

**As Reported by the Senate Judiciary Committee**

**135th General Assembly**

**Regular Session**

**2023-2024**

**Sub. S. B. No. 32**

**Senator Schaffer**

**Cosponsors: Senators Cirino, Johnson, Manning**

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**A BILL**

To amend section 2923.126 and to enact section 1  
2307.221 of the Revised Code to generally grant 2  
civil immunity for certain injuries to a person 3  
who acts in self-defense or defense of another 4  
during the commission, or imminent commission, 5  
of an offense of violence to protect the members 6  
or guests of a nonprofit corporation under 7  
certain circumstances. 8

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

**Section 1.** That section 2923.126 be amended and section 9  
2307.221 of the Revised Code be enacted to read as follows: 10

**Sec. 2307.221.** (A) As used in this section, "tort action" 11  
has the same meaning as in section 2307.60 of the Revised Code. 12

(B) No person is liable in a tort action for injury, 13  
death, or loss to person or property allegedly caused by the 14  
person's act of self-defense or defense of another when 15  
performed during the commission, or imminent commission, of an 16  
offense of violence to protect the members or guests, including 17  
the person's self, of a nonprofit corporation against the 18

commission, or imminent commission, of that offense of violence, 19  
unless the person's act constitutes willful or wanton 20  
misconduct. 21

(C) Nothing in this section shall be construed to affect 22  
any right to bring a civil action under section 2307.60 of the 23  
Revised Code or any other section of the Revised Code. 24

(D) This section does not affect, and shall not be 25  
construed as affecting, any immunity from civil liability or 26  
defense established by another section of the Revised Code or 27  
available at common law, to which the person may be entitled 28  
under circumstances not covered by this section. 29

(E) Subject to division (B) of this section, there is a 30  
presumption that a person who approaches or enters a nonprofit 31  
corporation's premises or event with intent to commit an offense 32  
of violence is liable for any injury, death, or loss to person 33  
or property resulting from an act of self-defense or defense of 34  
another against that person. 35

**Sec. 2923.126.** (A) A concealed handgun license that is 36  
issued under section 2923.125 of the Revised Code shall expire 37  
five years after the date of issuance. A licensee who has been 38  
issued a license under that section shall be granted a grace 39  
period of thirty days after the licensee's license expires 40  
during which the licensee's license remains valid. Except as 41  
provided in divisions (B) and (C) of this section, a licensee 42  
who has been issued a concealed handgun license under section 43  
2923.125 or 2923.1213 of the Revised Code may carry a concealed 44  
handgun anywhere in this state if the license is valid when the 45  
licensee is in actual possession of a concealed handgun. The 46  
licensee shall give notice of any change in the licensee's 47  
residence address to the sheriff who issued the license within 48

forty-five days after that change. 49

(B) A valid concealed handgun license does not authorize 50  
the licensee to carry a concealed handgun in any manner 51  
prohibited under division (B) of section 2923.12 of the Revised 52  
Code or in any manner prohibited under section 2923.16 of the 53  
Revised Code. A valid license does not authorize the licensee to 54  
carry a concealed handgun into any of the following places: 55

(1) A police station, sheriff's office, or state highway 56  
patrol station, premises controlled by the bureau of criminal 57  
identification and investigation; a state correctional 58  
institution, jail, workhouse, or other detention facility; any 59  
area of an airport passenger terminal that is beyond a passenger 60  
or property screening checkpoint or to which access is 61  
restricted through security measures by the airport authority or 62  
a public agency; or an institution that is maintained, operated, 63  
managed, and governed pursuant to division (A) of section 64  
5119.14 of the Revised Code or division (A) (1) of section 65  
5123.03 of the Revised Code; 66

(2) A school safety zone if the licensee's carrying the 67  
concealed handgun is in violation of section 2923.122 of the 68  
Revised Code; 69

(3) A courthouse or another building or structure in which 70  
a courtroom is located if the licensee's carrying the concealed 71  
handgun is in violation of section 2923.123 of the Revised Code; 72

(4) Any premises or open air arena for which a D permit 73  
has been issued under Chapter 4303. of the Revised Code if the 74  
licensee's carrying the concealed handgun is in violation of 75  
section 2923.121 of the Revised Code; 76

(5) Any premises owned or leased by any public or private 77

college, university, or other institution of higher education, 78  
unless the handgun is in a locked motor vehicle or the licensee 79  
is in the immediate process of placing the handgun in a locked 80  
motor vehicle or unless the licensee is carrying the concealed 81  
handgun pursuant to a written policy, rule, or other 82  
authorization that is adopted by the institution's board of 83  
trustees or other governing body and that authorizes specific 84  
individuals or classes of individuals to carry a concealed 85  
handgun on the premises; 86

(6) Any church, synagogue, mosque, or other place of 87  
worship, unless the church, synagogue, mosque, or other place of 88  
worship posts or permits otherwise; 89

(7) Any building that is a government facility of this 90  
state or a political subdivision of this state and that is not a 91  
building that is used primarily as a shelter, restroom, parking 92  
facility for motor vehicles, or rest facility and is not a 93  
courthouse or other building or structure in which a courtroom 94  
is located that is subject to division (B)(3) of this section, 95  
unless the governing body with authority over the building has 96  
enacted a statute, ordinance, or policy that permits a licensee 97  
to carry a concealed handgun into the building; 98

(8) A place in which federal law prohibits the carrying of 99  
handguns. 100

(C) (1) Nothing in this section shall negate or restrict a 101  
rule, policy, or practice of a private employer that is not a 102  
private college, university, or other institution of higher 103  
education concerning or prohibiting the presence of firearms on 104  
the private employer's premises or property, including motor 105  
vehicles owned by the private employer. Nothing in this section 106  
shall require a private employer of that nature to adopt a rule, 107

policy, or practice concerning or prohibiting the presence of 108  
firearms on the private employer's premises or property, 109  
including motor vehicles owned by the private employer. 110

(2) (a) A private employer shall be immune from liability 111  
in a civil action for any injury, death, or loss to person or 112  
property that allegedly was caused by or related to a licensee 113  
bringing a handgun onto the premises or property of the private 114  
employer, including motor vehicles owned by the private 115  
employer, unless the private employer acted with malicious 116  
purpose. A private employer is immune from liability in a civil 117  
action for any injury, death, or loss to person or property that 118  
allegedly was caused by or related to the private employer's 119  
decision to permit a licensee to bring, or prohibit a licensee 120  
from bringing, a handgun onto the premises or property of the 121  
private employer. 122

(b) A political subdivision shall be immune from liability 123  
in a civil action, to the extent and in the manner provided in 124  
Chapter 2744. of the Revised Code, for any injury, death, or 125  
loss to person or property that allegedly was caused by or 126  
related to a licensee bringing a handgun onto any premises or 127  
property owned, leased, or otherwise under the control of the 128  
political subdivision. As used in this division, "political 129  
subdivision" has the same meaning as in section 2744.01 of the 130  
Revised Code. 131

(c) An institution of higher education shall be immune 132  
from liability in a civil action for any injury, death, or loss 133  
to person or property that allegedly was caused by or related to 134  
a licensee bringing a handgun onto the premises of the 135  
institution, including motor vehicles owned by the institution, 136  
unless the institution acted with malicious purpose. An 137

institution of higher education is immune from liability in a 138  
civil action for any injury, death, or loss to person or 139  
property that allegedly was caused by or related to the 140  
institution's decision to permit a licensee or class of 141  
licensees to bring a handgun onto the premises of the 142  
institution. 143

(d) A nonprofit corporation shall be immune from liability 144  
in a civil action for any injury, death, or loss to person or 145  
property that allegedly was caused by or related to a licensee 146  
bringing a handgun onto the premises of the nonprofit 147  
corporation, including any motor vehicle owned by the nonprofit 148  
corporation, or to any event organized by the nonprofit 149  
corporation, unless the nonprofit corporation acted with 150  
malicious purpose. A nonprofit corporation is immune from 151  
liability in a civil action for any injury, death, or loss to 152  
person or property that allegedly was caused by or related to 153  
the nonprofit corporation's decision to permit a licensee to 154  
bring a handgun onto the premises of the nonprofit corporation 155  
or to any event organized by the nonprofit corporation. The 156  
immunities described in this division apply to an entity that 157  
leases its property to the nonprofit corporation or permits its 158  
property to be used by the nonprofit corporation for any 159  
purpose. 160

(3) (a) Except as provided in division (C) (3) (b) of this 161  
section and section 2923.1214 of the Revised Code, the owner or 162  
person in control of private land or premises, and a private 163  
person or entity leasing land or premises owned by the state, 164  
the United States, or a political subdivision of the state or 165  
the United States, may post a sign in a conspicuous location on 166  
that land or on those premises prohibiting persons from carrying 167  
firearms or concealed firearms on or onto that land or those 168

premises. Except as otherwise provided in this division, a 169  
person who knowingly violates a posted prohibition of that 170  
nature is guilty of criminal trespass in violation of division 171  
(A) (4) of section 2911.21 of the Revised Code and is guilty of a 172  
misdemeanor of the fourth degree. If a person knowingly violates 173  
a posted prohibition of that nature and the posted land or 174  
premises primarily was a parking lot or other parking facility, 175  
the person is not guilty of criminal trespass under section 176  
2911.21 of the Revised Code or under any other criminal law of 177  
this state or criminal law, ordinance, or resolution of a 178  
political subdivision of this state, and instead is subject only 179  
to a civil cause of action for trespass based on the violation. 180

If a person knowingly violates a posted prohibition of the 181  
nature described in this division and the posted land or 182  
premises is a child day-care center, type A family day-care 183  
home, or type B family day-care home, unless the person is a 184  
licensee who resides in a type A family day-care home or type B 185  
family day-care home, the person is guilty of aggravated 186  
trespass in violation of section 2911.211 of the Revised Code. 187  
Except as otherwise provided in this division, the offender is 188  
guilty of a misdemeanor of the first degree. If the person 189  
previously has been convicted of a violation of this division or 190  
of any offense of violence, if the weapon involved is a firearm 191  
that is either loaded or for which the offender has ammunition 192  
ready at hand, or if the weapon involved is dangerous ordnance, 193  
the offender is guilty of a felony of the fourth degree. 194

(b) A landlord may not prohibit or restrict a tenant who 195  
is a licensee and who on or after September 9, 2008, enters into 196  
a rental agreement with the landlord for the use of residential 197  
premises, and the tenant's guest while the tenant is present, 198  
from lawfully carrying or possessing a handgun on those 199

residential premises.	200
(c) As used in division (C) (3) of this section:	201
(i) "Residential premises" has the same meaning as in	202
section 5321.01 of the Revised Code, except "residential	203
premises" does not include a dwelling unit that is owned or	204
operated by a college or university.	205
(ii) "Landlord," "tenant," and "rental agreement" have the	206
same meanings as in section 5321.01 of the Revised Code.	207
(D) A person who holds a valid concealed handgun license	208
issued by another state that is recognized by the attorney	209
general pursuant to a reciprocity agreement entered into	210
pursuant to section 109.69 of the Revised Code or a person who	211
holds a valid concealed handgun license under the circumstances	212
described in division (B) of section 109.69 of the Revised Code	213
has the same right to carry a concealed handgun in this state as	214
a person who was issued a concealed handgun license under	215
section 2923.125 of the Revised Code and is subject to the same	216
restrictions that apply to a person who has been issued a	217
license under that section that is valid at the time in	218
question.	219
(E) (1) A peace officer has the same right to carry a	220
concealed handgun in this state as a person who was issued a	221
concealed handgun license under section 2923.125 of the Revised	222
Code, provided that the officer when carrying a concealed	223
handgun under authority of this division is carrying validating	224
identification. For purposes of reciprocity with other states, a	225
peace officer shall be considered to be a licensee in this	226
state.	227
(2) An active duty member of the armed forces of the	228



United States who is carrying a valid military identification 229  
card and documentation of successful completion of firearms 230  
training that meets or exceeds the training requirements 231  
described in division (G) (1) of section 2923.125 of the Revised 232  
Code has the same right to carry a concealed handgun in this 233  
state as a person who was issued a concealed handgun license 234  
under section 2923.125 of the Revised Code and is subject to the 235  
same restrictions as specified in this section. 236

(3) A tactical medical professional who is qualified to 237  
carry firearms while on duty under section 109.771 of the 238  
Revised Code has the same right to carry a concealed handgun in 239  
this state as a person who was issued a concealed handgun 240  
license under section 2923.125 of the Revised Code. 241

(F) (1) A qualified retired peace officer who possesses a 242  
retired peace officer identification card issued pursuant to 243  
division (F) (2) of this section and a valid firearms 244  
requalification certification issued pursuant to division (F) (3) 245  
of this section has the same right to carry a concealed handgun 246  
in this state as a person who was issued a concealed handgun 247  
license under section 2923.125 of the Revised Code and is 248  
subject to the same restrictions that apply to a person who has 249  
been issued a license issued under that section that is valid at 250  
the time in question. For purposes of reciprocity with other 251  
states, a qualified retired peace officer who possesses a 252  
retired peace officer identification card issued pursuant to 253  
division (F) (2) of this section and a valid firearms 254  
requalification certification issued pursuant to division (F) (3) 255  
of this section shall be considered to be a licensee in this 256  
state. 257

(2) (a) Each public agency of this state or of a political 258

subdivision of this state that is served by one or more peace 259  
officers shall issue a retired peace officer identification card 260  
to any person who retired from service as a peace officer with 261  
that agency, if the issuance is in accordance with the agency's 262  
policies and procedures and if the person, with respect to the 263  
person's service with that agency, satisfies all of the 264  
following: 265

(i) The person retired in good standing from service as a 266  
peace officer with the public agency, and the retirement was not 267  
for reasons of mental instability. 268

(ii) Before retiring from service as a peace officer with 269  
that agency, the person was authorized to engage in or supervise 270  
the prevention, detection, investigation, or prosecution of, or 271  
the incarceration of any person for, any violation of law and 272  
the person had statutory powers of arrest. 273

(iii) At the time of the person's retirement as a peace 274  
officer with that agency, the person was trained and qualified 275  
to carry firearms in the performance of the peace officer's 276  
duties. 277

(iv) Before retiring from service as a peace officer with 278  
that agency, the person was regularly employed as a peace 279  
officer for an aggregate of fifteen years or more, or, in the 280  
alternative, the person retired from service as a peace officer 281  
with that agency, after completing any applicable probationary 282  
period of that service, due to a service-connected disability, 283  
as determined by the agency. 284

(b) A retired peace officer identification card issued to 285  
a person under division (F)(2)(a) of this section shall identify 286  
the person by name, contain a photograph of the person, identify 287

the public agency of this state or of the political subdivision 288  
of this state from which the person retired as a peace officer 289  
and that is issuing the identification card, and specify that 290  
the person retired in good standing from service as a peace 291  
officer with the issuing public agency and satisfies the 292  
criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 293  
section. In addition to the required content specified in this 294  
division, a retired peace officer identification card issued to 295  
a person under division (F) (2) (a) of this section may include 296  
the firearms requalification certification described in division 297  
(F) (3) of this section, and if the identification card includes 298  
that certification, the identification card shall serve as the 299  
firearms requalification certification for the retired peace 300  
officer. If the issuing public agency issues credentials to 301  
active law enforcement officers who serve the agency, the agency 302  
may comply with division (F) (2) (a) of this section by issuing 303  
the same credentials to persons who retired from service as a 304  
peace officer with the agency and who satisfy the criteria set 305  
forth in divisions (F) (2) (a) (i) to (iv) of this section, 306  
provided that the credentials so issued to retired peace 307  
officers are stamped with the word "RETIRED." 308

(c) A public agency of this state or of a political 309  
subdivision of this state may charge persons who retired from 310  
service as a peace officer with the agency a reasonable fee for 311  
issuing to the person a retired peace officer identification 312  
card pursuant to division (F) (2) (a) of this section. 313

(3) If a person retired from service as a peace officer 314  
with a public agency of this state or of a political subdivision 315  
of this state and the person satisfies the criteria set forth in 316  
divisions (F) (2) (a) (i) to (iv) of this section, the public 317  
agency may provide the retired peace officer with the 318

opportunity to attend a firearms requalification program that is 319  
approved for purposes of firearms requalification required under 320  
section 109.801 of the Revised Code. The retired peace officer 321  
may be required to pay the cost of the course. 322

If a retired peace officer who satisfies the criteria set 323  
forth in divisions (F) (2) (a) (i) to (iv) of this section attends 324  
a firearms requalification program that is approved for purposes 325  
of firearms requalification required under section 109.801 of 326  
the Revised Code, the retired peace officer's successful 327  
completion of the firearms requalification program requalifies 328  
the retired peace officer for purposes of division (F) of this 329  
section for five years from the date on which the program was 330  
successfully completed, and the requalification is valid during 331  
that five-year period. If a retired peace officer who satisfies 332  
the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 333  
section satisfactorily completes such a firearms requalification 334  
program, the retired peace officer shall be issued a firearms 335  
requalification certification that identifies the retired peace 336  
officer by name, identifies the entity that taught the program, 337  
specifies that the retired peace officer successfully completed 338  
the program, specifies the date on which the course was 339  
successfully completed, and specifies that the requalification 340  
is valid for five years from that date of successful completion. 341  
The firearms requalification certification for a retired peace 342  
officer may be included in the retired peace officer 343  
identification card issued to the retired peace officer under 344  
division (F) (2) of this section. 345

A retired peace officer who attends a firearms 346  
requalification program that is approved for purposes of 347  
firearms requalification required under section 109.801 of the 348  
Revised Code may be required to pay the cost of the program. 349

(G) As used in this section:	350
(1) "Qualified retired peace officer" means a person who satisfies all of the following:	351 352
(a) The person satisfies the criteria set forth in divisions (F) (2) (a) (i) to (v) of this section.	353 354
(b) The person is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.	355 356
(c) The person is not prohibited by federal law from receiving firearms.	357 358
(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.	359 360 361
(3) "Government facility of this state or a political subdivision of this state" means any of the following:	362 363
(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;	364 365 366 367 368 369
(b) The office of a deputy registrar serving pursuant to Chapter 4503. of the Revised Code that is used to perform deputy registrar functions.	370 371 372
(4) "Governing body" has the same meaning as in section 154.01 of the Revised Code.	373 374
(5) "Tactical medical professional" has the same meaning as in section 109.71 of the Revised Code.	375 376

(6) "Validating identification" means photographic 377  
identification issued by the agency for which an individual 378  
serves as a peace officer that identifies the individual as a 379  
peace officer of the agency. 380

(7) "Nonprofit corporation" means any private organization 381  
that is exempt from federal income taxation pursuant to 382  
subsection 501(a) and described in subsection 501(c) of the 383  
Internal Revenue Code. 384

**Section 2.** That existing section 2923.126 of the Revised 385  
Code is hereby repealed. 386