  
ordnance as a requirement of that person's duties, and who is 35  
subject to and in compliance with the requirements of section 36  
109.801 of the Revised Code, unless the appointing authority of 37  
the person has expressly specified that the exemption provided 38  
in division (C) (2) (b) of this section does not apply to the 39  
person. 40

(3) A person who conveys, attempts to convey, possesses, 41  
or has under the person's control a deadly weapon or dangerous 42  
ordnance that is to be used as evidence in a pending criminal or 43  
civil action or proceeding; 44

(4) Except as provided in division (E) of this section, a 45  
bailiff or deputy bailiff of a court of record of this state who 46  
is authorized to carry a firearm pursuant to section 109.77 of 47

the Revised Code, who possesses or has under that individual's control a firearm as a requirement of that individual's duties, and who is acting within the scope of that individual's duties at the time of that possession or control;

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

(6) Except as provided in ~~division~~divisions (C) (7) and (E) of this section, a person who conveys or attempts to convey a handgun into a courthouse or into another building or structure in which a courtroom is located, if the person has been issued a concealed handgun license that is valid at the time of the conveyance or attempt or, at the time of the conveyance or attempt, the person 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, and if in either case the person transfers possession of the handgun to the officer or officer's designee who has charge of the courthouse or building. The officer shall secure the handgun until the licensee is prepared to leave the premises. The exemption described in this division applies only if the officer who has charge of the courthouse or building provides services of the nature described in this division. An officer who has charge of the courthouse or

building is not required to offer services of the nature 79  
described in this division. 80

(7) A person who conveys or attempts to convey a deadly 81  
weapon or dangerous ordnance into a building or structure in 82  
which a courtroom is located or possesses or has under the 83  
person's control a deadly weapon or dangerous ordnance in a 84  
building or structure in which a courtroom is located, if the 85  
person has been issued a concealed handgun license that is valid 86  
at the time of the conveyance, attempted conveyance, possession, 87  
or control if all of the following apply: 88

(a) The building or structure in which the courtroom is 89  
located is not a courthouse. 90

(b) The building or structure in which the courtroom is 91  
located is a government facility of this state or a political 92  
subdivision of this state. 93

(c) Court is not in session at the time of the conveyance, 94  
possession, or control. 95

(d) The governing body with authority over the building or 96  
structure in which the courtroom is located has enacted a 97  
statute, ordinance, or policy that permits a concealed handgun 98  
licensee to convey, possess, or control a deadly weapon or 99  
dangerous ordnance into the building or structure in which the 100  
courtroom is located. 101

(D) (1) Whoever violates division (A) of this section is 102  
guilty of illegal conveyance of a deadly weapon or dangerous 103  
ordnance into a courthouse. Except as otherwise provided in this 104  
division, illegal conveyance of a deadly weapon or dangerous 105  
ordnance into a courthouse is a felony of the fifth degree. If 106  
the offender previously has been convicted of a violation of 107

division (A) or (B) of this section, illegal conveyance of a 108  
deadly weapon or dangerous ordnance into a courthouse is a 109  
felony of the fourth degree. 110

(2) Whoever violates division (B) of this section is 111  
guilty of illegal possession or control of a deadly weapon or 112  
dangerous ordnance in a courthouse. Except as otherwise provided 113  
in this division, illegal possession or control of a deadly 114  
weapon or dangerous ordnance in a courthouse is a felony of the 115  
fifth degree. If the offender previously has been convicted of a 116  
violation of division (A) or (B) of this section, illegal 117  
possession or control of a deadly weapon or dangerous ordnance 118  
in a courthouse is a felony of the fourth degree. 119

(E) The exemptions described in divisions (C) (1), (2) (a), 120  
(2) (b), (4), (5), and (6) of this section do not apply to any 121  
judge, magistrate, peace officer, officer of a law enforcement 122  
agency, bailiff, deputy bailiff, prosecutor, secret service 123  
officer, or other person described in any of those divisions if 124  
a rule of superintendence or another type of rule adopted by the 125  
supreme court pursuant to Article IV, Ohio Constitution, or an 126  
applicable local rule of court prohibits all persons from 127  
conveying or attempting to convey a deadly weapon or dangerous 128  
ordnance into a courthouse or into another building or structure 129  
in which a courtroom is located or from possessing or having 130  
under one's control a deadly weapon or dangerous ordnance in a 131  
courthouse or in another building or structure in which a 132  
courtroom is located. 133

(F) As used in this section: 134

(1) "Governing body" has the same meaning as in section 135  
154.01 of the Revised Code. 136

(2) "Government facility of the state or a political 137  
subdivision of this state" has the same meaning as in section 138  
2923.126 of the Revised Code. 139

(3) "Magistrate" means an individual who is appointed by a 140  
court of record of this state and who has the powers and may 141  
perform the functions specified in Civil Rule 53, Criminal Rule 142  
19, or Juvenile Rule 40. 143

~~(2)~~(4) "Peace officer" and "prosecutor" have the same 144  
meanings as in section 2935.01 of the Revised Code. 145

**Section 2.** That existing section 2923.123 of the Revised 146  
Code is hereby repealed. 147