

**As Introduced**

**136th General Assembly**

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**H. B. No. 495**

**Representatives Gross, Williams**

**Cosponsors: Representatives Mullins, Swearingen, Claggett, Fischer, Ferguson, Hall, T., Thomas, D., Barhorst, Robb Blasdel, Pizzulli, King, Stephens, Kishman, Holmes, Schmidt, Mathews, T., Lear, McClain, Teska, Workman, Dean, Lorenz, Deeter, Newman, Creech, John, Klopfenstein, Miller, M., Ritter**

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|--------------------------------------------------|----|
| To amend sections 9.68, 109.69, 109.731, 311.41, | 1  |
| 311.42, 311.43, 1547.69, 2921.13, 2923.11,       | 2  |
| 2923.111, 2923.12, 2923.121, 2923.122, 2923.123, | 3  |
| 2923.124, 2923.125, 2923.126, 2923.127,          | 4  |
| 2923.128, 2923.129, 2923.1210, 2923.1211,        | 5  |
| 2923.1212, 2923.1213, 2923.16, 2923.17, 2953.35, | 6  |
| and 4749.10 and to repeal section 1533.04 of the | 7  |
| Revised Code to enact the Freedom to Carry Act   | 8  |
| to rename a concealed handgun license a          | 9  |
| concealed weapons license and to allow a         | 10 |
| concealed weapons licensee to carry a concealed  | 11 |
| deadly weapon other than an exclusive deadly     | 12 |
| weapon.                                          | 13 |

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

|                                                                  |    |
|------------------------------------------------------------------|----|
| <b>Section 1.</b> That sections 9.68, 109.69, 109.731, 311.41,   | 14 |
| 311.42, 311.43, 1547.69, 2921.13, 2923.11, 2923.111, 2923.12,    | 15 |
| 2923.121, 2923.122, 2923.123, 2923.124, 2923.125, 2923.126,      | 16 |
| 2923.127, 2923.128, 2923.129, 2923.1210, 2923.1211, 2923.1212,   | 17 |
| 2923.1213, 2923.16, 2923.17, 2953.35, and 4749.10 of the Revised | 18 |

Code be amended to read as follows:

**Sec. 9.68.** (A) The individual right to keep and bear arms, being a fundamental individual right that predates the United States Constitution and Ohio Constitution, and being a constitutionally protected right in every part of Ohio, the general assembly finds the need to provide uniform laws throughout the state regulating the ownership, possession, purchase, other acquisition, transport, storage, carrying, sale, other transfer, manufacture, taxation, keeping, and reporting of loss or theft of deadly weapons, including firearms, and their components, accessories, attachments, and ~~their~~ ammunition, and knives. The general assembly also finds and declares that it is proper for law-abiding people to protect themselves, their families, and others from intruders and attackers without fear of prosecution or civil action for acting in defense of themselves or others. Except as specifically provided by the United States Constitution, Ohio Constitution, state law, or federal law, a person, without further license, permission, restriction, delay, or process, including by any ordinance, rule, regulation, resolution, practice, or other action or any threat of citation, prosecution, or other legal process, may own, possess, purchase, acquire, transport, store, carry, sell, transfer, manufacture, or keep any deadly weapon, including any firearm, part of a firearm, and its components, accessories, attachments, and ~~its~~ ammunition, and any knife, without being required to have firearm liability insurance, and without being required to pay a fee for the possession of a deadly weapon, including any firearm, part of a firearm, and its components, ~~its accessories, attachments, and~~ ammunition, or a knife. Any such further license, permission, restriction, delay, or process interferes with the fundamental individual right described in

this division and unduly inhibits law-abiding people from 50  
protecting themselves, their families, and others from intruders 51  
and attackers and from other legitimate uses of constitutionally 52  
protected arms, including hunting and sporting activities, and 53  
the state by this section preempts, supersedes, and declares 54  
null and void any such further license, permission, restriction, 55  
delay, or process. 56

(B) A person, group, or entity adversely affected by any 57  
manner of ordinance, rule, regulation, resolution, practice, or 58  
other action enacted or enforced by a political subdivision in 59  
conflict with division (A) of this section may bring a civil 60  
action against the political subdivision seeking damages from 61  
the political subdivision, declaratory relief, injunctive 62  
relief, or a combination of those remedies. Any damages awarded 63  
shall be awarded against, and paid by, the political 64  
subdivision. In addition to any actual damages awarded against 65  
the political subdivision and other relief provided with respect 66  
to such an action, the court shall award reasonable expenses to 67  
any person, group, or entity that brings the action, to be paid 68  
by the political subdivision, if either of the following 69  
applies: 70

(1) The person, group, or entity prevails in a challenge 71  
to the ordinance, rule, regulation, resolution, practice, or 72  
action as being in conflict with division (A) of this section. 73

(2) The ordinance, rule, regulation, resolution, practice, 74  
or action or the manner of its enforcement is repealed or 75  
rescinded after the civil action was filed but prior to a final 76  
court determination of the action. 77

(C) As used in this section: 78

(1) The possession, transporting, or carrying of deadly weapons, including firearms, and their components, ~~their~~ accessories, attachments, and ammunition, or knives include, but are not limited to, the possession, transporting, or carrying, openly or concealed on a person's person or concealed ready at hand, of deadly weapons, including firearms, and their components, ~~their~~ accessories, attachments, and ammunition, or knives. 79 80 81 82 83 84 85 86

(2) ~~"Firearm" has~~ "Deadly weapon" and "firearm" have the same ~~meaning~~ meanings as in section 2923.11 of the Revised Code. 87 88

(3) "Reasonable expenses" include, but are not limited to, reasonable attorney's fees, court costs, expert witness fees, and compensation for loss of income. 89 90 91

(4) "Knife" means a cutting instrument and includes a sharpened or pointed blade. 92 93

(5) "Arms" includes firearms and knives. 94

(6) "Firearm liability insurance" means a policy of liability insurance covering losses resulting from the use of a deadly weapon, including a firearm and its components, accessories, attachments, or ammunition owned by the person covered by the policy. 95 96 97 98 99

(D) This section does not apply to either of the following: 100 101

(1) A zoning ordinance that regulates or prohibits the commercial sale of ~~knives~~ deadly weapons, including firearms, ~~firearm~~ and their components, accessories, attachments, or ammunition ~~for firearms~~ or knives in areas zoned for residential or agricultural uses; 102 103 104 105 106

(2) A zoning ordinance that specifies the hours of operation or the geographic areas where the commercial sale of ~~knives~~ deadly weapons, including firearms, firearm and their components, accessories, attachments, or ammunition for firearms or knives may occur, provided that the zoning ordinance is consistent with zoning ordinances for other retail establishments in the same geographic area and does not result in a de facto prohibition of the commercial sale of ~~knives~~ deadly weapons, including firearms, firearm and their components, accessories, attachments, or ammunition for firearms or knives in areas zoned for commercial, retail, or industrial uses.

**Sec. 109.69.** (A) (1) The attorney general shall negotiate and enter into a reciprocity agreement with any other license-issuing state under which a ~~concealed handgun~~ license that is issued by the other state and that authorizes the carrying of concealed handguns, firearms, or deadly weapons is recognized in this state, except as provided in division (B) of this section, if the attorney general determines that both of the following apply:

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

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

(2) A reciprocity agreement entered into under division (A) (1) of this section also may provide for the recognition in this state of a ~~concealed handgun~~ license issued on a temporary

or emergency basis by the other license-issuing state that 137  
authorizes the carrying of concealed handguns, firearms, or 138  
deadly weapons, if the eligibility requirements imposed by that 139  
license-issuing state for the temporary or emergency license are 140  
substantially comparable to the eligibility requirements for a 141  
concealed ~~handgun-weapons~~ license issued under section 2923.125 142  
or 2923.1213 of the Revised Code and if that license-issuing 143  
state recognizes a concealed ~~handgun-weapons~~ license issued 144  
under section 2923.1213 of the Revised Code. 145

(3) The attorney general shall not negotiate any agreement 146  
with any other license-issuing state under which a ~~concealed-~~ 147  
~~handgun~~-license that is issued by the other state and that 148  
authorizes the carrying of concealed handguns, firearms, or 149  
deadly weapons is recognized in this state other than as 150  
provided in divisions (A) (1) and (2) of this section. 151

(B) (1) If, on or after ~~the effective date of this~~ 152  
~~amendment~~ March 23, 2015, a person who is a resident of this 153  
state has a valid ~~concealed handgun~~-license that was issued by 154  
another license-issuing state and that authorizes the carrying 155  
of concealed handguns, firearms, or deadly weapons and the other 156  
state has entered into a reciprocity agreement with the attorney 157  
general under division (A) (1) of this section or the attorney 158  
general determines that the eligibility requirements imposed by 159  
that license-issuing state for that license are substantially 160  
comparable to the eligibility requirements for a concealed 161  
~~handgun-weapons~~ license issued under section 2923.125 of the 162  
Revised Code, the license issued by the other license-issuing 163  
state shall be recognized in this state, shall be accepted and 164  
valid in this state, and grants the person the same right to 165  
carry a concealed ~~handgun~~-deadly weapon that is not an exclusive 166  
deadly weapon in this state as a person who was issued a 167

concealed ~~handgun-weapons~~ license under section 2923.125 of the 168  
Revised Code prior to, on, or after the effective date of this 169  
amendment. 170

(2) If, on or after ~~the effective date of this~~ 171  
~~amendment~~ March 23, 2015, a person who is a resident of this 172  
state has a valid ~~concealed handgun~~ license that was issued by 173  
another license-issuing state and that authorizes the carrying 174  
of concealed handguns, firearms, or deadly weapons and the other 175  
state has not entered into a reciprocity agreement with the 176  
attorney general under division (A) (1) of this section, the 177  
license issued by the other license-issuing state shall be 178  
recognized in this state, shall be accepted and valid in this 179  
state, and grants the person the same right to carry a concealed 180  
~~handgun-deadly weapon that is not an exclusive deadly weapon in~~ 181  
this state as a person who was issued a concealed ~~handgun-~~ 182  
~~weapons~~ license under section 2923.125 of the Revised Code prior 183  
to, on, or after the effective date of this amendment, for a 184  
period of six months after the person became a resident of this 185  
state. After that six-month period, if the person wishes to 186  
obtain a concealed ~~handgun-weapons~~ license, the person shall 187  
apply for a concealed ~~handgun-weapons~~ license pursuant to 188  
section 2923.125 of the Revised Code. 189

(3) If, on or after ~~the effective date of this~~ 190  
~~amendment~~ March 23, 2015, a person who is not a resident of this 191  
state has a valid ~~concealed handgun~~ license that was issued by 192  
another license-issuing state and that authorizes the carrying 193  
of concealed handguns, firearms, or deadly weapons, regardless 194  
of whether the other license-issuing state has entered into a 195  
reciprocity agreement with the attorney general under division 196  
(A) (1) of this section, and if the person is temporarily in this 197  
state, during the time that the person is temporarily in this 198

state the license issued by the other license-issuing state 199  
shall be recognized in this state, shall be accepted and valid 200  
in this state, and grants the person the same right to carry a 201  
concealed ~~handgun~~-deadly weapon that is not an exclusive deadly 202  
weapon in this state as a person who was issued a concealed 203  
~~handgun~~-weapons license under section 2923.125 of the Revised 204  
Code prior to, on, or after the effective date of this 205  
amendment. 206

(C) The attorney general shall publish each determination 207  
described in division (B) (1) of this section that the attorney 208  
general makes in the same manner that written agreements entered 209  
into under division (A) (1) or (2) of this section are published. 210

(D) As used in this section: 211

(1) ~~"Handgun," "concealed handgun"~~ "Concealed weapons 212  
license," "deadly weapon," "firearm," "handgun," and "valid 213  
concealed ~~handgun~~-weapons license" have the same meanings as in 214  
section 2923.11 of the Revised Code. 215

(2) "License-issuing state" means a state other than this 216  
state that, pursuant to law, provides for the issuance of a 217  
license to carry a concealed ~~handgun~~ weapon, to carry a 218  
concealed firearm, or to carry a concealed deadly weapon. 219

(3) "Exclusive deadly weapon" has the same meaning as in 220  
section 2923.111 of the Revised Code. 221

**Sec. 109.731.** (A) (1) The attorney general shall prescribe, 222  
and shall make available to sheriffs an application form that is 223  
to be used under section 2923.125 of the Revised Code by a 224  
person who applies for a concealed ~~handgun~~-weapons license and 225  
an application form that is to be used under section 2923.125 of 226  
the Revised Code by a person who applies for the renewal of a 227

license of that nature. The attorney general shall design the 228  
form to enable applicants to provide the information that is 229  
required by law to be collected, and shall update the form as 230  
necessary. Burdens or restrictions to obtaining a concealed 231  
~~handgun-weapons~~ license that are not expressly prescribed in law 232  
shall not be incorporated into the form. The attorney general 233  
shall post a printable version of the form on the web site of 234  
the attorney general and shall provide the address of the web 235  
site to any person who requests the form. 236

(2) The Ohio peace officer training commission shall 237  
prescribe, and shall make available to sheriffs, all of the 238  
following: 239

(a) A form for the concealed ~~handgun-weapons~~ license that 240  
is to be issued by sheriffs to persons who qualify for a 241  
concealed ~~handgun-weapons~~ license under section 2923.125 of the 242  
Revised Code and that conforms to the following requirements: 243

(i) It has space for the licensee's full name, residence 244  
address, and date of birth and for a color photograph of the 245  
licensee. 246

(ii) It has space for the date of issuance of the license, 247  
its expiration date, its county of issuance, the name of the 248  
sheriff who issues the license, and the unique combination of 249  
letters and numbers that identify the county of issuance and the 250  
license given to the licensee by the sheriff in accordance with 251  
division (A) (2) (c) of this section. 252

(iii) It has space for the signature of the licensee and 253  
the signature or a facsimile signature of the sheriff who issues 254  
the license. 255

(iv) It does not require the licensee to include serial 256

numbers of ~~handguns~~ firearms or other deadly weapons, other 257  
identification related to ~~handguns~~ firearms or other deadly 258  
weapons, or similar data that is not pertinent or relevant to 259  
obtaining the license and that could be used as a de facto means 260  
of registration of ~~handguns~~ firearms or other deadly weapons 261  
owned by the licensee. 262

(b) A series of three-letter county codes that identify 263  
each county in this state; 264

(c) A procedure by which a sheriff shall give each 265  
concealed ~~handgun-weapons~~ license, replacement concealed ~~handgun~~ 266  
weapons license, or renewal concealed ~~handgun-weapons~~ license 267  
and each concealed ~~handgun-weapons~~ license on a temporary 268  
emergency basis or replacement concealed weapons license on a 269  
temporary emergency basis the sheriff issues under section 270  
2923.125 or 2923.1213 of the Revised Code a unique combination 271  
of letters and numbers that identifies the county in which the 272  
license was issued and that uses the county code and a unique 273  
number for each license the sheriff of that county issues; 274

(d) A form for a concealed ~~handgun-weapons~~ license on a 275  
temporary emergency basis that is to be issued by sheriffs to 276  
persons who qualify for such a license under section 2923.1213 277  
of the Revised Code, which form shall conform to all the 278  
requirements set forth in divisions (A)(2)(a)(i) to (iv) of this 279  
section and shall additionally conspicuously specify that the 280  
license is issued on a temporary emergency basis and the date of 281  
its issuance. 282

(B)(1) The Ohio peace officer training commission, in 283  
consultation with the attorney general, shall prepare a pamphlet 284  
that does all of the following, in everyday language: 285

(a) Explains the ~~firearms~~-deadly weapons laws of this state, including the aspects of those laws with respect to firearms;

(b) Instructs the reader in dispute resolution and explains the laws of this state related to that matter;

(c) Provides information to the reader regarding all aspects of the use of deadly force with a ~~firearm~~ deadly weapon, including, but not limited to, the steps that should be taken before contemplating the use of, or using, deadly force with a ~~firearm~~ deadly weapon, possible alternatives to using deadly force with a ~~firearm~~ deadly weapon, and the law governing the use of deadly force with a ~~firearm~~ deadly weapon. The information provided as described in this division shall cover all deadly weapons, including firearms.

(2) The attorney general shall consult with and assist the commission in the preparation of the pamphlet described in division (B)(1) of this section and, as necessary, shall recommend to the commission changes in the pamphlet to reflect changes in the law that are relevant to it. The attorney general shall publish the pamphlet on the web site of the attorney general and shall provide the address of the web site to any person who requests the pamphlet.

(3) The attorney general shall create and maintain a section on the attorney general's web site that provides information on ~~firearms~~-deadly weapons laws of this state, including the aspects of those laws with respect to firearms, that are specifically applicable to members of the armed forces of the United States and a link to the pamphlet described in division (B)(1) of this section.

(C) The Ohio peace officer training commission shall 315  
maintain statistics with respect to the issuance, renewal, 316  
suspension, revocation, and denial of concealed ~~handgun~~-weapons 317  
licenses under section 2923.125 of the Revised Code and the 318  
suspension of processing of applications for those licenses, and 319  
with respect to the issuance, suspension, revocation, and denial 320  
of concealed ~~handgun~~-weapons licenses on a temporary emergency 321  
basis under section 2923.1213 of the Revised Code, as reported 322  
by the sheriffs pursuant to division (C) of section 2923.129 of 323  
the Revised Code. Not later than the first day of March in each 324  
year, the commission shall submit a statistical report to the 325  
governor, the president of the senate, and the speaker of the 326  
house of representatives indicating the number of concealed 327  
~~handgun~~-weapons licenses that were issued, renewed, suspended, 328  
revoked, and denied under section 2923.125 of the Revised Code 329  
in the previous calendar year, the number of applications for 330  
those licenses for which processing was suspended in accordance 331  
with division (D) (3) of that section in the previous calendar 332  
year, and the number of concealed ~~handgun~~-weapons licenses on a 333  
temporary emergency basis that were issued, suspended, revoked, 334  
or denied under section 2923.1213 of the Revised Code in the 335  
previous calendar year. Nothing in the statistics or the 336  
statistical report shall identify, or enable the identification 337  
of, any individual who was issued or denied a license, for whom 338  
a license was renewed, whose license was suspended or revoked, 339  
or for whom application processing was suspended. The statistics 340  
and the statistical report are public records for the purpose of 341  
section 149.43 of the Revised Code. The requirements of this 342  
division apply regarding all concealed weapons licenses, 343  
regardless of whether the issuance, renewal, suspension, 344  
revocation, or denial in question occurred prior to, on, or 345  
after the effective date of this amendment. 346

(D) As used in this section, "concealed handgun weapons  
license" and "deadly weapon" ~~and "handgun"~~ have the same  
meanings as in section 2923.11 of the Revised Code.

**Sec. 311.41.** (A) (1) Upon receipt of an application for a  
concealed ~~handgun weapons~~ license under division (C) of section  
2923.125 of the Revised Code, an application to renew a  
concealed ~~handgun weapons~~ license under division (F) of that  
section, or an application for a concealed ~~handgun weapons~~  
license on a temporary emergency basis under section 2923.1213  
of the Revised Code, the sheriff shall conduct a criminal  
records check and an incompetency check of the applicant to  
determine whether the applicant fails to meet the criteria  
described in division (D) (1) of section 2923.125 of the Revised  
Code. As part of any such criminal records check, the sheriff  
shall contact the national instant criminal background check  
system to verify that the applicant is eligible lawfully to  
receive or possess a firearm in the United States. The sheriff  
shall conduct the criminal records check and the incompetency  
records check required by this division through use of an  
electronic fingerprint reading device or, if the sheriff does  
not possess and does not have ready access to the use of an  
electronic fingerprint reading device, by requesting the bureau  
of criminal identification and investigation to conduct the  
checks as described in this division.

In order to conduct the criminal records check and the  
incompetency records check, the sheriff shall obtain the  
fingerprints of at least four fingers of the applicant by using  
an electronic fingerprint reading device for the purpose of  
conducting the criminal records check and the incompetency  
records check or, if the sheriff does not possess and does not  
have ready access to the use of an electronic fingerprint

reading device, shall obtain from the applicant a completed 378  
standard fingerprint impression sheet prescribed pursuant to 379  
division (C) (2) of section 109.572 of the Revised Code. The 380  
fingerprints so obtained, along with the applicant's social 381  
security number, shall be used to conduct the criminal records 382  
check and the incompetency records check. If the sheriff does 383  
not use an electronic fingerprint reading device to obtain the 384  
fingerprints and conduct the records checks, the sheriff shall 385  
submit the completed standard fingerprint impression sheet of 386  
the applicant, along with the applicant's social security 387  
number, to the superintendent of the bureau of criminal 388  
identification and investigation and shall request the bureau to 389  
conduct the criminal records check and the incompetency records 390  
check of the applicant and, if necessary, shall request the 391  
superintendent of the bureau to obtain information from the 392  
federal bureau of investigation as part of the criminal records 393  
check for the applicant. If it is not possible to use an 394  
electronic fingerprint reading device to conduct an incompetency 395  
records check, the sheriff shall submit the completed standard 396  
fingerprint impression sheet of the applicant, along with the 397  
applicant's social security number, to the superintendent of the 398  
bureau of criminal identification and investigation and shall 399  
request the bureau to conduct the incompetency records check. 400  
The sheriff shall not retain the applicant's fingerprints as 401  
part of the application. 402

(2) Except as otherwise provided in this division, if at 403  
any time the applicant decides not to continue with the 404  
application process, the sheriff immediately shall cease any 405  
investigation that is being conducted under division (A) (1) of 406  
this section. The sheriff shall not cease that investigation if, 407  
at the time of the applicant's decision not to continue with the 408

application process, the sheriff had determined from any of the 409  
sheriff's investigations that the applicant then was engaged in 410  
activity of a criminal nature. 411

(B) If a criminal records check and an incompetency 412  
records check conducted under division (A) of this section do 413  
not indicate that the applicant fails to meet the criteria 414  
described in division (D) (1) of section 2923.125 of the Revised 415  
Code, except as otherwise provided in this division, the sheriff 416  
shall destroy or cause a designated employee to destroy all 417  
records other than the application for a concealed ~~handgun-~~ 418  
weapons license, the application to renew a concealed ~~handgun-~~ 419  
weapons license, or the affidavit submitted regarding an 420  
application for a concealed ~~handgun-~~weapons license on a 421  
temporary emergency basis that were made in connection with the 422  
criminal records check and incompetency records check within 423  
twenty days after conducting the criminal records check and 424  
incompetency records check. If an applicant appeals a denial of 425  
an application as described in division (D) (2) of section 426  
2923.125 of the Revised Code or challenges the results of a 427  
criminal records check pursuant to section 2923.127 of the 428  
Revised Code, records of fingerprints of the applicant shall not 429  
be destroyed during the pendency of the appeal or the challenge 430  
and review. When an applicant appeals a denial as described in 431  
that division, the twenty-day period described in this division 432  
commences regarding the fingerprints upon the determination of 433  
the appeal. When required as a result of a challenge and review 434  
performed pursuant to section 2923.127 of the Revised Code, the 435  
source the sheriff used in conducting the criminal records check 436  
shall destroy or the chief operating officer of the source shall 437  
cause an employee of the source designated by the chief to 438  
destroy all records other than the application for a concealed 439

~~handgun-weapons~~ license, the application to renew a concealed 440  
~~handgun-weapons~~ license, or the affidavit submitted regarding an 441  
application for a concealed ~~handgun-weapons~~ license on a 442  
temporary emergency basis that were made in connection with the 443  
criminal records check within twenty days after completion of 444  
that challenge and review. 445

(C) If division (B) of this section applies to a 446  
particular criminal records check or incompetency records check, 447  
no sheriff, employee of a sheriff designated by the sheriff to 448  
destroy records under that division, source the sheriff used in 449  
conducting the criminal records check or incompetency records 450  
check, or employee of the source designated by the chief 451  
operating officer of the source to destroy records under that 452  
division shall fail to destroy or cause to be destroyed within 453  
the applicable twenty-day period specified in that division all 454  
records other than the application for a concealed ~~handgun-~~ 455  
~~weapons~~ license, the application to renew a concealed ~~handgun-~~ 456  
~~weapons~~ license, or the affidavit submitted regarding an 457  
application for a concealed ~~handgun-weapons~~ license on a 458  
temporary emergency basis made in connection with the particular 459  
criminal records check or incompetency records check. 460

(D) Divisions (B) and (C) of this section apply with 461  
respect to all applications for a concealed weapons license, 462  
regardless of whether the application was made prior to, on, or 463  
after the effective date of this amendment. 464

(E) Whoever violates division (C) of this section is 465  
guilty of failure to destroy records, a misdemeanor of the 466  
second degree. 467

~~(E)~~ (F) As used in this section: 468

(1) "Concealed ~~handgun~~-weapons license" and "deadly  
weapon" and "~~handgun~~" have the same meanings as in section  
2923.11 of the Revised Code.

(2) "National instant criminal background check system"  
means the system established by the United States attorney  
general pursuant to section 103 of the "Brady Handgun Violence  
Prevention Act," Pub. L. No. 103-159.

**Sec. 311.42.** (A) Each county shall establish in the county  
treasury a sheriff's concealed ~~handgun~~-weapons license issuance  
expense fund. The sheriff of that county shall deposit into that  
fund all fees paid by applicants for the issuance or renewal of  
a concealed ~~handgun~~-weapons license or duplicate concealed  
~~handgun~~-weapons license under section 2923.125 of the Revised  
Code and all fees paid or by the a person seeking a concealed  
~~handgun~~-weapons license on a temporary emergency basis under  
section 2923.1213 of the Revised Code. The county shall  
distribute all fees deposited into the fund except forty dollars  
of each fee paid by an applicant under division (B) of section  
2923.125 of the Revised Code, fifteen dollars of each fee paid  
under section 2923.1213 of the Revised Code, and thirty-five  
dollars of each fee paid under division (F) of section 2923.125  
of the Revised Code to the attorney general to be used to pay  
the cost of background checks performed by the bureau of  
criminal identification and investigation and the federal bureau  
of investigation and to cover administrative costs associated  
with issuing the license. This division applies with respect to  
all applications for issuance or renewal of a concealed weapons  
license, regardless of whether the application occurred prior  
to, on, or after the effective date of this amendment.

(B) The sheriff, with the approval of the board of county

commissioners, may expend any county portion of the fees 499  
deposited into the sheriff's concealed ~~handgun~~-weapons license 500  
issuance expense fund for any of the following: 501

(1) Any costs incurred by the sheriff in connection with 502  
performing any administrative functions related to the issuance 503  
of concealed ~~handgun~~-weapons licenses under section 2923.125 or 504  
2923.1213 of the Revised Code, including, but not limited to, 505  
personnel expenses and any costs associated with a firearm 506  
safety education program, or a firearm training or qualification 507  
program that the sheriff chooses to fund; 508

(2) Ammunition and firearms to be used by the sheriff and 509  
the sheriff's employees; 510

(3) Any costs incurred in constructing, maintaining, or 511  
renovating a shooting range to be used by the sheriff or the 512  
sheriff's employees, including costs incurred for equipment 513  
associated with the shooting range; 514

(4) Any costs incurred for nonlethal weapons and supplies 515  
to be used by the sheriff or the sheriff's employees, including 516  
costs incurred for training on the use of nonlethal weapons; 517

(5) Any costs incurred for a sheriff's employee to attend 518  
a basic peace officer training academy or a basic correction 519  
officer academy approved by the Ohio peace officer training 520  
commission. 521

(C) As used in this section, "concealed weapons license" 522  
and "deadly weapon" have the same meanings as in section 2923.11 523  
of the Revised Code. 524

**Sec. 311.43.** (A) As used in this section: 525

(1) "Certification" means the participation and assent of 526

the chief law enforcement officer necessary under federal law 527  
for the approval of an application to make or transfer a 528  
firearm. 529

(2) "Chief law enforcement officer" means any official the 530  
bureau of alcohol, tobacco, firearms, and explosives, or any 531  
successor agency, identifies by regulation or otherwise as 532  
eligible to provide any required certification for the making or 533  
transfer of a firearm. 534

(3) "Concealed ~~handgun~~ weapons license" has the same 535  
meaning as in section 2923.11 of the Revised Code. 536

(B) A resident of this state may submit to the sheriff of 537  
the county in which the resident resides or to the sheriff of 538  
any county adjacent to the county in which the resident resides 539  
any federal form that requires a law enforcement certification 540  
by a chief law enforcement officer. 541

(C) The sheriff shall accept and process the certification 542  
in the same manner as an application for a concealed ~~handgun~~ 543  
weapons license is processed under section 2923.125 of the 544  
Revised Code, including the requirement for a background check, 545  
except as follows: 546

(1) If a resident of this state submits one or more 547  
federal forms, the sheriff shall charge the resident no more 548  
than the applicable fee described in division (B) (1) (a) of 549  
section 2923.125 of the Revised Code, without regard to how many 550  
federal forms are submitted at the same time. 551

(2) If a resident of this state submits one or more 552  
federal forms and currently has a concealed ~~handgun~~ weapons 553  
license or the sheriff has previously approved a federal form 554  
for that resident, the sheriff shall charge the resident no more 555

than the applicable fee described in division (F) (4) of section 556  
2923.125 of the Revised Code, without regard to how many federal 557  
forms are submitted at the same time. 558

**Sec. 1547.69.** (A) As used in this section: 559

(1) ~~"Firearm," "Active duty," "concealed handgun weapons~~ 560  
license," ~~"deadly weapon," "firearm," "handgun," and "valid~~ 561  
~~concealed handgun weapons license," and "active duty"~~ have the 562  
same meanings as in section 2923.11 of the Revised Code. 563

(2) "Unloaded" has the same meanings as in divisions (K) 564  
(5) and (6) of section 2923.16 of the Revised Code, except that 565  
all references in the definition in division (K) (5) of that 566  
section to "vehicle" shall be construed for purposes of this 567  
section to be references to "vessel." 568

(3) "Exclusive firearm" has the same meaning as in section 569  
2923.111 of the Revised Code. 570

(B) No person shall knowingly discharge a firearm while in 571  
or on a vessel. 572

(C) No person shall knowingly transport or have a loaded 573  
firearm in a vessel in a manner that the firearm is accessible 574  
to the operator or any passenger. 575

(D) No person shall knowingly transport or have a firearm 576  
in a vessel unless it is unloaded and is carried in one of the 577  
following ways: 578

(1) In a closed package, box, or case; 579

(2) In plain sight with the action opened or the weapon 580  
stripped, or, if the firearm is of a type on which the action 581  
will not stay open or that cannot easily be stripped, in plain 582  
sight. 583

(E) (1) The affirmative defenses authorized in divisions 584  
(D) (1) and (2) of section 2923.12 of the Revised Code are 585  
affirmative defenses to a charge under division (C) or (D) of 586  
this section that involves a firearm other than a handgun. It is 587  
an affirmative defense to a charge under division (C) or (D) of 588  
this section of transporting or having a firearm of any type, 589  
including a handgun, in a vessel that the actor transported or 590  
had the firearm in the vessel for any lawful purpose and while 591  
the vessel was on the actor's own property, provided that this 592  
affirmative defense is not available unless the actor, prior to 593  
arriving at the vessel on the actor's own property, did not 594  
transport or possess the firearm in the vessel or in a motor 595  
vehicle in a manner prohibited by this section or division (B) 596  
or (C) of section 2923.16 of the Revised Code while the vessel 597  
was being operated on a waterway that was not on the actor's own 598  
property or while the motor vehicle was being operated on a 599  
street, highway, or other public or private property used by the 600  
public for vehicular traffic. 601

(2) No person who is charged with a violation of division 602  
(C) or (D) of this section shall be required to obtain a license 603  
or temporary emergency license to carry a concealed ~~handgun~~ 604  
weapon under section 2923.125 or 2923.1213 of the Revised Code 605  
as a condition for the dismissal of the charge. 606

(F) Divisions (B), (C), and (D) of this section do not 607  
apply to the possession or discharge of a United States coast 608  
guard approved signaling device required to be carried aboard a 609  
vessel under section 1547.251 of the Revised Code when the 610  
signaling device is possessed or used for the purpose of giving 611  
a visual distress signal. No person shall knowingly transport or 612  
possess any signaling device of that nature in or on a vessel in 613  
a loaded condition at any time other than immediately prior to 614

the discharge of the signaling device for the purpose of giving 615  
a visual distress signal. 616

(G) No person shall operate or permit to be operated any 617  
vessel on the waters in this state in violation of this section. 618

(H) (1) This section does not apply to any of the 619  
following: 620

(a) An officer, agent, or employee of this or any other 621  
state or of the United States, or to a law enforcement officer, 622  
when authorized to carry or have loaded or accessible firearms 623  
in a vessel and acting within the scope of the officer's, 624  
agent's, or employee's duties; 625

(b) Any person who is employed in this state, who is 626  
authorized to carry or have loaded or accessible firearms in a 627  
vessel, and who is subject to and in compliance with the 628  
requirements of section 109.801 of the Revised Code, unless the 629  
appointing authority of the person has expressly specified that 630  
the exemption provided in division (H) (1) (b) of this section 631  
does not apply to the person; 632

(c) Any person legally engaged in hunting. 633

~~(2)~~ (2) (a) Divisions (C) and (D) of this section do not 634  
apply to a person who transports or possesses a handgun in a 635  
vessel a firearm that is not an exclusive firearm and who to 636  
whom, at the time of that transportation or possession, either 637  
of the following applies: 638

(i) The person has been issued a concealed handgun weapons 639  
license that is valid at the time of that transportation or 640  
possession or who, at the time of that transportation or 641  
possession,; 642

(ii) The person is an active duty member of the armed 643  
forces of the United States and ~~is carrying~~ has been issued a 644  
valid military identification card and documentation of 645  
successful completion of firearms training that meets or exceeds 646  
the training requirements described in division (G) (1) of 647  
section 2923.125 of the Revised Code, ~~unless~~ that are valid at 648  
the time of the transportation or possession. 649

(b) The exemptions specified in division (H) (2) (a) of this 650  
section do not apply to a person if, at the time of the person's 651  
transport or possession of a firearm, the person knowingly is in 652  
a place on the vessel described in division (B) of section 653  
2923.126 of the Revised Code. 654

(I) If a law enforcement officer stops a vessel for a 655  
violation of this section or any other law enforcement purpose, 656  
if any person on the vessel surrenders a ~~firearm~~ deadly weapon 657  
to the officer, either voluntarily or pursuant to a request or 658  
demand of the officer, and if the officer does not charge the 659  
person with a violation of this section or arrest the person for 660  
any offense, the person is not otherwise prohibited by law from 661  
possessing the ~~firearm~~ deadly weapon, and the ~~firearm~~ deadly 662  
weapon is not contraband, the officer shall return the ~~firearm~~ 663  
deadly weapon to the person at the termination of the stop. 664

(J) Division ~~(L)~~ (F) (5) (b) of section 2923.16 of the 665  
Revised Code applies with respect to division (A) (2) of this 666  
section, except that all references in division ~~(L)~~ (F) (5) (b) of 667  
section 2923.16 of the Revised Code to "vehicle," to "this 668  
chapter," or to "division (K) (5) (a) or (b) of this section" 669  
shall be construed for purposes of this section to be, 670  
respectively, references to "vessel," to "section 1547.69 of the 671  
Revised Code," and to divisions (K) (5) (a) and (b) of section 672

2923.16 of the Revised Code as incorporated under the definition 673  
of firearm adopted under division (A)(2) of this section. 674

**Sec. 2921.13.** (A) No person shall knowingly make a false 675  
statement, or knowingly swear or affirm the truth of a false 676  
statement previously made, when any of the following applies: 677

(1) The statement is made in any official proceeding. 678

(2) The statement is made with purpose to incriminate 679  
another. 680

(3) The statement is made with purpose to mislead a public 681  
official in performing the public official's official function. 682

(4) The statement is made with purpose to secure the 683  
payment of unemployment compensation; Ohio works first; 684  
prevention, retention, and contingency benefits and services; 685  
disability financial assistance; retirement benefits or health 686  
care coverage from a state retirement system; economic 687  
development assistance, as defined in section 9.66 of the 688  
Revised Code; or other benefits administered by a governmental 689  
agency or paid out of a public treasury. 690

(5) The statement is made with purpose to secure the 691  
issuance by a governmental agency of a license, permit, 692  
authorization, certificate, registration, release, or provider 693  
agreement. 694

(6) The statement is sworn or affirmed before a notary 695  
public or another person empowered to administer oaths. 696

(7) The statement is in writing on or in connection with a 697  
report or return that is required or authorized by law. 698

(8) The statement is in writing and is made with purpose 699  
to induce another to extend credit to or employ the offender, to 700

confer any degree, diploma, certificate of attainment, award of 701  
excellence, or honor on the offender, or to extend to or bestow 702  
upon the offender any other valuable benefit or distinction, 703  
when the person to whom the statement is directed relies upon it 704  
to that person's detriment. 705

(9) The statement is made with purpose to commit or 706  
facilitate the commission of a theft offense. 707

(10) The statement is knowingly made to a probate court in 708  
connection with any action, proceeding, or other matter within 709  
its jurisdiction, either orally or in a written document, 710  
including, but not limited to, an application, petition, 711  
complaint, or other pleading, or an inventory, account, or 712  
report. 713

(11) The statement is made on an account, form, record, 714  
stamp, label, or other writing that is required by law. 715

(12) The statement is made in connection with the purchase 716  
of a firearm, as defined in section 2923.11 of the Revised Code, 717  
and in conjunction with the furnishing to the seller of the 718  
firearm of a fictitious or altered driver's or commercial 719  
driver's license or permit, a fictitious or altered 720  
identification card, or any other document that contains false 721  
information about the purchaser's identity. 722

(13) The statement is made in a document or instrument of 723  
writing that purports to be a judgment, lien, or claim of 724  
indebtedness and is filed or recorded with the secretary of 725  
state, a county recorder, or the clerk of a court of record. 726

(14) The statement is made in an application filed with a 727  
county sheriff pursuant to section 2923.125 of the Revised Code 728  
in order to obtain or renew a concealed ~~handgun~~ weapons license 729

or ~~is made~~ in an affidavit submitted to a county sheriff to 730  
obtain a concealed ~~handgun~~ weapons license on a temporary 731  
emergency basis under section 2923.1213 of the Revised Code, 732  
regardless of whether the application was made or affidavit was 733  
submitted prior to, on, or after the effective date of this 734  
amendment. 735

(15) The statement is required under section 5743.71 of 736  
the Revised Code in connection with the person's purchase of 737  
cigarettes or tobacco products in a delivery sale. 738

(B) No person, in connection with the purchase of a 739  
firearm, as defined in section 2923.11 of the Revised Code, 740  
shall knowingly furnish to the seller of the firearm a 741  
fictitious or altered driver's or commercial driver's license or 742  
permit, a fictitious or altered identification card, or any 743  
other document that contains false information about the 744  
purchaser's identity. 745

(C) No person, in an attempt to obtain a concealed ~~handgun~~ 746  
weapons license under section 2923.125 of the Revised Code, 747  
shall knowingly present to a sheriff a fictitious or altered 748  
document that purports to be certification of the person's 749  
competence in handling a ~~handgun~~ firearm as described in 750  
division (B) (3) of that section. 751

(D) It is no defense to a charge under division (A) (6) of 752  
this section that the oath or affirmation was administered or 753  
taken in an irregular manner. 754

(E) If contradictory statements relating to the same fact 755  
are made by the offender within the period of the statute of 756  
limitations for falsification, it is not necessary for the 757  
prosecution to prove which statement was false but only that one 758

or the other was false. 759

(F) (1) Whoever violates division (A) (1), (2), (3), (4), 760  
(5), (6), (7), (8), (10), (11), (13), or (15) of this section is 761  
guilty of falsification. Except as otherwise provided in this 762  
division, falsification is a misdemeanor of the first degree. 763

(2) Whoever violates division (A) (9) of this section is 764  
guilty of falsification in a theft offense. Except as otherwise 765  
provided in this division, falsification in a theft offense is a 766  
misdemeanor of the first degree. If the value of the property or 767  
services stolen is one thousand dollars or more and is less than 768  
seven thousand five hundred dollars, falsification in a theft 769  
offense is a felony of the fifth degree. If the value of the 770  
property or services stolen is seven thousand five hundred 771  
dollars or more and is less than one hundred fifty thousand 772  
dollars, falsification in a theft offense is a felony of the 773  
fourth degree. If the value of the property or services stolen 774  
is one hundred fifty thousand dollars or more, falsification in 775  
a theft offense is a felony of the third degree. 776

(3) Whoever violates division (A) (12) or (B) of this 777  
section is guilty of falsification to purchase a firearm, a 778  
felony of the fifth degree. 779

(4) Whoever violates division (A) (14) or (C) of this 780  
section is guilty of falsification to obtain a concealed ~~handgun~~ 781  
weapons license, a felony of the fourth degree. 782

(5) Whoever violates division (A) of this section in 783  
removal proceedings under section 319.26, 321.37, 507.13, or 784  
733.78 of the Revised Code is guilty of falsification regarding 785  
a removal proceeding, a felony of the third degree. 786

(G) A person who violates this section is liable in a 787

civil action to any person harmed by the violation for injury, 788  
death, or loss to person or property incurred as a result of the 789  
commission of the offense and for reasonable attorney's fees, 790  
court costs, and other expenses incurred as a result of 791  
prosecuting the civil action commenced under this division. A 792  
civil action under this division is not the exclusive remedy of 793  
a person who incurs injury, death, or loss to person or property 794  
as a result of a violation of this section. 795

(H) As used in this section, "concealed weapons license" 796  
has the same meaning as in section 2923.11 of the Revised Code. 797

**Sec. 2923.11.** As used in sections 2923.11 to ~~2923.24~~ 798  
2923.25 of the Revised Code: 799

(A) "Deadly weapon" means any instrument, device, or thing 800  
capable of inflicting death, and designed or specially adapted 801  
for use as a weapon, or possessed, carried, or used as a weapon. 802

(B) (1) "Firearm" means any deadly weapon capable of 803  
expelling or propelling one or more projectiles by the action of 804  
an explosive or combustible propellant. "Firearm" includes an 805  
unloaded firearm, and any firearm that is inoperable but that 806  
can readily be rendered operable. 807

(2) When determining whether a firearm is capable of 808  
expelling or propelling one or more projectiles by the action of 809  
an explosive or combustible propellant, the trier of fact may 810  
rely upon circumstantial evidence, including, but not limited 811  
to, the representations and actions of the individual exercising 812  
control over the firearm. 813

(C) "Handgun" means any of the following: 814

(1) Any firearm that has a short stock and is designed to 815  
be held and fired by the use of a single hand; 816

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

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

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

~~(F) "Sawed-off firearm" means a shotgun with a barrel less  
than eighteen inches long, or a rifle with a barrel less than  
sixteen inches long, or a shotgun or rifle less than twenty-six  
inches long overall. "Sawed-off firearm" does not include any  
firearm with an overall length of at least twenty-six inches  
that is approved for sale by the federal bureau of alcohol,  
tobacco, firearms, and explosives under the "Gun Control Act of  
1968," 82 Stat. 1213, 18 U.S.C. 921(a)(3), but that is found by  
the bureau not to be regulated under the "National Firearms  
Act," 68A Stat. 725 (1934), 26 U.S.C. 5845(a).~~

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

(1) Any firearm of crude and extemporized manufacture;

(2) Any device, including without limitation a starter's  
pistol, that is not designed as a firearm, but that is specially  
adapted for use as a firearm;

(3) Any industrial tool, ~~signalling~~ signaling device, or  
safety device, that is not designed as a firearm, but that as  
designed is capable of use as such, when possessed, carried, or  
used as a firearm.

~~(H)~~ (G) "Explosive device" means any device designed or 846  
specially adapted to cause physical harm to persons or property 847  
by means of an explosion, and consisting of an explosive 848  
substance or agency and a means to detonate it. "Explosive 849  
device" includes without limitation any bomb, any explosive 850  
demolition device, any blasting cap or detonator containing an 851  
explosive charge, and any pressure vessel that has been 852  
knowingly tampered with or arranged so as to explode. 853

~~(I)~~ (H) "Incendiary device" means any firebomb, and any 854  
device designed or specially adapted to cause physical harm to 855  
persons or property by means of fire, and consisting of an 856  
incendiary substance or agency and a means to ignite it. 857

~~(J)~~ (I) "Ballistic knife" means a knife with a detachable 858  
blade that is propelled by a spring-operated mechanism. 859

~~(K)~~ (J) "Dangerous ordnance" means any of the following, 860  
except as provided in division ~~(L)~~ (K) of this section: 861

(1) Any automatic ~~or sawed-off~~ firearm, zip-gun, or 862  
ballistic knife; 863

(2) Any explosive device or incendiary device; 864

(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, 865  
cyclonite, TNT, picric acid, and other high explosives; amatol, 866  
tritonite, tetrytol, pentolite, peccretol, cyclotol, and other 867  
high explosive compositions; plastic explosives; dynamite, 868  
blasting gelatin, gelatin dynamite, sensitized ammonium nitrate, 869  
liquid-oxygen blasting explosives, blasting powder, and other 870  
blasting agents; and any other explosive substance having 871  
sufficient brisance or power to be particularly suitable for use 872  
as a military explosive, or for use in mining, quarrying, 873  
excavating, or demolitions; 874

(4) Any firearm, rocket launcher, mortar, artillery piece, 875  
grenade, mine, bomb, torpedo, or similar weapon, designed and 876  
manufactured for military purposes, and the ammunition for that 877  
weapon; 878

(5) ~~Any firearm muffler or suppressor;~~ 879

~~(6)~~ Any combination of parts that is intended by the owner 880  
for use in converting any firearm or other device into a 881  
dangerous ordnance. 882

~~(I)~~ (K) "Dangerous ordnance" does not include any of the 883  
following: 884

(1) Any firearm, including a military weapon and the 885  
ammunition for that weapon, and regardless of its actual age, 886  
that employs a percussion cap or other obsolete ignition system, 887  
or that is designed and safe for use only with black powder; 888

(2) Any pistol, rifle, or shotgun, designed or suitable 889  
for sporting purposes, including a military weapon as issued or 890  
as modified, and the ammunition for that weapon, unless the 891  
firearm is an automatic ~~or sawed-off~~ firearm; 892

(3) Any cannon or other artillery piece that, regardless 893  
of its actual age, is of a type in accepted use prior to 1887, 894  
has no mechanical, hydraulic, pneumatic, or other system for 895  
absorbing recoil and returning the tube into battery without 896  
displacing the carriage, and is designed and safe for use only 897  
with black powder; 898

(4) Black powder, priming quills, and percussion caps 899  
possessed and lawfully used to fire a cannon of a type defined 900  
in division ~~(I)~~ ~~(3)~~ (K) (3) of this section during displays, 901  
celebrations, organized matches or shoots, and target practice, 902  
and smokeless and black powder, primers, and percussion caps 903

possessed and lawfully used as a propellant or ignition device 904  
in small-arms or small-arms ammunition; 905

(5) Dangerous ordnance that is inoperable or inert and 906  
cannot readily be rendered operable or activated, and that is 907  
kept as a trophy, souvenir, curio, or museum piece; 908

(6) Any device that is expressly excepted from the 909  
definition of a destructive device pursuant to the "Gun Control 910  
Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a)(4), as amended, 911  
and regulations issued under that act; 912

(7) Any firearm ~~with an overall length of at least twenty-~~ 913  
~~six inches~~ that is approved for sale by the federal bureau of 914  
alcohol, tobacco, firearms, and explosives under the "Gun 915  
Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a)(3), but 916  
that is found by the bureau not to be regulated under the 917  
"National Firearms Act," 68A Stat. 725 (1934), 26 U.S.C. 918  
5845(a). 919

~~(M)~~ (L) "Explosive" means any chemical compound, mixture, 920  
or device, the primary or common purpose of which is to function 921  
by explosion. "Explosive" includes all materials that have been 922  
classified as division 1.1, division 1.2, division 1.3, or 923  
division 1.4 explosives by the United States department of 924  
transportation in its regulations and includes, but is not 925  
limited to, dynamite, black powder, pellet powders, initiating 926  
explosives, blasting caps, electric blasting caps, safety fuses, 927  
fuse igniters, squibs, cordeau detonnant fuses, instantaneous 928  
fuses, and igniter cords and igniters. "Explosive" does not 929  
include "fireworks," as defined in section 3743.01 of the 930  
Revised Code, or any substance or material otherwise meeting the 931  
definition of explosive set forth in this section that is 932  
manufactured, sold, possessed, transported, stored, or used in 933

any activity described in section 3743.80 of the Revised Code, 934  
provided the activity is conducted in accordance with all 935  
applicable laws, rules, and regulations, including, but not 936  
limited to, the provisions of section 3743.80 of the Revised 937  
Code and the rules of the fire marshal adopted pursuant to 938  
section 3737.82 of the Revised Code. 939

~~(N) (1)~~ (M) (1) "Concealed ~~handgun~~ weapons license" or 940  
"license to carry a concealed ~~handgun~~ weapon" means, subject to 941  
division ~~(N) (2)~~ (M) (2) of this section, ~~a~~ any of the following: 942

(a) A license or temporary emergency license to carry a 943  
concealed handgun issued on or after the effective date of this 944  
amendment under section 2923.125 or 2923.1213 of the Revised 945  
Code or a that authorizes the person to whom it is issued to 946  
carry a concealed deadly weapon other than an exclusive deadly 947  
weapon; 948

(b) A license or temporary emergency license to carry a 949  
concealed weapon issued prior to the effective date of this 950  
amendment under section 2923.125 or 2923.1213 of the Revised 951  
Code as those sections existed prior to that date that, when 952  
issued, authorized the person to whom it was issued to carry a 953  
concealed handgun and that, on and after the effective date of 954  
this amendment, authorizes the person to whom it was issued to 955  
carry a concealed deadly weapon other than an exclusive deadly 956  
weapon; 957

(c) A license to carry a concealed handgun issued by 958  
another state with which the attorney general has entered into a 959  
reciprocity agreement under section 109.69 of the Revised Code\_ 960  
that authorizes the person to whom it is issued to carry a 961  
concealed handgun, concealed firearm, or concealed deadly 962  
weapon. 963

(2) A reference in any provision of the Revised Code to a concealed ~~handgun-weapons~~ license issued under section 2923.125 of the Revised Code or a license to carry a concealed ~~handgun-weapon~~ issued under section 2923.125 of the Revised Code means only a license of the type that is specified in that section or a license of the type described in division (M) (1) (b) of this section issued under section 2923.125 of the Revised Code as it existed prior to the effective date of this amendment. A

A reference in any provision of the Revised Code to a concealed ~~handgun-weapons~~ license issued under section 2923.1213 of the Revised Code, a license to carry a concealed ~~handgun-weapon~~ issued under section 2923.1213 of the Revised Code, or a license to carry a concealed ~~handgun-weapon~~ on a temporary emergency basis means only a license of the type that is specified in that section-2923.1213 of the Revised Code or a license of the type described in division (M) (1) (b) of this section issued under section 2923.1213 of the Revised Code as it existed prior to the effective date of this amendment. A

A reference in any provision of the Revised Code to a ~~concealed handgun~~-license issued by another state ~~or a license to carry a concealed handgun issued by another state that~~ authorizes the carrying of concealed handguns, firearms, or deadly weapons means only a license issued by another state with which the attorney general has entered into a reciprocity agreement under section 109.69 of the Revised Code.

~~(O)~~ (N) "Valid concealed ~~handgun-weapons~~ license" or "valid license to carry a concealed ~~handgun~~ weapon" means a-any of the following:

(1) A concealed ~~handgun-weapons~~ license of the type described in division (M) (1) (a) or (c) of this section that is

currently valid, that is not under a suspension under division 994  
(A) (1) of section 2923.128 of the Revised Code, under section 995  
2923.1213 of the Revised Code, or under a suspension provision 996  
of the state other than this state in which the license was 997  
issued, and that has not been revoked under division (B) (1) of 998  
section 2923.128 of the Revised Code, under section 2923.1213 of 999  
the Revised Code, or under a revocation provision of the state 1000  
other than this state in which the license was issued; 1001

(2) A concealed weapons license of the type described in 1002  
division (M) (1) (b) of this section that is currently valid, that 1003  
is not under a suspension of any type described in division (N) 1004  
(1) of this section, and that has not been revoked in any manner 1005  
described in division (N) (1) of this section. 1006

~~(P)~~ (O) "Misdemeanor punishable by imprisonment for a term 1007  
exceeding one year" does not include any of the following: 1008

(1) Any federal or state offense pertaining to antitrust 1009  
violations, unfair trade practices, restraints of trade, or 1010  
other similar offenses relating to the regulation of business 1011  
practices; 1012

(2) Any misdemeanor offense punishable by a term of 1013  
imprisonment of two years or less. 1014

~~(Q)~~ (P) "Alien registration number" means the number issued 1015  
by the United States citizenship and immigration services agency 1016  
that is located on the alien's permanent resident card and may 1017  
also be commonly referred to as the "USCIS number" or the "alien 1018  
number." 1019

~~(R)~~ (Q) "Active duty" has the same meaning as defined in 10  
U.S.C. 101. 1021

**Sec. 2923.111.** (A) As used in ~~this section~~ sections 2923.11 1022

to 2923.25 of the Revised Code: 1023

(1) ~~"Restricted firearm" means a firearm that is dangerous~~ 1024  
~~ordnance or that is a firearm that any law of this state~~ 1025  
~~prohibits the subject person from possessing, having, or~~ 1026  
~~carrying.~~ 1027

~~(2)~~ "Qualifying adult" means a person who is all of the 1028  
following: 1029

(a) ~~Twenty-one~~ Eighteen years of age or older; 1030

(b) Not legally prohibited from acquiring, possessing, or 1031  
receiving a firearm ~~deadly weapon under 18 U.S.C. 922(g) (1) to~~ 1032  
~~(9) or under section 2923.13 of the Revised Code or any other~~ 1033  
~~Revised Code provision~~ the law of this state or the United 1034  
States; 1035

(c) Satisfies all of the criteria listed in divisions (D) 1036  
(1) (a) to (j), (m), (p), (q), and (s) of section 2923.125 of the 1037  
Revised Code. 1038

(2) "Exclusive deadly weapon" means a deadly weapon that 1039  
is an exclusive firearm or that is a deadly weapon that any law 1040  
of this state or the United States prohibits the subject person 1041  
from acquiring, possessing, having, or carrying. 1042

(3) "Exclusive firearm" means a firearm that is dangerous 1043  
ordnance or that is a firearm that any law of this state or the 1044  
United States prohibits the subject person from acquiring, 1045  
possessing, having, or carrying. 1046

(B) Notwithstanding any other Revised Code section to the 1047  
contrary: 1048

(1) A person who is a qualifying adult shall not be 1049  
required to obtain a concealed ~~handgun~~ weapons license in order 1050

to carry in this state, under authority of division (B) (2) of 1051  
this section, a concealed ~~handgun~~ deadly weapon that is not a 1052  
~~restricted firearm~~ an exclusive deadly weapon. 1053

(2) Regardless of whether the person has been issued a 1054  
concealed ~~handgun~~ weapons license, subject to the limitations 1055  
specified in divisions (B) (3) and (C) (2) of this section, a 1056  
person who is a qualifying adult may carry a ~~concealed handgun~~ 1057  
on the person's person or concealed ready at hand a deadly 1058  
weapon that is not a ~~restricted firearm~~ an exclusive deadly 1059  
weapon anywhere in this state in which a person who has been 1060  
issued a concealed ~~handgun~~ weapons license may carry a concealed 1061  
~~handgun~~ deadly weapon that is not an exclusive deadly weapon. 1062

(3) The right of a person who is a qualifying adult to 1063  
carry a concealed ~~handgun~~ deadly weapon that is not a ~~restricted~~ 1064  
~~firearm~~ an exclusive deadly weapon that is granted under 1065  
divisions (B) (1) and (2) of this section is the same right as is 1066  
granted to a person who has been issued a concealed ~~handgun~~ 1067  
weapons license, and a qualifying adult who is granted the right 1068  
is subject to the same restrictions as apply to a person who has 1069  
been issued a concealed ~~handgun~~ weapons license. 1070

(C) (1) For purposes of any provision of section 1547.69, 1071  
2923.12, or 2923.124 to 2923.1213 of the Revised Code, or of any 1072  
other section of the Revised Code, that refers to a concealed 1073  
~~handgun~~ weapons license or a concealed ~~handgun~~ weapons licensee, 1074  
except when the context clearly indicates otherwise, all of the 1075  
following apply: 1076

(a) A person who is a qualifying adult and is carrying or 1077  
has, concealed on the person's person or ready at hand, a 1078  
~~handgun~~ deadly weapon that is not a ~~restricted firearm~~ an 1079  
exclusive deadly weapon shall be deemed to have been issued a 1080

valid concealed ~~handgun-weapons~~ license. 1081

(b) If the provision refers to a person having been issued 1082  
a concealed ~~handgun-weapons~~ license or having been issued a 1083  
concealed ~~handgun-weapons~~ license that is valid at a particular 1084  
point in time, the provision shall be construed as automatically 1085  
including a person who is a qualifying adult and who is carrying 1086  
or has, concealed on the person's person or ready at hand, a 1087  
~~handgun-deadly weapon~~ that is not ~~a restricted firearm~~ an 1088  
exclusive deadly weapon, as if the person had been issued a 1089  
concealed ~~handgun-weapons~~ license or had been issued a concealed 1090  
~~handgun-weapons~~ license that is valid at the particular point in 1091  
time. 1092

(c) If the provision in specified circumstances requires a 1093  
concealed ~~handgun-weapons~~ licensee to engage in specified 1094  
conduct, or prohibits a concealed ~~handgun-weapons~~ licensee from 1095  
engaging in specified conduct, the provision shall be construed 1096  
as applying in the same circumstances to a person who is a 1097  
qualifying adult in the same manner as if the person was a 1098  
concealed ~~handgun-weapons~~ licensee. 1099

(d) If the application of the provision to a person 1100  
depends on whether the person is or is not a concealed ~~handgun-~~ 1101  
weapons licensee, the provision shall be applied to a person who 1102  
is a qualifying adult in the same manner as if the person was a 1103  
concealed ~~handgun-weapons~~ licensee. 1104

(e) If the provision pertains to the imposition of a 1105  
penalty or sanction for specified conduct and the penalty or 1106  
sanction applicable to a person who engages in the conduct 1107  
depends on whether the person is or is not a concealed ~~handgun-~~ 1108  
weapons licensee, the provision shall be applied to a person who 1109  
is a qualifying adult in the same manner as if the person was a 1110

concealed ~~handgun-weapons~~ licensee. 1111

(2) The concealed ~~handgun-weapons~~ license expiration 1112  
provisions of sections 2923.125 and 2923.1213 of the Revised 1113  
Code, and the concealed ~~handgun-weapons~~ license suspension and 1114  
revocation provisions of section 2923.128 of the Revised Code, 1115  
do not apply with respect to a person who is a qualifying adult 1116  
unless the person has been issued a concealed ~~handgun-weapons~~ 1117  
license. If a person is a qualifying adult and the person 1118  
thereafter comes within any category of persons specified in 18 1119  
U.S.C. 922(g) (1) to (9) or in section 2923.13 of the Revised 1120  
Code or any other Revised Code provision so that the person as a 1121  
result is legally prohibited under the applicable provision from 1122  
possessing or receiving a ~~firearm~~ deadly weapon, both of the 1123  
following apply automatically and immediately upon the person 1124  
coming within that category: 1125

(a) Division (B) of this section and the authority and 1126  
right to carry a concealed ~~handgun~~ deadly weapon that is not an 1127  
exclusive deadly weapon that ~~are~~ is described in that division 1128  
do not apply to the person. 1129

(b) The person no longer is deemed to have been issued a 1130  
concealed ~~handgun-weapons~~ license as described in division (C) 1131  
(1)(a) of this section, and the provisions of divisions (C)(1) 1132  
(a) to (e) of this section no longer apply to the person in the 1133  
same manner as if the person had been issued, possessed, or 1134  
produced a valid concealed ~~handgun-weapons~~ license or was a 1135  
concealed ~~handgun-weapons~~ licensee. 1136

**Sec. 2923.12.** (A) No person shall knowingly carry or have, 1137  
concealed on the person's person or concealed ready at hand, any 1138  
of the following: 1139

(1) A deadly weapon other than a handgun; 1140

(2) A handgun other than a dangerous ordnance; 1141

(3) A dangerous ordnance. 1142

(B) No person who has been issued a concealed ~~handgun~~ 1143  
weapons license shall do any of the following: 1144

(1) If the person is stopped for a law enforcement purpose 1145  
and is carrying a concealed ~~handgun~~ deadly weapon that is not an 1146  
exclusive deadly weapon, before or at the time a law enforcement 1147  
officer asks if the person is carrying a concealed ~~handgun~~ 1148  
deadly weapon, knowingly fail to disclose that the person then 1149  
is carrying a concealed ~~handgun~~ deadly weapon, provided that it 1150  
is not a violation of this division if the person fails to 1151  
disclose that fact to an officer during the stop and the person 1152  
already has notified another officer of that fact during the 1153  
same stop; 1154

(2) If the person is stopped for a law enforcement purpose 1155  
and is carrying a concealed ~~handgun~~ deadly weapon that is not an 1156  
exclusive deadly weapon, knowingly fail to keep the person's 1157  
hands in plain sight at any time after any law enforcement 1158  
officer begins approaching the person while stopped and before 1159  
the law enforcement officer leaves, unless the failure is 1160  
pursuant to and in accordance with directions given by a law 1161  
enforcement officer; 1162

(3) If the person is stopped for a law enforcement 1163  
purpose, if the person is carrying a concealed ~~handgun~~ deadly 1164  
weapon that is not an exclusive deadly weapon and that is a 1165  
loaded firearm, and if the person is approached by any law 1166  
enforcement officer while stopped, knowingly remove or attempt 1167  
to remove the loaded ~~handgun~~ firearm from the holster, pocket, 1168

or other place in which the person is carrying it, knowingly 1169  
grasp or hold the loaded ~~handgun~~ firearm, or knowingly have 1170  
contact with the loaded ~~handgun~~ firearm by touching it with the 1171  
person's hands or fingers at any time after the law enforcement 1172  
officer begins approaching and before the law enforcement 1173  
officer leaves, unless the person removes, attempts to remove, 1174  
grasps, holds, or has contact with the loaded ~~handgun~~ firearm 1175  
pursuant to and in accordance with directions given by the law 1176  
enforcement officer; 1177

(4) If the person is stopped for a law enforcement purpose 1178  
and is carrying a concealed ~~handgun~~ deadly weapon that is not an 1179  
exclusive deadly weapon, knowingly disregard or fail to comply 1180  
with any lawful order of any law enforcement officer given while 1181  
the person is stopped, including, but not limited to, a specific 1182  
order to the person to keep the person's hands in plain sight. 1183

(C) (1) This section does not apply to any of the 1184  
following: 1185

(a) An officer, agent, or employee of this or any other 1186  
state or the United States, or to a law enforcement officer, who 1187  
is authorized to carry concealed weapons or dangerous ordnance 1188  
or is authorized to carry ~~handguns~~ firearms or other deadly 1189  
weapons and is acting within the scope of the officer's, 1190  
agent's, or employee's duties; 1191

(b) Any person who is employed in this state, who is 1192  
authorized to carry concealed weapons or dangerous ordnance or 1193  
is authorized to carry ~~handguns~~ firearms or other deadly 1194  
weapons, and who is subject to and in compliance with the 1195  
requirements of section 109.801 of the Revised Code, unless the 1196  
appointing authority of the person has expressly specified that 1197  
the exemption provided in division (C) (1) (b) of this section 1198

does not apply to the person; 1199

(c) A person's transportation or storage of a ~~firearm~~ 1200  
deadly weapon, other than a firearm described in divisions ~~(G)~~ 1201  
(F) to ~~(M)~~ (L) of section 2923.11 of the Revised Code, in a motor 1202  
vehicle for any lawful purpose if the firearm is not on the 1203  
actor's person; 1204

(d) A person's storage or possession of a ~~firearm~~ deadly 1205  
weapon, other than a firearm described in divisions ~~(G)~~ (F) to 1206  
~~(M)~~ (L) of section 2923.11 of the Revised Code, in the actor's 1207  
own home for any lawful purpose. 1208

~~(2) Division (A) (2)~~ (2) (a) Divisions (A) (1) and (2) of 1209  
this section does do not apply to any person who carries or 1210  
possesses a deadly weapon that is not an exclusive deadly weapon 1211  
if, at the time of the alleged carrying or possession of a 1212  
deadly weapon, either of the following applies: 1213

(i) The person has been issued a concealed handgun weapons 1214  
license that is valid at the time of the alleged carrying or 1215  
possession of a handgun or who, at the time of the alleged 1216  
carrying or possession of a handgun, deadly weapon; 1217

(ii) The person is an active duty member of the armed 1218  
forces of the United States and is carrying has been issued a 1219  
valid military identification card and documentation of 1220  
successful completion of firearms training that meets or exceeds 1221  
the training requirements described in division (G) (1) of 1222  
section 2923.125 of the Revised Code, unless that are valid at 1223  
the time of the alleged carrying or possession of a deadly 1224  
weapon. 1225

(b) The exemptions specified in division (C) (2) (a) of this 1226  
section do not apply to a person if, at the time of the alleged 1227

carrying or possession of a deadly weapon, the person knowingly 1228  
is in a place described in division (B) of section 2923.126 of 1229  
the Revised Code. 1230

(D) It is an affirmative defense to a charge under 1231  
division (A)(1) of this section of carrying or having control of 1232  
a deadly weapon other than a handgun and other than a dangerous 1233  
ordnance that the actor was not otherwise prohibited by law from 1234  
having the deadly weapon and that any of the following applies: 1235

(1) The deadly weapon was carried or kept ready at hand by 1236  
the actor for defensive purposes while the actor was engaged in 1237  
or was going to or from the actor's lawful business or 1238  
occupation, which business or occupation was of a character or 1239  
was necessarily carried on in a manner or at a time or place as 1240  
to render the actor particularly susceptible to criminal attack, 1241  
such as would justify a prudent person in going armed. 1242

(2) The deadly weapon was carried or kept ready at hand by 1243  
the actor for defensive purposes while the actor was engaged in 1244  
a lawful activity and had reasonable cause to fear a criminal 1245  
attack upon the actor, a member of the actor's family, or the 1246  
actor's home, such as would justify a prudent person in going 1247  
armed. 1248

(3) The deadly weapon was carried or kept ready at hand by 1249  
the actor for any lawful purpose and while in the actor's own 1250  
home. 1251

(E) (1) No person who is charged with a violation of this 1252  
section shall be required to obtain a concealed ~~handgun~~ weapons 1253  
license as a condition for the dismissal of the charge. 1254

(2) If a person is convicted of, was convicted of, pleads 1255  
guilty to, or has pleaded guilty to a violation of division (B) 1256

(1) of this section as it existed prior to June 13, 2022, the 1257  
person may file an application under section 2953.35 of the 1258  
Revised Code requesting the expungement of the record of 1259  
conviction. 1260

(F) (1) Whoever violates this section is guilty of carrying 1261  
concealed weapons. 1262

(2) (a) Except as otherwise provided in ~~this division or~~ 1263  
divisions (F) (2), (6), and (7) (F) (2) (b), (c), and (d) of this 1264  
section, carrying concealed weapons in violation of division (A) 1265  
of this section is a misdemeanor of the first degree. 1266

(b) Except as otherwise provided in divisions (F) (2) (c) 1267  
and (d) of this section, if the offender is a concealed weapons 1268  
licensee and has been issued a concealed weapons license that is 1269  
valid at the time of the violation, is an active duty member of 1270  
the armed forces of the United States and has been issued a 1271  
valid military identification card and documentation of 1272  
successful completion of firearms training that meets or exceeds 1273  
the training requirements described in division (G) (1) of 1274  
section 2923.125 of the Revised Code that are valid at the time 1275  
of the violation, or is a qualifying adult, but is knowingly in 1276  
a place described in division (B) of section 2923.126 of the 1277  
Revised Code, carrying concealed deadly weapons in violation of 1278  
division (A) (1) or (2) of this section is a minor misdemeanor. 1279

(c) Except as otherwise provided in this division ~~or~~ 1280  
divisions (F) (2), (6), and (7) or division (F) (2) (d) of this 1281  
section, if the offender previously has been convicted of a 1282  
violation of this section or of any offense of violence, if the 1283  
weapon involved is a firearm that is either loaded or for which 1284  
the offender has ammunition ready at hand, or if the weapon 1285  
involved is dangerous ordnance, carrying concealed weapons in 1286

violation of division (A) of this section is a felony of the 1287  
fourth degree. 1288

~~Except as otherwise provided in divisions (F) (2) and (6) of this section, if (d) If the offense is committed aboard an~~ 1289  
aircraft, or with purpose to carry a concealed weapon aboard an 1290  
aircraft, regardless of the weapon involved, carrying concealed 1291  
weapons in violation of division (A) of this section is a felony 1292  
of the third degree. 1293  
1294

~~(2) A person shall not be arrested for a violation of~~ 1295  
division (A) (2) of this section solely because the person does 1296  
not promptly produce a valid concealed handgun license. If a 1297  
person is arrested for a violation of division (A) (2) of this 1298  
section and is convicted of or pleads guilty to the violation, 1299  
the offender shall be punished as follows: 1300

~~(a) The offender shall be guilty of a minor misdemeanor if~~ 1301  
both of the following apply: 1302

~~(i) Within ten days after the arrest, the offender~~ 1303  
presents a concealed handgun license, which license was valid at 1304  
the time of the arrest, to the law enforcement agency that 1305  
employs the arresting officer. 1306

~~(ii) At the time of the arrest, the offender was not~~ 1307  
knowingly in a place described in division (B) of section 1308  
2923.126 of the Revised Code. 1309

~~(b) The offender shall be guilty of a misdemeanor and~~ 1310  
shall be fined five hundred dollars if all of the following 1311  
apply: 1312

~~(i) The offender previously had been issued a concealed~~ 1313  
handgun license, and that license expired within the two years 1314  
immediately preceding the arrest. 1315

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

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

~~(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 concealed weapons in violation of division (B) (1) of this section is a misdemeanor of the second degree.

(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 if the offender has been issued a concealed weapons license, 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 forces of the United States and is carrying a valid military~~

~~identification card and documentation of successful completion~~ 1345  
~~of firearms training that meets or exceeds the training~~ 1346  
~~requirements described in division (C) (1) of section 2923.125 of~~ 1347  
~~the Revised Code, and if at the time of the violation the person~~ 1348  
~~was not knowingly in a place described in division (B) of~~ 1349  
~~section 2923.126 of the Revised Code, the officer shall not~~ 1350  
~~arrest the person for a violation of that division. If the~~ 1351  
~~person is not able to promptly produce a valid military~~ 1352  
~~identification card and documentation of successful completion~~ 1353  
~~of firearms training that meets or exceeds the training~~ 1354  
~~requirements described in division (C) (1) of section 2923.125 of~~ 1355  
~~the Revised Code and if the person is not in a place described~~ 1356  
~~in division (B) of section 2923.126 of the Revised Code, the~~ 1357  
~~officer shall issue a citation and the offender shall be~~ 1358  
~~assessed a civil penalty of not more than five hundred dollars.~~ 1359  
~~The citation shall be automatically dismissed and the civil~~ 1360  
~~penalty shall not be assessed if both of the following apply:~~ 1361

~~(a) Within ten days after the issuance of the citation,~~ 1362  
~~the offender presents a valid military identification card and~~ 1363  
~~documentation of successful completion of firearms training that~~ 1364  
~~meets or exceeds the training requirements described in division~~ 1365  
~~(C) (1) of section 2923.125 of the Revised Code, which were both~~ 1366  
~~valid at the time of the issuance of the citation to the law~~ 1367  
~~enforcement agency that employs the citing officer.~~ 1368

~~(b) At the time of the citation, the offender was not~~ 1369  
~~knowingly in a place described in division (B) of section~~ 1370  
~~2923.126 of the Revised Code.~~ 1371

~~(7) If a person being arrested for a violation of division~~ 1372  
~~(A) (2) of this section is knowingly in a place described in~~ 1373  
~~division (B) (5) of section 2923.126 of the Revised Code and is~~ 1374

~~not authorized to carry a handgun or have a handgun concealed on~~ 1375  
~~the person's person or concealed ready at hand under that~~ 1376  
~~division, the penalty shall be as follows:~~ 1377

~~(a) Except as otherwise provided in this division, if the~~ 1378  
~~person produces a valid concealed handgun license within ten~~ 1379  
~~days after the arrest and has not previously been convicted or~~ 1380  
~~pleaded guilty to a violation of division (A) (2) of this~~ 1381  
~~section, the person is guilty of a minor misdemeanor;~~ 1382

~~(b) Except as otherwise provided in this division, if the~~ 1383  
~~person has previously been convicted of or pleaded guilty to a~~ 1384  
~~violation of division (A) (2) of this section, the person is~~ 1385  
~~guilty of a misdemeanor of the fourth degree;~~ 1386

~~(c) Except as otherwise provided in this division, if the~~ 1387  
~~person has previously been convicted of or pleaded guilty to two~~ 1388  
~~violations of division (A) (2) of this section, the person is~~ 1389  
~~guilty of a misdemeanor of the third degree;~~ 1390

~~(d) Except as otherwise provided in this division, if the~~ 1391  
~~person has previously been convicted of or pleaded guilty to~~ 1392  
~~three or more violations of division (A) (2) of this section, or~~ 1393  
~~convicted of or pleaded guilty to any offense of violence, if~~ 1394  
~~the weapon involved is a firearm that is either loaded or for~~ 1395  
~~which the offender has ammunition ready at hand, or if the~~ 1396  
~~weapon involved is a dangerous ordnance, the person is guilty of~~ 1397  
~~a misdemeanor of the second degree.~~ 1398

(G) If a law enforcement officer stops a person to 1399  
question the person regarding a possible violation of this 1400  
section, for a traffic stop, or for any other law enforcement 1401  
purpose, if the person surrenders a firearm deadly weapon to the 1402  
officer, either voluntarily or pursuant to a request or demand 1403

of the officer, and if the officer does not charge the person 1404  
with a violation of this section or arrest the person for any 1405  
offense, the person is not otherwise prohibited by law from 1406  
possessing the ~~firearm~~ deadly weapon, and the ~~firearm~~ deadly 1407  
weapon is not contraband, the officer shall return the ~~firearm~~ 1408  
deadly weapon to the person at the termination of the stop. If a 1409  
court orders a law enforcement officer to return a ~~firearm~~ 1410  
deadly weapon to a person pursuant to the requirement set forth 1411  
in this division, division (B) of section 2923.163 of the 1412  
Revised Code applies. 1413

(H) For purposes of this section, "deadly weapon" or 1414  
"weapon" does not include any knife, razor, or cutting 1415  
instrument if the instrument was not used as a weapon. 1416

**Sec. 2923.121.** (A) No person shall possess a firearm in 1417  
any room in which any person is consuming beer or intoxicating 1418  
liquor in a premises for which a D permit has been issued under 1419  
Chapter 4303. of the Revised Code or in an open air arena for 1420  
which a permit of that nature has been issued. 1421

(B) (1) This section does not apply to any of the 1422  
following: 1423

(a) An officer, agent, or employee of this or any other 1424  
state or the United States, or a law enforcement officer, who is 1425  
authorized to carry firearms and is acting within the scope of 1426  
the officer's, agent's, or employee's duties; 1427

(b) A law enforcement officer or investigator who is 1428  
authorized to carry firearms but is not acting within the scope 1429  
of the officer's or investigator's duties, as long as all of the 1430  
following apply: 1431

(i) The officer or investigator is carrying validating 1432

identification. 1433

(ii) If the firearm the officer or investigator possesses 1434  
is a firearm issued or approved by the law enforcement agency 1435  
served by the officer or by the bureau of criminal 1436  
identification and investigation with respect to an 1437  
investigator, the agency or bureau does not have a restrictive 1438  
firearms carrying policy. 1439

(iii) The officer or investigator is not consuming beer or 1440  
intoxicating liquor and is not under the influence of alcohol or 1441  
a drug of abuse. 1442

(c) Any room used for the accommodation of guests of a 1443  
hotel, as defined in section 4301.01 of the Revised Code; 1444

(d) The principal holder of a D permit issued for a 1445  
premises or an open air arena under Chapter 4303. of the Revised 1446  
Code while in the premises or open air arena for which the 1447  
permit was issued if the principal either of the following 1448  
applies: 1449

(i) The holder of the D permit also has been issued a 1450  
concealed handgun weapons license that is valid at the time in 1451  
question and of the possession, as long as the principal firearm 1452  
is not an exclusive firearm and the holder is not consuming beer 1453  
or intoxicating liquor or under the influence of alcohol or a 1454  
drug of abuse, or any. 1455

(ii) The holder is an active duty member of the armed 1456  
forces of the United States and has been issued a valid military 1457  
identification card and documentation of successful completion 1458  
of firearms training that meets or exceeds the training 1459  
requirements described in division (G) (1) of section 2923.125 of 1460  
the Revised Code that are valid at the time of the possession, 1461

as long as the firearm is not an exclusive firearm and the 1462  
holder is not consuming beer or intoxicating liquor or under the 1463  
influence of alcohol or a drug of abuse. 1464

(e) An agent or employee of that the principal holder who 1465  
of a D permit issued for a premises or open air arena under 1466  
Chapter 4303. of the Revised Code if the agent or employee also 1467  
is a peace officer, as defined in section 2151.3515 of the 1468  
Revised Code, who is off duty, and who otherwise is authorized 1469  
to carry firearms while in the course of the officer's official 1470  
duties and while in the premises or open air arena for which the 1471  
permit was issued and as long as the firearm is not an exclusive 1472  
firearm and the agent or employee of that holder is not 1473  
consuming beer or intoxicating liquor or under the influence of 1474  
alcohol or a drug of abuse. 1475

~~(e)~~ (f) Any person who has been issued a concealed handgun 1476  
weapons license that is valid at the time in question of the 1477  
possession or any person who is an active duty member of the 1478  
armed forces of the United States and is carrying has been 1479  
issued a valid military identification card and documentation of 1480  
successful completion of firearms training that meets or exceeds 1481  
the training requirements described in division (G) (1) of 1482  
section 2923.125 of the Revised Code that are valid at the time 1483  
of the possession, as long as the firearm is not an exclusive 1484  
firearm and the person is not consuming beer or intoxicating 1485  
liquor or under the influence of alcohol or a drug of abuse. 1486

(2) This section does not prohibit any person who is a 1487  
member of a veteran's organization, as defined in section 1488  
2915.01 of the Revised Code, from possessing a rifle in any room 1489  
in any premises owned, leased, or otherwise under the control of 1490  
the veteran's organization, if the rifle is not loaded with live 1491

ammunition and if the person otherwise is not prohibited by law 1492  
from having the rifle. 1493

(3) This section does not apply to any person possessing 1494  
or displaying firearms in any room used to exhibit unloaded 1495  
firearms for sale or trade in a soldiers' memorial established 1496  
pursuant to Chapter 345. of the Revised Code, in a convention 1497  
center, or in any other public meeting place, if the person is 1498  
an exhibitor, trader, purchaser, or seller of firearms and is 1499  
not otherwise prohibited by law from possessing, trading, 1500  
purchasing, or selling the firearms. 1501

(C) It is an affirmative defense to a charge under this 1502  
section of illegal possession of a firearm in a liquor permit 1503  
premises that involves the possession of a firearm other than a 1504  
handgun, that the actor was not otherwise prohibited by law from 1505  
having the firearm, and that any of the following apply: 1506

(1) The firearm was carried or kept ready at hand by the 1507  
actor for defensive purposes, while the actor was engaged in or 1508  
was going to or from the actor's lawful business or occupation, 1509  
which business or occupation was of such character or was 1510  
necessarily carried on in such manner or at such a time or place 1511  
as to render the actor particularly susceptible to criminal 1512  
attack, such as would justify a prudent person in going armed. 1513

(2) The firearm was carried or kept ready at hand by the 1514  
actor for defensive purposes, while the actor was engaged in a 1515  
lawful activity, and had reasonable cause to fear a criminal 1516  
attack upon the actor or a member of the actor's family, or upon 1517  
the actor's home, such as would justify a prudent person in 1518  
going armed. 1519

(D) No person who is charged with a violation of this 1520

section shall be required to obtain a concealed ~~handgun~~-weapons 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.

(3) "Restrictive firearms carrying policy" means a specific policy of a law enforcement agency or the bureau of criminal identification and investigation that prohibits all officers of the agency or all investigators of the bureau, while not acting within the scope of the officer's or investigator's duties, from doing either of the following:

(a) Carrying a firearm issued or approved by the agency or bureau in any room, premises, or arena described in division (A) of this section;

(b) Carrying a firearm issued or approved by the agency or bureau in premises described in division (A) of section 2923.1214 of the Revised Code.

(4) "Law enforcement officer" has the same meaning as in 1549  
section 9.69 of the Revised Code. 1550

(5) "Validating identification" means one of the 1551  
following: 1552

(a) Photographic identification issued by the law 1553  
enforcement agency for which an individual serves as a law 1554  
enforcement officer that identifies the individual as a law 1555  
enforcement officer of the agency; 1556

(b) Photographic identification issued by the bureau of 1557  
criminal identification and investigation that identifies an 1558  
individual as an investigator of the bureau. 1559

**Sec. 2923.122.** (A) No person shall knowingly convey, or 1560  
attempt to convey, a deadly weapon or dangerous ordnance into a 1561  
school safety zone. 1562

(B) No person shall knowingly possess a deadly weapon or 1563  
dangerous ordnance in a school safety zone. 1564

(C) No person shall knowingly possess an object in a 1565  
school safety zone if both of the following apply: 1566

(1) The object is indistinguishable from a firearm, 1567  
whether or not the object is capable of being fired. 1568

(2) The person indicates that the person possesses the 1569  
object and that it is a firearm, or the person knowingly 1570  
displays or brandishes the object and indicates that it is a 1571  
firearm. 1572

(D) (1) This section does not apply to any of the 1573  
following: 1574

(a) An officer, agent, or employee of this or any other 1575

state or the United States who is authorized to carry deadly 1576  
weapons or dangerous ordnance and is acting within the scope of 1577  
the officer's, agent's, or employee's duties; 1578

(b) A law enforcement officer who is authorized to carry 1579  
deadly weapons or dangerous ordnance; 1580

(c) A security officer employed by a board of education or 1581  
governing body of a school during the time that the security 1582  
officer is on duty pursuant to that contract of employment; 1583

(d) Any person not described in divisions (D) (1) (a) to (c) 1584  
of this section who has written authorization from the board of 1585  
education or governing body of a school to convey deadly weapons 1586  
or dangerous ordnance into a school safety zone or to possess a 1587  
deadly weapon or dangerous ordnance in a school safety zone and 1588  
who conveys or possesses the deadly weapon or dangerous ordnance 1589  
in accordance with that authorization, provided both of the 1590  
following apply: 1591

(i) Either the person has successfully completed the 1592  
curriculum, instruction, and training established under section 1593  
5502.703 of the Revised Code, or the person has received a 1594  
certificate of having satisfactorily completed an approved basic 1595  
peace officer training program or is a law enforcement officer; 1596

(ii) The board or governing body has notified the public, 1597  
by whatever means the affected school regularly communicates 1598  
with the public, that the board or governing body has authorized 1599  
one or more persons to go armed within a school operated by the 1600  
board or governing authority. 1601

A district board or school governing body that authorizes 1602  
a person under division (D) (1) (d) of this section shall require 1603  
that person to submit to an annual criminal records check 1604

conducted in the same manner as section 3319.39 or 3319.391 of 1605  
the Revised Code. 1606

(e) Any person who is employed in this state, who is 1607  
authorized to carry deadly weapons or dangerous ordnance, and 1608  
who is subject to and in compliance with the requirements of 1609  
section 109.801 of the Revised Code, unless the appointing 1610  
authority of the person has expressly specified that the 1611  
exemption provided in division (D)(1)(e) of this section does 1612  
not apply to the person. 1613

(2) Division (C) of this section does not apply to 1614  
premises upon which home schooling is conducted. Division (C) of 1615  
this section also does not apply to a school administrator, 1616  
teacher, or employee who possesses an object that is 1617  
indistinguishable from a firearm for legitimate school purposes 1618  
during the course of employment, a student who uses an object 1619  
that is indistinguishable from a firearm under the direction of 1620  
a school administrator, teacher, or employee, or any other 1621  
person who with the express prior approval of a school 1622  
administrator possesses an object that is indistinguishable from 1623  
a firearm for a legitimate purpose, including the use of the 1624  
object in a ceremonial activity, a play, reenactment, or other 1625  
dramatic presentation, school safety training, or a ROTC 1626  
activity or another similar use of the object. 1627

(3) This section does not apply to a person who conveys or 1628  
attempts to convey a ~~handgun~~ deadly weapon that is not an 1629  
exclusive deadly weapon into, or possesses a ~~handgun~~ deadly 1630  
weapon that is not an exclusive deadly weapon in, a school 1631  
safety zone if, at the time of that conveyance, attempted 1632  
conveyance, or possession of the ~~handgun~~ deadly weapon that is 1633  
not an exclusive deadly weapon, all of the following apply: 1634

(a) The person does not enter into a school building or 1635  
onto school premises and is not at a school activity. 1636

(b) The person has been issued a concealed ~~handgun~~-weapons 1637  
license that is valid at the time of the conveyance, attempted 1638  
conveyance, or possession or the person is an active duty member 1639  
of the armed forces of the United States and ~~is carrying~~ has 1640  
been issued a valid military identification card and 1641  
documentation of successful completion of firearms training that 1642  
meets or exceeds the training requirements described in division 1643  
(G) (1) of section 2923.125 of the Revised Code that are valid at 1644  
the time of the conveyance, attempted conveyance, or possession. 1645

(c) The person is in the school safety zone in accordance 1646  
with 18 U.S.C. 922(q) (2) (B). 1647

(d) The person is not knowingly in a place described in 1648  
division (B) (1) or (B) (3) to (8) of section 2923.126 of the 1649  
Revised Code. 1650

(4) This section does not apply to a person who conveys or 1651  
attempts to convey a ~~handgun~~-deadly weapon that is not an 1652  
exclusive deadly weapon into, or possesses a ~~handgun~~-deadly 1653  
weapon that is not an exclusive deadly weapon in, a school 1654  
safety zone if at the time of that conveyance, attempted 1655  
conveyance, or possession of the ~~handgun~~-deadly weapon that is 1656  
not an exclusive deadly weapon all of the following apply: 1657

(a) The person has been issued a concealed ~~handgun~~-weapons 1658  
license that is valid at the time of the conveyance, attempted 1659  
conveyance, or possession or the person is an active duty member 1660  
of the armed forces of the United States and ~~is carrying~~ has 1661  
been issued a valid military identification card and 1662  
documentation of successful completion of firearms training that 1663

meets or exceeds the training requirements described in division 1664  
(G) (1) of section 2923.125 of the Revised Code that are valid at 1665  
the time of the conveyance, attempted conveyance, or possession. 1666

(b) The person leaves the ~~handgun~~ deadly weapon in a motor 1667  
vehicle. 1668

(c) The ~~handgun~~ deadly weapon does not leave the motor 1669  
vehicle. 1670

(d) If the person exits the motor vehicle, the person 1671  
locks the motor vehicle. 1672

(E) (1) Whoever violates division (A) or (B) of this 1673  
section is guilty of illegal conveyance or possession of a 1674  
deadly weapon or dangerous ordnance in a school safety zone. 1675  
Except as otherwise provided in this division, illegal 1676  
conveyance or possession of a deadly weapon or dangerous 1677  
ordnance in a school safety zone is a felony of the fifth 1678  
degree. If the offender previously has been convicted of a 1679  
violation of this section, illegal conveyance or possession of a 1680  
deadly weapon or dangerous ordnance in a school safety zone is a 1681  
felony of the fourth degree. 1682

(2) Whoever violates division (C) of this section is 1683  
guilty of illegal possession of an object indistinguishable from 1684  
a firearm in a school safety zone. Except as otherwise provided 1685  
in this division, illegal possession of an object 1686  
indistinguishable from a firearm in a school safety zone is a 1687  
misdemeanor of the first degree. If the offender previously has 1688  
been convicted of a violation of this section, illegal 1689  
possession of an object indistinguishable from a firearm in a 1690  
school safety zone is a felony of the fifth degree. 1691

(F) (1) In addition to any other penalty imposed upon a 1692

person who is convicted of or pleads guilty to a violation of 1693  
this section and subject to division (F) (2) of this section, if 1694  
the offender has not attained nineteen years of age, regardless 1695  
of whether the offender is attending or is enrolled in a school 1696  
operated by a board of education or for which the director of 1697  
education and workforce prescribes minimum standards under 1698  
section 3301.07 of the Revised Code, the court shall impose upon 1699  
the offender a class four suspension of the offender's 1700  
probationary driver's license, restricted license, driver's 1701  
license, commercial driver's license, temporary instruction 1702  
permit, or probationary commercial driver's license that then is 1703  
in effect from the range specified in division (A) (4) of section 1704  
4510.02 of the Revised Code and shall deny the offender the 1705  
issuance of any permit or license of that type during the period 1706  
of the suspension. 1707

If the offender is not a resident of this state, the court 1708  
shall impose a class four suspension of the nonresident 1709  
operating privilege of the offender from the range specified in 1710  
division (A) (4) of section 4510.02 of the Revised Code. 1711

(2) If the offender shows good cause why the court should 1712  
not suspend one of the types of licenses, permits, or privileges 1713  
specified in division (F) (1) of this section or deny the 1714  
issuance of one of the temporary instruction permits specified 1715  
in that division, the court in its discretion may choose not to 1716  
impose the suspension, revocation, or denial required in that 1717  
division, but the court, in its discretion, instead may require 1718  
the offender to perform community service for a number of hours 1719  
determined by the court. 1720

(G) As used in this section, "object that is 1721  
indistinguishable from a firearm" means an object made, 1722

constructed, or altered so that, to a reasonable person without 1723  
specialized training in firearms, the object appears to be a 1724  
firearm. 1725

**Sec. 2923.123.** (A) No person shall knowingly convey or 1726  
attempt to convey a deadly weapon or dangerous ordnance into a 1727  
courthouse or into another building or structure in which a 1728  
courtroom is located. 1729

(B) No person shall knowingly possess or have under the 1730  
person's control a deadly weapon or dangerous ordnance in a 1731  
courthouse or in another building or structure in which a 1732  
courtroom is located. 1733

(C) This section does not apply to any of the following: 1734

(1) Except as provided in division (E) of this section, a 1735  
judge of a court of record of this state or a magistrate; 1736

(2) A peace officer, officer of a law enforcement agency, 1737  
or person who is in either of the following categories: 1738

(a) Except as provided in division (E) of this section, a 1739  
peace officer, or an officer of a law enforcement agency of 1740  
another state, a political subdivision of another state, or the 1741  
United States, who is authorized to carry a deadly weapon or 1742  
dangerous ordnance, who possesses or has under that individual's 1743  
control a deadly weapon or dangerous ordnance as a requirement 1744  
of that individual's duties, and who is acting within the scope 1745  
of that individual's duties at the time of that possession or 1746  
control; 1747

(b) Except as provided in division (E) of this section, a 1748  
person who is employed in this state, who is authorized to carry 1749  
a deadly weapon or dangerous ordnance, who possesses or has 1750  
under that individual's control a deadly weapon or dangerous 1751

ordnance as a requirement of that person's duties, and who is 1752  
subject to and in compliance with the requirements of section 1753  
109.801 of the Revised Code, unless the appointing authority of 1754  
the person has expressly specified that the exemption provided 1755  
in division (C) (2) (b) of this section does not apply to the 1756  
person. 1757

(3) A person who conveys, attempts to convey, possesses, 1758  
or has under the person's control a deadly weapon or dangerous 1759  
ordnance that is to be used as evidence in a pending criminal or 1760  
civil action or proceeding; 1761

(4) Except as provided in division (E) of this section, a 1762  
bailiff or deputy bailiff of a court of record of this state who 1763  
is authorized to carry a firearm pursuant to section 109.77 of 1764  
the Revised Code, who possesses or has under that individual's 1765  
control a firearm as a requirement of that individual's duties, 1766  
and who is acting within the scope of that individual's duties 1767  
at the time of that possession or control; 1768

(5) Except as provided in division (E) of this section, a 1769  
prosecutor, or a secret service officer appointed by a county 1770  
prosecuting attorney, who is authorized to carry a deadly weapon 1771  
or dangerous ordnance in the performance of the individual's 1772  
duties, who possesses or has under that individual's control a 1773  
deadly weapon or dangerous ordnance as a requirement of that 1774  
individual's duties, and who is acting within the scope of that 1775  
individual's duties at the time of that possession or control; 1776

(6) Except as provided in division (E) of this section, a 1777  
person who conveys or attempts to convey a ~~handgun~~ deadly weapon 1778  
that is not an exclusive deadly weapon into a courthouse or into 1779  
another building or structure in which a courtroom is located, 1780  
~~if the person~~ and who, at the time of the conveyance or attempt, 1781

has been issued a concealed ~~handgun~~ weapons license that is 1782  
valid at the time of the conveyance or attempt or, ~~at the time~~ 1783  
~~of the conveyance or attempt, the person~~ is an active duty 1784  
member of the armed forces of the United States and ~~is carrying~~ 1785  
has been issued a valid military identification card and 1786  
documentation of successful completion of firearms training that 1787  
meets or exceeds the training requirements described in division 1788  
(G) (1) of section 2923.125 of the Revised Code that are valid at 1789  
the time of the conveyance or attempt, and if in either case the 1790  
person transfers possession of the ~~handgun~~ deadly weapon that is 1791  
not an exclusive deadly weapon to the officer or officer's 1792  
designee who has charge of the courthouse or building. The 1793  
officer shall secure the ~~handgun~~ deadly weapon that is not an 1794  
exclusive deadly weapon until the ~~licensee~~ person is prepared to 1795  
leave the premises. The exemption described in this division 1796  
applies only if the officer who has charge of the courthouse or 1797  
building provides services of the nature described in this 1798  
division. An officer who has charge of the courthouse or 1799  
building is not required to offer services of the nature 1800  
described in this division. 1801

(D) (1) Whoever violates division (A) of this section is 1802  
guilty of illegal conveyance of a deadly weapon or dangerous 1803  
ordnance into a courthouse. Except as otherwise provided in this 1804  
division, illegal conveyance of a deadly weapon or dangerous 1805  
ordnance into a courthouse is a felony of the fifth degree. If 1806  
the offender previously has been convicted of a violation of 1807  
division (A) or (B) of this section, illegal conveyance of a 1808  
deadly weapon or dangerous ordnance into a courthouse is a 1809  
felony of the fourth degree. 1810

(2) Whoever violates division (B) of this section is 1811  
guilty of illegal possession or control of a deadly weapon or 1812

dangerous ordnance in a courthouse. Except as otherwise provided 1813  
in this division, illegal possession or control of a deadly 1814  
weapon or dangerous ordnance in a courthouse is a felony of the 1815  
fifth degree. If the offender previously has been convicted of a 1816  
violation of division (A) or (B) of this section, illegal 1817  
possession or control of a deadly weapon or dangerous ordnance 1818  
in a courthouse is a felony of the fourth degree. 1819

(E) The exemptions described in divisions (C) (1), (2) (a), 1820  
(2) (b), (4), (5), and (6) of this section do not apply to any 1821  
judge, magistrate, peace officer, officer of a law enforcement 1822  
agency, bailiff, deputy bailiff, prosecutor, secret service 1823  
officer, or other person described in any of those divisions if 1824  
a rule of superintendence or another type of rule adopted by the 1825  
supreme court pursuant to Article IV, Ohio Constitution, or an 1826  
applicable local rule of court prohibits all persons from 1827  
conveying or attempting to convey a deadly weapon or dangerous 1828  
ordnance into a courthouse or into another building or structure 1829  
in which a courtroom is located or from possessing or having 1830  
under one's control a deadly weapon or dangerous ordnance in a 1831  
courthouse or in another building or structure in which a 1832  
courtroom is located. 1833

(F) As used in this section: 1834

(1) "Magistrate" means an individual who is appointed by a 1835  
court of record of this state and who has the powers and may 1836  
perform the functions specified in Civil Rule 53, Criminal Rule 1837  
19, or Juvenile Rule 40. 1838

(2) "Peace officer" and "prosecutor" have the same 1839  
meanings as in section 2935.01 of the Revised Code. 1840

**Sec. 2923.124.** As used in sections 2923.124 to 2923.1213 1841

of the Revised Code: 1842

(A) "Application form" means the application form 1843  
prescribed pursuant to division (A)(1) of section 109.731 of the 1844  
Revised Code and includes a copy of that form. 1845

(B) "Competency certification" and "competency 1846  
certificate" mean a document of the type described in division 1847  
(B)(3) of section 2923.125 of the Revised Code. 1848

(C) "Detention facility" has the same meaning as in 1849  
section 2921.01 of the Revised Code. 1850

(D) "Licensee" means a person to whom a concealed ~~handgun-~~ 1851  
weapons license has been issued under section 2923.125 of the 1852  
Revised Code prior to, on, or after the effective date of this 1853  
amendment and, except when the context clearly indicates 1854  
otherwise, includes a person to whom a concealed ~~handgun-~~weapons 1855  
license on a temporary emergency basis has been issued under 1856  
section 2923.1213 of the Revised Code ~~and~~ prior to, on, or after 1857  
the effective date of this amendment, and a person to whom a 1858  
concealed ~~handgun-~~weapons license has been issued by another 1859  
state. 1860

(E) "License fee" or "license renewal fee" means the fee 1861  
for a concealed ~~handgun-~~weapons license or the fee to renew that 1862  
license that is to be paid by an applicant for a license of that 1863  
type. 1864

(F) "Peace officer" has the same meaning as in section 1865  
2935.01 of the Revised Code. 1866

(G) "State correctional institution" has the same meaning 1867  
as in section 2967.01 of the Revised Code. 1868

(H) "Civil protection order" means a protection order 1869

issued, or consent agreement approved, under section 2903.214 or 1870  
3113.31 of the Revised Code. 1871

(I) "Temporary protection order" means a protection order 1872  
issued under section 2903.213 or 2919.26 of the Revised Code. 1873

(J) "Protection order issued by a court of another state" 1874  
has the same meaning as in section 2919.27 of the Revised Code. 1875

(K) "Child care center," "type A family child care home" 1876  
and "type B family child care home" have the same meanings as in 1877  
section 5104.01 of the Revised Code. 1878

(L) "Foreign air transportation," "interstate air 1879  
transportation," and "intrastate air transportation" have the 1880  
same meanings as in 49 U.S.C. 40102, as now or hereafter 1881  
amended. 1882

(M) "Commercial motor vehicle" has the same meaning as in 1883  
division (A) of section 4506.25 of the Revised Code. 1884

(N) "Motor carrier enforcement unit" has the same meaning 1885  
as in section 2923.16 of the Revised Code. 1886

**Sec. 2923.125.** (A) (1) It is the intent of the general 1887  
assembly that Ohio concealed ~~handgun~~-weapons license law be 1888  
compliant with the national instant criminal background check 1889  
system, that the bureau of alcohol, tobacco, firearms, and 1890  
explosives is able to determine that Ohio law is compliant with 1891  
the national instant criminal background check system, and that 1892  
no person shall be eligible to receive a concealed ~~handgun~~- 1893  
weapons license permit under section 2923.125 or 2923.1213 of 1894  
the Revised Code unless the person is eligible lawfully to 1895  
receive or possess a firearm in the United States. 1896

~~(A)~~ (2) This section applies with respect to the 1897

application for and issuance by this state of concealed ~~handgun-~~ 1898  
weapons licenses other than concealed ~~handgun-~~ weapons licenses 1899  
on a temporary emergency basis that are issued under section 1900  
2923.1213 of the Revised Code. Upon the request of a person who 1901  
wishes to obtain a concealed ~~handgun-~~ weapons license with 1902  
respect to which this section applies or to renew a concealed 1903  
~~handgun-~~ weapons license with respect to which this section 1904  
applies, a sheriff, as provided in division (I) of this section, 1905  
shall provide to the person free of charge an application form 1906  
and the web site address at which a printable version of the 1907  
application form that can be downloaded and the pamphlet 1908  
described in division (B) of section 109.731 of the Revised Code 1909  
may be found. A sheriff shall accept a completed application 1910  
form and the fee, items, materials, and information specified in 1911  
divisions (B)(1) to (5) of this section at the times and in the 1912  
manners described in division (I) of this section. 1913

(B) An applicant for a concealed ~~handgun-~~ weapons license 1914  
who is a resident of this state shall submit a completed 1915  
application form and all of the material and information 1916  
described in divisions (B)(1) to (6) of this section to the 1917  
sheriff of ~~the county in which the applicant resides or to the~~ 1918  
~~sheriff of any county adjacent to the county in which the~~ 1919  
~~applicant resides~~. An applicant for a license who resides in 1920  
another state shall submit a completed application form and all 1921  
of the material and information described in divisions (B)(1) to 1922  
(7) of this section to the sheriff of the county in which the 1923  
applicant is employed or to the sheriff of any county adjacent 1924  
to the county in which the applicant is employed: 1925

(1)(a) A nonrefundable license fee as described in either 1926  
of the following: 1927

(i) For an applicant who has been a resident of this state 1928  
for five or more years, a fee of sixty-seven dollars; 1929

(ii) For an applicant who has been a resident of this 1930  
state for less than five years or who is not a resident of this 1931  
state, but who is employed in this state, a fee of sixty-seven 1932  
dollars plus the actual cost of having a background check 1933  
performed by the federal bureau of investigation. 1934

(b) No sheriff shall require an applicant to pay for the 1935  
cost of a background check performed by the bureau of criminal 1936  
identification and investigation. 1937

(c) A sheriff shall waive the payment of the license fee 1938  
described in division (B) (1) (a) of this section in connection 1939  
with an initial or renewal application for a license that is 1940  
submitted by an applicant who is an active or reserve member of 1941  
the armed forces of the United States or has retired from or was 1942  
honorably discharged from military service in the active or 1943  
reserve armed forces of the United States, a retired peace 1944  
officer, a retired person described in division (B) (1) (b) of 1945  
section 109.77 of the Revised Code, or a retired federal law 1946  
enforcement officer who, prior to retirement, was authorized 1947  
under federal law to carry a firearm in the course of duty, 1948  
unless the retired peace officer, person, or federal law 1949  
enforcement officer retired as the result of a mental 1950  
disability. 1951

(d) The sheriff shall deposit all fees paid by an 1952  
applicant under division (B) (1) (a) of this section into the 1953  
sheriff's concealed ~~handgun~~ weapons license issuance fund 1954  
established pursuant to section 311.42 of the Revised Code. The 1955  
county shall distribute the fees in accordance with section 1956  
311.42 of the Revised Code. 1957

(2) A color photograph of the applicant that was taken 1958  
within thirty days prior to the date of the application; 1959

(3) One or more of the following competency 1960  
certifications, each of which shall reflect that, regarding a 1961  
certification described in division (B) (3) (a), (b), (c), (e), or 1962  
(f) of this section, within the three years immediately 1963  
preceding the application the applicant has performed that to 1964  
which the competency certification relates and that, regarding a 1965  
certification described in division (B) (3) (d) of this section, 1966  
the applicant currently is an active or reserve member of the 1967  
armed forces of the United States, the applicant has retired 1968  
from or was honorably discharged from military service in the 1969  
active or reserve armed forces of the United States, or within 1970  
the ten years immediately preceding the application the 1971  
retirement of the peace officer, person described in division 1972  
(B) (1) (b) of section 109.77 of the Revised Code, or federal law 1973  
enforcement officer to which the competency certification 1974  
relates occurred: 1975

(a) An original or photocopy of a certificate of 1976  
completion of a firearms safety, training, or requalification or 1977  
firearms safety instructor course, class, or program that was 1978  
offered by or under the auspices of a national gun advocacy 1979  
organization and that complies with the requirements set forth 1980  
in division (G) of this section; 1981

(b) An original or photocopy of a certificate of 1982  
completion of a firearms safety, training, or requalification or 1983  
firearms safety instructor course, class, or program that 1984  
satisfies all of the following criteria: 1985

(i) It was open to members of the general public. 1986

(ii) It utilized qualified instructors who were certified 1987  
by a national gun advocacy organization, the executive director 1988  
of the Ohio peace officer training commission pursuant to 1989  
section 109.75 or 109.78 of the Revised Code, or a governmental 1990  
official or entity of another state. 1991

(iii) It was offered by or under the auspices of a law 1992  
enforcement agency of this or another state or the United 1993  
States, a public or private college, university, or other 1994  
similar postsecondary educational institution located in this or 1995  
another state, a firearms training school located in this or 1996  
another state, or another type of public or private entity or 1997  
organization located in this or another state. 1998

(iv) It complies with the requirements set forth in 1999  
division (G) of this section. 2000

(c) An original or photocopy of a certificate of 2001  
completion of a state, county, municipal, or department of 2002  
natural resources peace officer training school that is approved 2003  
by the executive director of the Ohio peace officer training 2004  
commission pursuant to section 109.75 of the Revised Code and 2005  
that complies with the requirements set forth in division (G) of 2006  
this section, or the applicant has satisfactorily completed and 2007  
been issued a certificate of completion of a basic firearms 2008  
training program, a firearms requalification training program, 2009  
or another basic training program described in section 109.78 or 2010  
109.801 of the Revised Code that complies with the requirements 2011  
set forth in division (G) of this section; 2012

(d) A document that evidences both of the following: 2013

(i) That the applicant is an active or reserve member of 2014  
the armed forces of the United States, has retired from or was 2015

honorably discharged from military service in the active or 2016  
reserve armed forces of the United States, is a retired trooper 2017  
of the state highway patrol, or is a retired peace officer or 2018  
federal law enforcement officer described in division (B) (1) of 2019  
this section or a retired person described in division (B) (1) (b) 2020  
of section 109.77 of the Revised Code and division (B) (1) of 2021  
this section; 2022

(ii) That, through participation in the military service 2023  
or through the former employment described in division (B) (3) (d) 2024  
(i) of this section, the applicant acquired experience with 2025  
~~handling handguns or other~~ firearms, and the experience so 2026  
acquired was equivalent to training that the applicant could 2027  
have acquired in a course, class, or program described in 2028  
division (B) (3) (a), (b), or (c) of this section. 2029

(e) A certificate or another similar document that 2030  
evidences satisfactory completion of a firearms training, 2031  
safety, or requalification or firearms safety instructor course, 2032  
class, or program that is not otherwise described in division 2033  
(B) (3) (a), (b), (c), or (d) of this section, that was conducted 2034  
by an instructor who was certified by an official or entity of 2035  
the government of this or another state or the United States or 2036  
by a national gun advocacy organization, and that complies with 2037  
the requirements set forth in division (G) of this section; 2038

(f) An affidavit that attests to the applicant's 2039  
satisfactory completion of a course, class, or program described 2040  
in division (B) (3) (a), (b), (c), or (e) of this section and that 2041  
is subscribed by the applicant's instructor or an authorized 2042  
representative of the entity that offered the course, class, or 2043  
program or under whose auspices the course, class, or program 2044  
was offered; 2045

(g) A document that evidences that the applicant has 2046  
successfully completed the Ohio peace officer training program 2047  
described in section 109.79 of the Revised Code. 2048

(4) A certification by the applicant that the applicant 2049  
has read the pamphlet prepared by the Ohio peace officer 2050  
training commission pursuant to section 109.731 of the Revised 2051  
Code that reviews deadly weapons, including firearms, dispute 2052  
resolution, and use of deadly force matters. 2053

(5) A set of fingerprints of the applicant provided as 2054  
described in section 311.41 of the Revised Code through use of 2055  
an electronic fingerprint reading device or, if the sheriff to 2056  
whom the application is submitted does not possess and does not 2057  
have ready access to the use of such a reading device, on a 2058  
standard impression sheet prescribed pursuant to division (C) (2) 2059  
of section 109.572 of the Revised Code. 2060

(6) If the applicant is not a citizen or national of the 2061  
United States, the name of the applicant's country of 2062  
citizenship and the applicant's alien registration number issued 2063  
by the United States citizenship and immigration services 2064  
agency. 2065

(7) If the applicant resides in another state, adequate 2066  
proof of employment in Ohio. 2067

(C) Upon receipt of the completed application form, 2068  
supporting documentation, and, if not waived, license fee of an 2069  
applicant under this section, a sheriff, in the manner specified 2070  
in section 311.41 of the Revised Code, shall conduct or cause to 2071  
be conducted the criminal records check and the incompetency 2072  
records check described in section 311.41 of the Revised Code. 2073

(D) (1) Except as provided in division (D) (3) of this 2074

section, within forty-five days after a sheriff's receipt of an 2075  
applicant's completed application form for a concealed ~~handgun-~~ 2076  
weapons license under this section, the supporting 2077  
documentation, and, if not waived, the license fee, the sheriff 2078  
shall make available through the law enforcement automated data 2079  
system in accordance with division (H) of this section the 2080  
information described in that division and, upon making the 2081  
information available through the system, shall issue to the 2082  
applicant a concealed ~~handgun-~~weapons license that shall expire 2083  
as described in division (D) (2) (a) of this section if all of the 2084  
following apply: 2085

(a) The applicant is legally living in the United States. 2086  
For purposes of division (D) (1) (a) of this section, if a person 2087  
is absent from the United States in compliance with military or 2088  
naval orders as an active or reserve member of the armed forces 2089  
of the United States and if prior to leaving the United States 2090  
the person was legally living in the United States, the person, 2091  
solely by reason of that absence, shall not be considered to 2092  
have lost the person's status as living in the United States. 2093

(b) The applicant is at least twenty-one years of age. 2094

(c) The applicant is not a fugitive from justice. 2095

(d) The applicant is not under indictment for or otherwise 2096  
charged with a felony; an offense under Chapter 2925., 3719., or 2097  
4729. of the Revised Code that involves the illegal possession, 2098  
use, sale, administration, or distribution of or trafficking in 2099  
a drug of abuse; a misdemeanor offense of violence; or a 2100  
violation of section 2903.14 or 2923.1211 of the Revised Code. 2101

(e) Except as otherwise provided in division (D) (4) or (5) 2102  
of this section, the applicant has not been convicted of or 2103

pleaded guilty to a felony or an offense under Chapter 2925., 2104  
3719., or 4729. of the Revised Code that involves the illegal 2105  
possession, use, sale, administration, or distribution of or 2106  
trafficking in a drug of abuse; has not been adjudicated a 2107  
delinquent child for committing an act that if committed by an 2108  
adult would be a felony or would be an offense under Chapter 2109  
2925., 3719., or 4729. of the Revised Code that involves the 2110  
illegal possession, use, sale, administration, or distribution 2111  
of or trafficking in a drug of abuse; has not been convicted of, 2112  
pleaded guilty to, or adjudicated a delinquent child for 2113  
committing a violation of section 2903.13 of the Revised Code 2114  
when the victim of the violation is a peace officer, regardless 2115  
of whether the applicant was sentenced under division (C) (4) of 2116  
that section; and has not been convicted of, pleaded guilty to, 2117  
or adjudicated a delinquent child for committing any other 2118  
offense that is not previously described in this division that 2119  
is a misdemeanor punishable by imprisonment for a term exceeding 2120  
one year. 2121

(f) Except as otherwise provided in division (D) (4) or (5) 2122  
of this section, the applicant, within three years of the date 2123  
of the application, has not been convicted of or pleaded guilty 2124  
to a misdemeanor offense of violence other than a misdemeanor 2125  
violation of section 2921.33 of the Revised Code or a violation 2126  
of section 2903.13 of the Revised Code when the victim of the 2127  
violation is a peace officer, or a misdemeanor violation of 2128  
section 2923.1211 of the Revised Code; and has not been 2129  
adjudicated a delinquent child for committing an act that if 2130  
committed by an adult would be a misdemeanor offense of violence 2131  
other than a misdemeanor violation of section 2921.33 of the 2132  
Revised Code or a violation of section 2903.13 of the Revised 2133  
Code when the victim of the violation is a peace officer or for 2134

committing an act that if committed by an adult would be a 2135  
misdemeanor violation of section 2923.1211 of the Revised Code. 2136

(g) Except as otherwise provided in division (D) (1) (e) of 2137  
this section, the applicant, within five years of the date of 2138  
the application, has not been convicted of, pleaded guilty to, 2139  
or adjudicated a delinquent child for committing two or more 2140  
violations of section 2903.13 or 2903.14 of the Revised Code. 2141

(h) Except as otherwise provided in division (D) (4) or (5) 2142  
of this section, the applicant, within ten years of the date of 2143  
the application, has not been convicted of, pleaded guilty to, 2144  
or adjudicated a delinquent child for committing a violation of 2145  
section 2921.33 of the Revised Code. 2146

(i) The applicant has not been committed to any mental 2147  
institution, is not under adjudication of mental incompetence, 2148  
has not been found by a court to be a person with a mental 2149  
illness subject to court order, and is not an involuntary 2150  
patient other than one who is a patient only for purposes of 2151  
observation. As used in this division, "person with a mental 2152  
illness subject to court order" and "patient" have the same 2153  
meanings as in section 5122.01 of the Revised Code. 2154

(j) The applicant is not currently subject to a civil 2155  
protection order, a temporary protection order, or a protection 2156  
order issued by a court of another state. 2157

(k) The applicant certifies that the applicant desires a 2158  
legal means to carry a concealed ~~handgun~~ firearm or other deadly 2159  
weapon for defense of the applicant or a member of the 2160  
applicant's family while engaged in lawful activity. 2161

(l) The applicant submits a competency certification of 2162  
the type described in division (B) (3) of this section and 2163

submits a certification of the type described in division (B) (4) 2164  
of this section regarding the applicant's reading of the 2165  
pamphlet prepared by the Ohio peace officer training commission 2166  
pursuant to section 109.731 of the Revised Code. 2167

(m) The applicant currently is not subject to a suspension 2168  
imposed under division (A) (2) of section 2923.128 of the Revised 2169  
Code of a concealed ~~handgun~~-weapons license that previously was 2170  
issued to the applicant under this section or section 2923.1213 2171  
of the Revised Code or a similar suspension imposed by another 2172  
state regarding a concealed ~~handgun~~-weapons license issued by 2173  
that state. 2174

(n) If the applicant resides in another state, the 2175  
applicant is employed in this state. 2176

(o) The applicant certifies that the applicant is not an 2177  
unlawful user of or addicted to any controlled substance as 2178  
defined in 21 U.S.C. 802. 2179

(p) If the applicant is not a United States citizen, the 2180  
applicant is an alien and has not been admitted to the United 2181  
States under a nonimmigrant visa, as defined in the "Immigration 2182  
and Nationality Act," 8 U.S.C. 1101(a) (26). 2183

(q) The applicant has not been discharged from the armed 2184  
forces of the United States under dishonorable conditions. 2185

(r) The applicant certifies that the applicant has not 2186  
renounced the applicant's United States citizenship, if 2187  
applicable. 2188

(s) The applicant has not been convicted of, pleaded 2189  
guilty to, or adjudicated a delinquent child for committing a 2190  
violation of section 2919.25 of the Revised Code or a similar 2191  
violation in another state. 2192

(2) (a) A concealed ~~handgun~~ weapons license that a sheriff 2193  
issues under division (D) (1) of this section prior to, on, or 2194  
after the effective date of this amendment shall expire five 2195  
years after the date of issuance. A concealed weapons license 2196  
that a sheriff issued as a concealed handgun license under that 2197  
division prior to the effective date of this amendment and that 2198  
has not expired prior to the effective date of this amendment 2199  
has the same validity as a concealed weapons license issued on 2200  
or after that date and shall be treated for purposes of this 2201  
section and other Revised Code provisions as if it were a 2202  
license issued on or after that date. 2203

If a sheriff issues a license under this section, the 2204  
sheriff shall place on the license a unique combination of 2205  
letters and numbers identifying the license in accordance with 2206  
the procedure prescribed by the Ohio peace officer training 2207  
commission pursuant to section 109.731 of the Revised Code. 2208

(b) If a sheriff denies an application under this section 2209  
because the applicant does not satisfy the criteria described in 2210  
division (D) (1) of this section, the sheriff shall specify the 2211  
grounds for the denial in a written notice to the applicant. The 2212  
applicant may appeal the denial pursuant to section 119.12 of 2213  
the Revised Code in the county served by the sheriff who denied 2214  
the application. If the denial was as a result of the criminal 2215  
records check conducted pursuant to section 311.41 of the 2216  
Revised Code and if, pursuant to section 2923.127 of the Revised 2217  
Code, the applicant challenges the criminal records check 2218  
results using the appropriate challenge and review procedure 2219  
specified in that section, the time for filing the appeal 2220  
pursuant to section 119.12 of the Revised Code and this division 2221  
is tolled during the pendency of the request or the challenge 2222  
and review. 2223

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

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

(4) If an applicant has been convicted of or pleaded guilty to an offense identified in division (D) (1) (e), (f), or (h) of this section or has been adjudicated a delinquent child for committing an act or violation identified in any of those divisions, and if a court has ordered the sealing or expungement of the records of that conviction, guilty plea, or adjudication pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 2953.35, or section 2953.39 of the Revised Code or the applicant has been relieved under operation of law or legal process from the disability imposed pursuant to section 2923.13 of the Revised Code relative to that conviction, guilty plea, or adjudication, the sheriff with whom the application was

submitted shall not consider the conviction, guilty plea, or 2255  
adjudication in making a determination under division (D) (1) or 2256  
(F) of this section or, in relation to an application for a 2257  
concealed ~~handgun-weapons~~ license on a temporary emergency basis 2258  
submitted under section 2923.1213 of the Revised Code, in making 2259  
a determination under division (B) (2) of that section. 2260

(5) If an applicant has been convicted of or pleaded 2261  
guilty to a minor misdemeanor offense or has been adjudicated a 2262  
delinquent child for committing an act or violation that is a 2263  
minor misdemeanor offense, the sheriff with whom the application 2264  
was submitted shall not consider the conviction, guilty plea, or 2265  
adjudication in making a determination under division (D) (1) or 2266  
(F) of this section or, in relation to an application for a 2267  
concealed ~~handgun-weapons~~ license on a temporary basis submitted 2268  
under section 2923.1213 of the Revised Code, in making a 2269  
determination under division (B) (2) of that section. 2270

(E) If a concealed ~~handgun-weapons~~ license issued under 2271  
this section is lost or is destroyed, the licensee may obtain 2272  
from the sheriff who issued that license a duplicate license 2273  
upon the payment of a fee of fifteen dollars and the submission 2274  
of an affidavit attesting to the loss or destruction of the 2275  
license. The sheriff, in accordance with the procedures 2276  
prescribed in section 109.731 of the Revised Code, shall place 2277  
on the replacement license a combination of identifying numbers 2278  
different from the combination on the license that is being 2279  
replaced. 2280

(F) (1) (a) Except as provided in division (F) (1) (b) of this 2281  
section, a licensee who wishes to renew a concealed ~~handgun-~~ 2282  
weapons license issued under this section prior to, on, or after 2283  
the effective date of this amendment may do so at any time 2284

before the expiration date of the license or at any time after 2285  
the expiration date of the license by filing with ~~the~~ any county 2286  
~~sheriff of the county in which the applicant resides or with the~~ 2287  
~~sheriff of an adjacent county~~, or in the case of an applicant 2288  
who resides in another state with the sheriff of the county that 2289  
issued the applicant's previous concealed ~~handgun~~ weapons 2290  
license an application for renewal of the license obtained 2291  
pursuant to division (D) of this section, a certification by the 2292  
applicant that, subsequent to the issuance of the license, the 2293  
applicant has reread the pamphlet prepared by the Ohio peace 2294  
officer training commission pursuant to section 109.731 of the 2295  
Revised Code that reviews deadly weapons, including firearms, 2296  
dispute resolution, and use of deadly force matters, and a 2297  
nonrefundable license renewal fee in an amount determined 2298  
pursuant to division (F) (4) of this section unless the fee is 2299  
waived. 2300

(b) A person on active duty in the armed forces of the 2301  
United States or in service with the peace corps, volunteers in 2302  
service to America, or the foreign service of the United States 2303  
is exempt from the license requirements of this section for the 2304  
period of the person's active duty or service and for six months 2305  
thereafter, provided the person was a licensee under this 2306  
section at the time the person commenced the person's active 2307  
duty or service or had obtained a license while on active duty 2308  
or service. The spouse or a dependent of any such person on 2309  
active duty or in service also is exempt from the license 2310  
requirements of this section for the period of the person's 2311  
active duty or service and for six months thereafter, provided 2312  
the spouse or dependent was a licensee under this section at the 2313  
time the person commenced the active duty or service or had 2314  
obtained a license while the person was on active duty or 2315

service, and provided further that the person's active duty or 2316  
service resulted in the spouse or dependent relocating outside 2317  
of this state during the period of the active duty or service. 2318  
This division does not prevent such a person or the person's 2319  
spouse or dependent from making an application for the renewal 2320  
of a concealed ~~handgun~~ weapons license during the period of the 2321  
person's active duty or service. 2322

(2) A sheriff shall accept a completed renewal 2323  
application, the license renewal fee, and the information 2324  
specified in division (F) (1) of this section at the times and in 2325  
the manners described in division (I) of this section. Upon 2326  
receipt of a completed renewal application, of certification 2327  
that the applicant has reread the specified pamphlet prepared by 2328  
the Ohio peace officer training commission, and of a license 2329  
renewal fee unless the fee is waived, a sheriff, in the manner 2330  
specified in section 311.41 of the Revised Code shall conduct or 2331  
cause to be conducted the criminal records check and the 2332  
incompetency records check described in section 311.41 of the 2333  
Revised Code. The sheriff shall renew the license if the sheriff 2334  
determines that the applicant continues to satisfy the 2335  
requirements described in division (D) (1) of this section, 2336  
except that the applicant is not required to meet the 2337  
requirements of division (D) (1) (1) of this section. A renewed 2338  
license shall expire five years after the date of issuance,  2339  
regardless of whether the renewal occurred prior to, on, or 2340  
after the effective date of this amendment. A renewed license is 2341  
subject to division (E) of this section and sections 2923.126 2342  
and 2923.128 of the Revised Code. A sheriff shall comply with 2343  
divisions (D) (2) and (3) of this section when the circumstances 2344  
described in those divisions apply to a requested license 2345  
renewal. If a sheriff denies the renewal of a concealed ~~handgun~~ 2346

weapons license, the applicant may appeal the denial, or 2347  
challenge the criminal record check results that were the basis 2348  
of the denial if applicable, in the same manner as specified in 2349  
division (D) (2) (b) of this section and in section 2923.127 of 2350  
the Revised Code, regarding the denial of a license under this 2351  
section. 2352

(3) A renewal application submitted pursuant to division 2353  
(F) of this section shall only require the licensee to list on 2354  
the application form information and matters occurring since the 2355  
date of the licensee's last application for a license pursuant 2356  
to division (B) or (F) of this section. A sheriff conducting the 2357  
criminal records check and the incompetency records check 2358  
described in section 311.41 of the Revised Code shall conduct 2359  
the check only from the date of the licensee's last application 2360  
for a license pursuant to division (B) or (F) of this section 2361  
through the date of the renewal application submitted pursuant 2362  
to division (F) of this section. 2363

(4) An applicant for a renewal concealed ~~handgun~~ weapons 2364  
license under this section shall submit to ~~the~~ any county 2365  
~~sheriff of the county in which the applicant resides or to the~~ 2366  
~~sheriff of any county adjacent to the county in which the~~ 2367  
~~applicant resides~~, or in the case of an applicant who resides in 2368  
another state to the sheriff of the county that issued the 2369  
applicant's previous concealed ~~handgun~~ weapons license, a 2370  
nonrefundable license fee as described in either of the 2371  
following: 2372

(a) For an applicant who has been a resident of this state 2373  
for five or more years, a fee of fifty dollars; 2374

(b) For an applicant who has been a resident of this state 2375  
for less than five years or who is not a resident of this state 2376

but who is employed in this state, a fee of fifty dollars plus 2377  
the actual cost of having a background check performed by the 2378  
federal bureau of investigation. 2379

(5) The concealed ~~handgun-weapons~~ license of a licensee 2380  
who is no longer a resident of this state or no longer employed 2381  
in this state, as applicable, is valid until the date of 2382  
expiration on the license, regardless of whether the license is 2383  
issued prior to, on, or after the effective date of this 2384  
amendment, and the licensee is prohibited from renewing the 2385  
concealed ~~handgun-weapons~~ license. 2386

(G) (1) Each course, class, or program described in 2387  
division (B) (3) (a), (b), (c), or (e) of this section shall 2388  
provide to each person who takes the course, class, or program 2389  
the web site address at which the pamphlet prepared by the Ohio 2390  
peace officer training commission pursuant to section 109.731 of 2391  
the Revised Code that reviews deadly weapons, including 2392  
firearms, dispute resolution, and use of deadly force matters 2393  
may be found. Each such course, class, or program described in 2394  
one of those divisions shall include at least eight hours of 2395  
training in the safe handling and use of a firearm that shall 2396  
include training, provided as described in division (G) (3) of 2397  
this section, on all of the following: 2398

(a) The ability to name, explain, and demonstrate the 2399  
rules for safe handling of a ~~handgun-firearm~~ and proper storage 2400  
practices for ~~handguns-firearms~~ and ammunition; 2401

(b) The ability to demonstrate and explain how to handle 2402  
ammunition in a safe manner; 2403

(c) The ability to demonstrate the knowledge, skills, and 2404  
attitude necessary to shoot a ~~handgun-firearm~~ in a safe manner; 2405

(d) Gun handling training; 2406

(e) A minimum of two hours of in-person training that 2407  
consists of range time and live-fire training. 2408

(2) To satisfactorily complete the course, class, or 2409  
program described in division (B) (3) (a), (b), (c), or (e) of 2410  
this section, the applicant shall pass a competency examination 2411  
that shall include both of the following: 2412

(a) A written section, provided as described in division 2413  
(G) (3) of this section, on the ability to name and explain the 2414  
rules for the safe handling of a ~~handgun~~-firearm and proper 2415  
storage practices for ~~handguns~~-firearms and ammunition; 2416

(b) An in-person physical demonstration of competence in 2417  
the use of a ~~handgun~~-firearm and in the rules for safe handling 2418  
and storage of a ~~handgun~~-firearm and a physical demonstration of 2419  
the attitude necessary to shoot a ~~handgun~~-firearm in a safe 2420  
manner. 2421

(3) (a) Except as otherwise provided in this division, the 2422  
training specified in division (G) (1) (a) of this section shall 2423  
be provided to the person receiving the training in person by an 2424  
instructor. If the training specified in division (G) (1) (a) of 2425  
this section is provided by a course, class, or program 2426  
described in division (B) (3) (a) of this section, or it is 2427  
provided by a course, class, or program described in division 2428  
(B) (3) (b), (c), or (e) of this section and the instructor is a 2429  
qualified instructor certified by a national gun advocacy 2430  
organization, the training so specified, other than the training 2431  
that requires the person receiving the training to demonstrate 2432  
handling abilities, may be provided online or as a combination 2433  
of in-person and online training, as long as the online training 2434

includes an interactive component that regularly engages the 2435  
person. 2436

(b) Except as otherwise provided in this division, the 2437  
written section of the competency examination specified in 2438  
division (G)(2)(a) of this section shall be administered to the 2439  
person taking the competency examination in person by an 2440  
instructor. If the training specified in division (G)(1)(a) of 2441  
this section is provided to the person receiving the training by 2442  
a course, class, or program described in division (B)(3)(a) of 2443  
this section, or it is provided by a course, class, or program 2444  
described in division (B)(3)(b), (c), or (e) of this section and 2445  
the instructor is a qualified instructor certified by a national 2446  
gun advocacy organization, the written section of the competency 2447  
examination specified in division (G)(2)(a) of this section may 2448  
be administered online, as long as the online training includes 2449  
an interactive component that regularly engages the person. 2450

(4) The competency certification described in division (B) 2451  
(3)(a), (b), (c), or (e) of this section shall be dated and 2452  
shall attest that the course, class, or program the applicant 2453  
successfully completed met the requirements described in 2454  
division (G)(1) of this section and that the applicant passed 2455  
the competency examination described in division (G)(2) of this 2456  
section. 2457

(H) Upon deciding to issue a concealed ~~handgun~~-weapons 2458  
license, deciding to issue a replacement concealed ~~handgun~~- 2459  
weapons license, or deciding to renew a concealed ~~handgun~~- 2460  
weapons license pursuant to this section, and before actually 2461  
issuing or renewing the license, the sheriff shall make 2462  
available through the law enforcement automated data system all 2463  
information contained on the license. If the license 2464

subsequently is suspended under division (A) (1) or (2) of 2465  
section 2923.128 of the Revised Code, revoked pursuant to 2466  
division (B) (1) of section 2923.128 of the Revised Code, or lost 2467  
or destroyed, the sheriff also shall make available through the 2468  
law enforcement automated data system a notation of that fact. 2469  
The superintendent of the state highway patrol shall ensure that 2470  
the law enforcement automated data system is so configured as to 2471  
permit the transmission through the system of the information 2472  
specified in this division. 2473

~~(I) (1)~~ (I) (1) (a) A sheriff shall accept a completed 2474  
application form or renewal application, and the fee, items, 2475  
materials, and information specified in divisions (B) (1) to (5) 2476  
or division (F) of this section, whichever is applicable, and 2477  
shall provide an application form or renewal application to any 2478  
person during at least fifteen hours a week and shall provide 2479  
the web site address at which a printable version of the 2480  
application form that can be downloaded and the pamphlet 2481  
described in division (B) of section 109.731 of the Revised Code 2482  
may be found at any time, upon request. A sheriff may provide up 2483  
to eight hours outside of the fifteen hours required in this 2484  
division during which the sheriff is available to accept or 2485  
provide the information described in this division only from or 2486  
to county residents. For each hour in a week that the sheriff is 2487  
available to accept or provide the information described in this 2488  
division only from or to county residents, the sheriff must 2489  
provide an additional hour outside of the fifteen hours required 2490  
in this division during which the sheriff is available to accept 2491  
or provide the information described in this division from or to 2492  
any person. The sheriff shall post notice of the hours during 2493  
which the sheriff is available to accept or provide the 2494  
information described in this division. 2495

(b) Nothing in division (I) (1) (a) of this section shall be 2496  
construed to prohibit the sheriff from offering more hours than 2497  
are required by division (I) (1) (a) of this section during which 2498  
the sheriff is available to accept or provide the information 2499  
described in division (I) (1) (a) of this section from or to any 2500  
person. 2501

(2) A sheriff shall transmit a notice to the attorney 2502  
general, in a manner determined by the attorney general, every 2503  
time a license is issued that waived payment under division (B) 2504  
(1) (c) of this section for an applicant who is an active or 2505  
reserve member of the armed forces of the United States or has 2506  
retired from or was honorably discharged from military service 2507  
in the active or reserve armed forces of the United States. The 2508  
attorney general shall monitor and inform sheriffs issuing 2509  
licenses under this section when the amount of license fee 2510  
payments waived and transmitted to the attorney general reach 2511  
one million five hundred thousand dollars each year. Once a 2512  
sheriff is informed that the payments waived reached one million 2513  
five hundred thousand dollars in any year, a sheriff shall no 2514  
longer waive payment of a license fee for an applicant who is an 2515  
active or reserve member of the armed forces of the United 2516  
States or has retired from or was honorably discharged from 2517  
military service in the active or reserve armed forces of the 2518  
United States for the remainder of that year. 2519

(J) The availability of a concealed weapons license under 2520  
this section or section 2923.1213 of the Revised Code shall not 2521  
be construed to prohibit or restrict a person from possessing, 2522  
carrying, or transporting a deadly weapon in a vehicle or on or 2523  
about the person's person, whether concealed or unconcealed, 2524  
loaded or unloaded, without a valid concealed weapons license if 2525  
the possession, carrying, or transport in the manner in question 2526

is otherwise permitted by the Revised Code or any other 2527  
provision of law. 2528

**Sec. 2923.126.** (A) A concealed ~~handgun~~-weapons license 2529  
~~that is issued~~ under section 2923.125 of the Revised Code prior 2530  
to, on, or after the effective date of this amendment shall 2531  
expire five years after the date of issuance. A licensee who has 2532  
been issued a license under that section shall be granted a 2533  
grace period of thirty days after the licensee's license expires 2534  
during which the licensee's license remains valid. Except as 2535  
provided in divisions (B) and (C) of this section, a licensee 2536  
who has been issued a concealed ~~handgun~~-weapons license under 2537  
section 2923.125 or 2923.1213 of the Revised Code prior to, on, 2538  
or after the effective date of this amendment may carry a 2539  
concealed ~~handgun~~-deadly weapon that is not an exclusive deadly 2540  
weapon anywhere in this state if the license is valid when the 2541  
licensee is in actual possession of a concealed ~~handgun~~ deadly 2542  
weapon that is not an exclusive deadly weapon. The A licensee 2543  
who has been issued a concealed weapons license under section 2544  
2923.125 or 2923.1213 of the Revised Code shall give notice of 2545  
any change in the licensee's residence address to the sheriff 2546  
who issued the license within forty-five days after that change. 2547  
A concealed weapons license that the sheriff issued as a 2548  
concealed handgun license prior to the effective date of this 2549  
amendment and that has not expired prior to the effective date 2550  
of this amendment has the same validity as a concealed weapons 2551  
license issued on or after that date and shall be treated for 2552  
purposes of this section, sections 2923.127 to 2923.1212 of the 2553  
Revised Code, and other Revised Code provisions as if it were a 2554  
license issued on or after that date. 2555

(B) A valid concealed ~~handgun~~-weapons license does not 2556  
authorize the licensee to carry a concealed ~~handgun~~ deadly 2557

weapon in any manner prohibited under division (B) of section 2558  
2923.12 of the Revised Code or in any manner prohibited under 2559  
section 2923.16 of the Revised Code. A valid license does not 2560  
authorize the licensee to carry a concealed ~~handgun~~ deadly 2561  
weapon into any of the following places: 2562

(1) A police station, sheriff's office, or state highway 2563  
patrol station, premises controlled by the bureau of criminal 2564  
identification and investigation; a state correctional 2565  
institution, jail, workhouse, or other detention facility; any 2566  
area of an airport passenger terminal that is beyond a passenger 2567  
or property screening checkpoint or to which access is 2568  
restricted through security measures by the airport authority or 2569  
a public agency; or an institution that is maintained, operated, 2570  
managed, and governed pursuant to division (A) of section 2571  
5119.14 of the Revised Code or division (A) (1) of section 2572  
5123.03 of the Revised Code; 2573

(2) A school safety zone if the licensee's carrying the 2574  
concealed ~~handgun~~ deadly weapon is in violation of section 2575  
2923.122 of the Revised Code; 2576

(3) A courthouse or another building or structure in which 2577  
a courtroom is located if the licensee's carrying the concealed 2578  
~~handgun~~ deadly weapon is in violation of section 2923.123 of the 2579  
Revised Code; 2580

(4) Any premises or open air arena for which a D permit 2581  
has been issued under Chapter 4303. of the Revised Code if the 2582  
licensee's carrying the concealed ~~handgun~~ deadly weapon is in 2583  
violation of section 2923.121 of the Revised Code; 2584

(5) Any premises owned or leased by any public or private 2585  
college, university, or other institution of higher education, 2586

unless the ~~handgun~~-deadly weapon is in a locked motor vehicle or 2587  
the licensee is in the immediate process of placing the ~~handgun~~- 2588  
deadly weapon in a locked motor vehicle or unless the licensee 2589  
is carrying the concealed ~~handgun~~-deadly weapon pursuant to a 2590  
written policy, rule, or other authorization that is adopted by 2591  
the institution's board of trustees or other governing body and 2592  
that authorizes specific individuals or classes of individuals 2593  
to carry a concealed ~~handgun~~-deadly weapon on the premises; 2594

(6) Any church, synagogue, mosque, or other place of 2595  
worship, unless the church, synagogue, mosque, or other place of 2596  
worship posts or permits otherwise; 2597

(7) Any building that is a government facility of this 2598  
state or a political subdivision of this state and that is not a 2599  
building that is used primarily as a shelter, restroom, parking 2600  
facility for motor vehicles, or rest facility and is not a 2601  
courthouse or other building or structure in which a courtroom 2602  
is located that is subject to division (B)(3) of this section, 2603  
unless the governing body with authority over the building has 2604  
enacted a statute, ordinance, or policy that permits a licensee 2605  
to carry a concealed ~~handgun~~-deadly weapon into the building; 2606

(8) A place in which federal law prohibits the carrying of 2607  
~~handguns~~ deadly weapons. 2608

(C) (1) Nothing in this section shall negate or restrict a 2609  
rule, policy, or practice of a private employer that is not a 2610  
private college, university, or other institution of higher 2611  
education concerning or prohibiting the presence of ~~firearms~~- 2612  
deadly weapons on the private employer's premises or property, 2613  
including motor vehicles owned by the private employer. Nothing 2614  
in this section shall require a private employer of that nature 2615  
to adopt a rule, policy, or practice concerning or prohibiting 2616

the presence of ~~firearms~~ deadly weapons on the private 2617  
employer's premises or property, including motor vehicles owned 2618  
by the private employer. 2619

(2) (a) A private employer shall be immune from liability 2620  
in a civil action for any injury, death, or loss to person or 2621  
property that allegedly was caused by or related to a licensee 2622  
bringing a ~~handgun~~ deadly weapon onto the premises or property 2623  
of the private employer, including motor vehicles owned by the 2624  
private employer, unless the private employer acted with 2625  
malicious purpose. A private employer is immune from liability 2626  
in a civil action for any injury, death, or loss to person or 2627  
property that allegedly was caused by or related to the private 2628  
employer's decision to permit a licensee to bring, or prohibit a 2629  
licensee from bringing, a ~~handgun~~ deadly weapon onto the 2630  
premises or property of the private employer. 2631

(b) A political subdivision shall be immune from liability 2632  
in a civil action, to the extent and in the manner provided in 2633  
Chapter 2744. of the Revised Code, for any injury, death, or 2634  
loss to person or property that allegedly was caused by or 2635  
related to a licensee bringing a ~~handgun~~ deadly weapon onto any 2636  
premises or property owned, leased, or otherwise under the 2637  
control of the political subdivision. As used in this division, 2638  
"political subdivision" has the same meaning as in section 2639  
2744.01 of the Revised Code. 2640

(c) An institution of higher education shall be immune 2641  
from liability in a civil action for any injury, death, or loss 2642  
to person or property that allegedly was caused by or related to 2643  
a licensee bringing a ~~handgun~~ deadly weapon onto the premises of 2644  
the institution, including motor vehicles owned by the 2645  
institution, unless the institution acted with malicious 2646

purpose. An institution of higher education is immune from 2647  
liability in a civil action for any injury, death, or loss to 2648  
person or property that allegedly was caused by or related to 2649  
the institution's decision to permit a licensee or class of 2650  
licensees to bring a ~~handgun~~ deadly weapon onto the premises of 2651  
the institution. 2652

(d) A nonprofit corporation shall be immune from liability 2653  
in a civil action for any injury, death, or loss to person or 2654  
property that allegedly was caused by or related to a licensee 2655  
bringing a ~~handgun~~ deadly weapon onto the premises of the 2656  
nonprofit corporation, including any motor vehicle owned by the 2657  
nonprofit corporation, or to any event organized by the 2658  
nonprofit corporation, unless the nonprofit corporation acted 2659  
with malicious purpose. A nonprofit corporation is immune from 2660  
liability in a civil action for any injury, death, or loss to 2661  
person or property that allegedly was caused by or related to 2662  
the nonprofit corporation's decision to permit a licensee to 2663  
bring a ~~handgun~~ deadly weapon onto the premises of the nonprofit 2664  
corporation or to any event organized by the nonprofit 2665  
corporation. The immunities described in this division apply to 2666  
an entity that leases its property to the nonprofit corporation 2667  
or permits its property to be used by the nonprofit corporation 2668  
for any purpose. 2669

(3) (a) Except as provided in division (C) (3) (b) of this 2670  
section and section 2923.1214 of the Revised Code, the owner or 2671  
person in control of private land or premises, and a private 2672  
person or entity leasing land or premises owned by the state, 2673  
the United States, or a political subdivision of the state or 2674  
the United States, may post a sign in a conspicuous location on 2675  
that land or on those premises prohibiting persons from carrying 2676  
~~firearms~~ deadly weapons or concealed ~~firearms~~ deadly weapons on 2677

or onto that land or those premises. Except as otherwise 2678  
provided in this division, a person who knowingly violates a 2679  
posted prohibition of that nature is guilty of criminal trespass 2680  
in violation of division (A) (4) of section 2911.21 of the 2681  
Revised Code and is guilty of a misdemeanor of the fourth 2682  
degree. If a person knowingly violates a posted prohibition of 2683  
that nature and the posted land or premises primarily was a 2684  
parking lot or other parking facility, the person is not guilty 2685  
of criminal trespass under section 2911.21 of the Revised Code 2686  
or under any other criminal law of this state or criminal law, 2687  
ordinance, or resolution of a political subdivision of this 2688  
state, and instead is subject only to a civil cause of action 2689  
for trespass based on the violation. 2690

If a person knowingly violates a posted prohibition of the 2691  
nature described in this division and the posted land or 2692  
premises is a child care center, type A family child care home, 2693  
or type B family child care home, unless the person is a 2694  
licensee who resides in a type A family child care home or type 2695  
B family child care home, the person is guilty of aggravated 2696  
trespass in violation of section 2911.211 of the Revised Code. 2697  
Except as otherwise provided in this division, the offender is 2698  
guilty of a misdemeanor of the first degree. If the person 2699  
previously has been convicted of a violation of this division or 2700  
of any offense of violence, if the deadly weapon involved is a 2701  
firearm that is either loaded or for which the offender has 2702  
ammunition ready at hand, or if the deadly weapon involved is 2703  
dangerous ordnance, the offender is guilty of a felony of the 2704  
fourth degree. 2705

(b) A landlord may not prohibit or restrict a tenant who 2706  
is a licensee and who on or after September 9, 2008, enters into 2707  
a rental agreement with the landlord for the use of residential 2708

premises, and the tenant's guest while the tenant is present, 2709  
from lawfully carrying or possessing a ~~handgun~~ deadly weapon on 2710  
those residential premises. 2711

(c) As used in division (C) (3) of this section: 2712

(i) "Residential premises" has the same meaning as in 2713  
section 5321.01 of the Revised Code, except "residential 2714  
premises" does not include a dwelling unit that is owned or 2715  
operated by a college or university. 2716

(ii) "Landlord," "tenant," and "rental agreement" have the 2717  
same meanings as in section 5321.01 of the Revised Code. 2718

(D) A person who holds a valid concealed ~~handgun~~ weapons 2719  
license issued by another state that is recognized by the 2720  
attorney general pursuant to a reciprocity agreement entered 2721  
into pursuant to section 109.69 of the Revised Code or a person 2722  
who holds a valid concealed ~~handgun~~ weapons license under the 2723  
circumstances described in division (B) of section 109.69 of the 2724  
Revised Code has the same right to carry a concealed ~~handgun~~ 2725  
deadly weapon that is not an exclusive deadly weapon in this 2726  
state as a person who was issued a concealed ~~handgun~~ weapons 2727  
license under section 2923.125 of the Revised Code and is 2728  
subject to the same restrictions that apply to a person who has 2729  
been issued a license under that section that is valid at the 2730  
time in question. 2731

(E) (1) A peace officer has the same right to carry a 2732  
concealed ~~handgun~~ deadly weapon that is not an exclusive deadly 2733  
weapon in this state as a person who was issued a concealed 2734  
~~handgun~~ weapons license under section 2923.125 of the Revised 2735  
Code, provided that the officer when carrying a concealed 2736  
~~handgun~~ deadly weapon under authority of this division is 2737

carrying validating identification. For purposes of reciprocity 2738  
with other states, a peace officer shall be considered to be a 2739  
licensee in this state. 2740

(2) An active duty member of the armed forces of the 2741  
United States who ~~is carrying~~ has been issued a valid military 2742  
identification card and documentation of successful completion 2743  
of firearms training that meets or exceeds the training 2744  
requirements described in division (G) (1) of section 2923.125 of 2745  
the Revised Code that are valid at the time of carrying or 2746  
possession ~~has~~ the same right to carry a concealed ~~handgun~~ 2747  
deadly weapon that is not an exclusive deadly weapon in this 2748  
state as a person who was issued a concealed ~~handgun weapons~~ 2749  
license under section 2923.125 of the Revised Code and is 2750  
subject to the same restrictions as specified in this section. 2751

(3) A tactical medical professional who is qualified to 2752  
carry firearms while on duty under section 109.771 of the 2753  
Revised Code has the same right to carry a concealed ~~handgun~~ 2754  
deadly weapon that is not an exclusive deadly weapon in this 2755  
state as a person who was issued a concealed ~~handgun weapons~~ 2756  
license under section 2923.125 of the Revised Code. 2757

(4) A fire investigator who is qualified to carry firearms 2758  
while on duty under section 109.774 of the Revised Code has the 2759  
same right to carry a concealed ~~handgun~~ deadly weapon that is 2760  
not an exclusive deadly weapon in this state as a person who was 2761  
issued a concealed ~~handgun weapons~~ license under section 2762  
2923.125 of the Revised Code. 2763

(F) (1) A qualified retired peace officer who possesses a 2764  
retired peace officer identification card issued pursuant to 2765  
division (F) (2) of this section and a valid firearms 2766  
requalification certification issued pursuant to division (F) (3) 2767

of this section has the same right to carry a concealed ~~handgun~~ 2768  
deadly weapon that is not an exclusive deadly weapon in this 2769  
state as a person who was issued a concealed ~~handgun~~ weapons 2770  
license under section 2923.125 of the Revised Code and is 2771  
subject to the same restrictions that apply to a person who has 2772  
been issued a license issued under that section that is valid at 2773  
the time in question. For purposes of reciprocity with other 2774  
states, a qualified retired peace officer who possesses a 2775  
retired peace officer identification card issued pursuant to 2776  
division (F) (2) of this section and a valid firearms 2777  
requalification certification issued pursuant to division (F) (3) 2778  
of this section shall be considered to be a licensee in this 2779  
state who has been issued a concealed weapons license under 2780  
section 2923.125 of the Revised Code. 2781

(2) (a) Each public agency of this state or of a political 2782  
subdivision of this state that is served by one or more peace 2783  
officers shall issue a retired peace officer identification card 2784  
to any person who retired from service as a peace officer with 2785  
that agency, if the issuance is in accordance with the agency's 2786  
policies and procedures and if the person, with respect to the 2787  
person's service with that agency, satisfies all of the 2788  
following: 2789

(i) The person retired in good standing from service as a 2790  
peace officer with the public agency, and the retirement was not 2791  
for reasons of mental instability. 2792

(ii) Before retiring from service as a peace officer with 2793  
that agency, the person was authorized to engage in or supervise 2794  
the prevention, detection, investigation, or prosecution of, or 2795  
the incarceration of any person for, any violation of law and 2796  
the person had statutory powers of arrest. 2797

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

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

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

peace officer with the agency and who satisfy the criteria set 2829  
forth in divisions (F) (2) (a) (i) to (iv) of this section, 2830  
provided that the credentials so issued to retired peace 2831  
officers are stamped with the word "RETIRED." 2832

(c) A public agency of this state or of a political 2833  
subdivision of this state may charge persons who retired from 2834  
service as a peace officer with the agency a reasonable fee for 2835  
issuing to the person a retired peace officer identification 2836  
card pursuant to division (F) (2) (a) of this section. 2837

(3) If a person retired from service as a peace officer 2838  
with a public agency of this state or of a political subdivision 2839  
of this state and the person satisfies the criteria set forth in 2840  
divisions (F) (2) (a) (i) to (iv) of this section, the public 2841  
agency may provide the retired peace officer with the 2842  
opportunity to attend a firearms requalification program that is 2843  
approved for purposes of firearms requalification required under 2844  
section 109.801 of the Revised Code. The retired peace officer 2845  
may be required to pay the cost of the course. 2846

If a retired peace officer who satisfies the criteria set 2847  
forth in divisions (F) (2) (a) (i) to (iv) of this section attends 2848  
a firearms requalification program that is approved for purposes 2849  
of firearms requalification required under section 109.801 of 2850  
the Revised Code, the retired peace officer's successful 2851  
completion of the firearms requalification program requalifies 2852  
the retired peace officer for purposes of division (F) of this 2853  
section for five years from the date on which the program was 2854  
successfully completed, and the requalification is valid during 2855  
that five-year period. If a retired peace officer who satisfies 2856  
the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 2857  
section satisfactorily completes such a firearms requalification 2858

program, the retired peace officer shall be issued a firearms 2859  
requalification certification that identifies the retired peace 2860  
officer by name, identifies the entity that taught the program, 2861  
specifies that the retired peace officer successfully completed 2862  
the program, specifies the date on which the course was 2863  
successfully completed, and specifies that the requalification 2864  
is valid for five years from that date of successful completion. 2865  
The firearms requalification certification for a retired peace 2866  
officer may be included in the retired peace officer 2867  
identification card issued to the retired peace officer under 2868  
division (F) (2) of this section. 2869

A retired peace officer who attends a firearms 2870  
requalification program that is approved for purposes of 2871  
firearms requalification required under section 109.801 of the 2872  
Revised Code may be required to pay the cost of the program. 2873

(G) As used in this section: 2874

(1) "Qualified retired peace officer" means a person who 2875  
satisfies all of the following: 2876

(a) The person satisfies the criteria set forth in 2877  
divisions (F) (2) (a) (i) to (v) of this section. 2878

(b) The person is not under the influence of alcohol or 2879  
another intoxicating or hallucinatory drug or substance. 2880

(c) The person is not prohibited by federal law from 2881  
receiving firearms. 2882

(2) "Retired peace officer identification card" means an 2883  
identification card that is issued pursuant to division (F) (2) 2884  
of this section to a person who is a retired peace officer. 2885

(3) "Government facility of this state or a political 2886

subdivision of this state" means any of the following: 2887

(a) A building or part of a building that is owned or 2888  
leased by the government of this state or a political 2889  
subdivision of this state and where employees of the government 2890  
of this state or the political subdivision regularly are present 2891  
for the purpose of performing their official duties as employees 2892  
of the state or political subdivision; 2893

(b) The office of a deputy registrar serving pursuant to 2894  
Chapter 4503. of the Revised Code that is used to perform deputy 2895  
registrar functions. 2896

(4) "Governing body" has the same meaning as in section 2897  
154.01 of the Revised Code. 2898

(5) "Tactical medical professional" has the same meaning 2899  
as in section 109.71 of the Revised Code. 2900

(6) "Validating identification" means photographic 2901  
identification issued by the agency for which an individual 2902  
serves as a peace officer that identifies the individual as a 2903  
peace officer of the agency. 2904

(7) "Nonprofit corporation" means any private organization 2905  
that is exempt from federal income taxation pursuant to 2906  
subsection 501(a) and described in subsection 501(c) of the 2907  
Internal Revenue Code. 2908

(8) "Fire investigator" has the same meaning as in section 2909  
109.71 of the Revised Code. 2910

**Sec. 2923.127.** (A) If a sheriff denies an application for 2911  
a concealed ~~handgun~~-weapons license under section 2923.125 of 2912  
the Revised Code, denies the renewal of a concealed ~~handgun~~- 2913  
weapons license under that section, or denies an application for 2914

a concealed ~~handgun~~-weapons license on a temporary emergency 2915  
basis under section 2923.1213 of the Revised Code as a result of 2916  
the criminal records check conducted pursuant to section 311.41 2917  
of the Revised Code and if the applicant believes the denial was 2918  
based on incorrect information reported by the source the 2919  
sheriff used in conducting the criminal records check, the 2920  
applicant may challenge the criminal records check results using 2921  
whichever of the following is applicable: 2922

(1) If the bureau of criminal identification and 2923  
investigation performed the criminal records check, by using the 2924  
bureau's existing challenge and review procedures; 2925

(2) If division (A) (1) of this section does not apply, by 2926  
using the existing challenge and review procedure of the sheriff 2927  
who denied the application or, if the sheriff does not have a 2928  
challenge and review procedure, by using the challenge and 2929  
review procedure prescribed by the bureau of criminal 2930  
identification and investigation pursuant to division (B) of 2931  
this section. 2932

(B) The bureau of criminal identification and 2933  
investigation shall prescribe a challenge and review procedure 2934  
for applicants to use to challenge criminal records checks under 2935  
division (A) (2) of this section in counties in which the sheriff 2936  
with whom an application of a type described in division (A) of 2937  
this section was filed or submitted does not have an existing 2938  
challenge and review procedure. 2939

**Sec. 2923.128.** (A) (1) (a) If a licensee holding a valid 2940  
concealed ~~handgun~~-weapons license is arrested for or otherwise 2941  
charged with an offense described in division (D) (1) (d) of 2942  
section 2923.125 of the Revised Code or with a violation of 2943  
section 2923.15 of the Revised Code or becomes subject to a 2944

temporary protection order or to a protection order issued by a 2945  
court of another state that is substantially equivalent to a 2946  
temporary protection order, the sheriff who issued the license 2947  
shall suspend it and shall comply with division (A) (3) of this 2948  
section upon becoming aware of the arrest, charge, or protection 2949  
order. Upon suspending the license, the sheriff also shall 2950  
comply with division (H) of section 2923.125 of the Revised 2951  
Code. 2952

(b) A suspension under division (A) (1) (a) of this section 2953  
shall be considered as beginning on the date that the licensee 2954  
is arrested for or otherwise charged with an offense described 2955  
in that division or on the date the appropriate court issued the 2956  
protection order described in that division, irrespective of 2957  
when the sheriff notifies the licensee under division (A) (3) of 2958  
this section. The suspension shall end on the date on which the 2959  
charges are dismissed or the licensee is found not guilty of the 2960  
offense described in division (A) (1) (a) of this section or, 2961  
subject to division (B) of this section, on the date the 2962  
appropriate court terminates the protection order described in 2963  
that division. If the suspension so ends, the sheriff shall 2964  
return the license or temporary emergency license to the 2965  
licensee. 2966

(2) (a) If a licensee holding a valid concealed ~~handgun~~ 2967  
weapons license is convicted of or pleads guilty to a 2968  
misdemeanor violation of division (B) (2) or (4) of section 2969  
2923.12 of the Revised Code or of division (E) (3) or (5) of 2970  
section 2923.16 of the Revised Code, subject to division (C) of 2971  
this section, the sheriff who issued the license shall suspend 2972  
it and shall comply with division (A) (3) of this section upon 2973  
becoming aware of the conviction or guilty plea. Upon suspending 2974  
the license, the sheriff also shall comply with division (H) of 2975

section 2923.125 of the Revised Code. 2976

(b) A suspension under division (A) (2) (a) of this section 2977  
shall be considered as beginning on the date that the licensee 2978  
is convicted of or pleads guilty to the offense described in 2979  
that division, irrespective of when the sheriff notifies the 2980  
licensee under division (A) (3) of this section. If the 2981  
suspension is imposed for a misdemeanor violation of division 2982  
(B) (2) of section 2923.12 of the Revised Code or of division (E) 2983  
(3) of section 2923.16 of the Revised Code, it shall end on the 2984  
date that is one year after the date that the licensee is 2985  
convicted of or pleads guilty to that violation. If the 2986  
suspension is imposed for a misdemeanor violation of division 2987  
(B) (4) of section 2923.12 of the Revised Code or of division (E) 2988  
(5) of section 2923.16 of the Revised Code, it shall end on the 2989  
date that is two years after the date that the licensee is 2990  
convicted of or pleads guilty to that violation. If the 2991  
licensee's license was issued under section 2923.125 of the 2992  
Revised Code and the license remains valid after the suspension 2993  
ends as described in this division, when the suspension ends, 2994  
the sheriff shall return the license to the licensee. If the 2995  
licensee's license was issued under section 2923.125 of the 2996  
Revised Code and the license expires before the suspension ends 2997  
as described in this division, or if the licensee's license was 2998  
issued under section 2923.1213 of the Revised Code, the licensee 2999  
is not eligible to apply for a new license under section 3000  
2923.125 or 2923.1213 of the Revised Code or to renew the 3001  
license under section 2923.125 of the Revised Code until after 3002  
the suspension ends as described in this division. 3003

(3) Upon becoming aware of an arrest, charge, or 3004  
protection order described in division (A) (1) (a) of this section 3005  
with respect to a licensee who was issued a concealed ~~handgun~~ 3006

weapons license, or a conviction of or plea of guilty to a 3007  
misdemeanor offense described in division (A) (2) (a) of this 3008  
section with respect to a licensee who was issued a concealed 3009  
~~handgun~~ weapons license, subject to division (C) of this 3010  
section, the sheriff who issued the licensee's license shall 3011  
notify the licensee, by certified mail, return receipt 3012  
requested, at the licensee's last known residence address that 3013  
the license has been suspended and that the licensee is required 3014  
to surrender the license at the sheriff's office within ten days 3015  
of the date on which the notice was mailed. If the suspension is 3016  
pursuant to division (A) (2) of this section, the notice shall 3017  
identify the date on which the suspension ends. 3018

(B) (1) A sheriff who issues a concealed ~~handgun~~ weapons 3019  
license to a licensee shall revoke the license in accordance 3020  
with division (B) (2) of this section upon becoming aware that 3021  
the licensee satisfies any of the following: 3022

(a) The licensee is under twenty-one years of age. 3023

(b) Subject to division (C) of this section, at the time 3024  
of the issuance of the license, the licensee did not satisfy the 3025  
eligibility requirements of division (D) (1) (c), (d), (e), (f), 3026  
(g), or (h) of section 2923.125 of the Revised Code. 3027

(c) Subject to division (C) of this section, on or after 3028  
the date on which the license was issued, the licensee is 3029  
convicted of or pleads guilty to a violation of section 2923.15 3030  
of the Revised Code or an offense described in division (D) (1) 3031  
(e), (f), (g), or (h) of section 2923.125 of the Revised Code. 3032

(d) On or after the date on which the license was issued, 3033  
the licensee becomes subject to a civil protection order or to a 3034  
protection order issued by a court of another state that is 3035

substantially equivalent to a civil protection order. 3036

(e) The licensee knowingly carries a concealed ~~handgun~~ 3037  
deadly weapon into a place that the licensee knows is an 3038  
unauthorized place specified in division (B) of section 2923.126 3039  
of the Revised Code. 3040

(f) On or after the date on which the license was issued, 3041  
the licensee is under adjudication of mental incompetence or is 3042  
committed to a mental institution. 3043

(g) At the time of the issuance of the license, the 3044  
licensee did not meet the residency requirements described in 3045  
division (D)(1) of section 2923.125 of the Revised Code and 3046  
currently does not meet the residency requirements described in 3047  
that division. 3048

(h) Regarding a license issued under section 2923.125 of 3049  
the Revised Code, the competency certificate the licensee 3050  
submitted was forged or otherwise was fraudulent. 3051

(2) Upon becoming aware of any circumstance listed in 3052  
division (B)(1) of this section that applies to a particular 3053  
licensee who was issued a concealed ~~handgun~~ weapons license, 3054  
subject to division (C) of this section, the sheriff who issued 3055  
the license to the licensee shall notify the licensee, by 3056  
certified mail, return receipt requested, at the licensee's last 3057  
known residence address that the license is subject to 3058  
revocation and that the licensee may come to the sheriff's 3059  
office and contest the sheriff's proposed revocation within 3060  
fourteen days of the date on which the notice was mailed. After 3061  
the fourteen-day period and after consideration of any 3062  
information that the licensee provides during that period, if 3063  
the sheriff determines on the basis of the information of which 3064

the sheriff is aware that the licensee is described in division 3065  
(B) (1) of this section and no longer satisfies the requirements 3066  
described in division (D) (1) of section 2923.125 of the Revised 3067  
Code that are applicable to the licensee's type of license, the 3068  
sheriff shall revoke the license, notify the licensee of that 3069  
fact, and require the licensee to surrender the license. Upon 3070  
revoking the license, the sheriff also shall comply with 3071  
division (H) of section 2923.125 of the Revised Code. 3072

(C) If a sheriff who issues a concealed ~~handgun~~ weapons 3073  
license to a licensee becomes aware that at the time of the 3074  
issuance of the license the licensee had been convicted of or 3075  
pleaded guilty to an offense identified in division (D) (1) (e), 3076  
(f), or (h) of section 2923.125 of the Revised Code or had been 3077  
adjudicated a delinquent child for committing an act or 3078  
violation identified in any of those divisions or becomes aware 3079  
that on or after the date on which the license was issued the 3080  
licensee has been convicted of or pleaded guilty to an offense 3081  
identified in division (A) (2) (a) or (B) (1) (c) of this section, 3082  
the sheriff shall not consider that conviction, guilty plea, or 3083  
adjudication as having occurred for purposes of divisions (A) 3084  
(2), (A) (3), (B) (1), and (B) (2) of this section if a court has 3085  
ordered the sealing or expungement of the records of that 3086  
conviction, guilty plea, or adjudication pursuant to sections 3087  
2151.355 to 2151.358, sections 2953.31 to 2953.35, or section 3088  
2953.39 of the Revised Code or the licensee has been relieved 3089  
under operation of law or legal process from the disability 3090  
imposed pursuant to section 2923.13 of the Revised Code relative 3091  
to that conviction, guilty plea, or adjudication. 3092

(D) As used in this section, "motor carrier enforcement 3093  
unit" has the same meaning as in section 2923.16 of the Revised 3094  
Code. 3095

**Sec. 2923.129.** (A) (1) If a sheriff, the superintendent of 3096  
the bureau of criminal identification and investigation, the 3097  
employees of the bureau, the Ohio peace officer training 3098  
commission, or the employees of the commission make a good faith 3099  
effort in performing the duties imposed upon the sheriff, the 3100  
superintendent, the bureau's employees, the commission, or the 3101  
commission's employees by sections 109.731, 311.41, and 2923.124 3102  
to 2923.1213 of the Revised Code, in addition to the personal 3103  
immunity provided by section 9.86 of the Revised Code or 3104  
division (A) (6) of section 2744.03 of the Revised Code and the 3105  
governmental immunity of sections 2744.02 and 2744.03 of the 3106  
Revised Code and in addition to any other immunity possessed by 3107  
the bureau, the commission, and their employees, the sheriff, 3108  
the sheriff's office, the county in which the sheriff has 3109  
jurisdiction, the bureau, the superintendent of the bureau, the 3110  
bureau's employees, the commission, and the commission's 3111  
employees are immune from liability in a civil action for 3112  
injury, death, or loss to person or property that allegedly was 3113  
caused by or related to any of the following: 3114

(a) The issuance, renewal, suspension, or revocation of a 3115  
concealed ~~handgun~~-weapons license; 3116

(b) The failure to issue, renew, suspend, or revoke a 3117  
concealed ~~handgun~~-weapons license; 3118

(c) Any action or misconduct with a ~~handgun~~-deadly weapon 3119  
committed by a licensee. 3120

(2) Any action of a sheriff relating to the issuance, 3121  
renewal, suspension, or revocation of a concealed ~~handgun~~- 3122  
weapons license shall be considered to be a governmental 3123  
function for purposes of Chapter 2744. of the Revised Code. 3124

(3) An entity that or instructor who provides a competency 3125  
certification of a type described in division (B) (3) of section 3126  
2923.125 of the Revised Code is immune from civil liability that 3127  
might otherwise be incurred or imposed for any death or any 3128  
injury or loss to person or property that is caused by or 3129  
related to a person to whom the entity or instructor has issued 3130  
the competency certificate if all of the following apply: 3131

(a) The alleged liability of the entity or instructor 3132  
relates to the training provided in the course, class, or 3133  
program covered by the competency certificate. 3134

(b) The entity or instructor makes a good faith effort in 3135  
determining whether the person has satisfactorily completed the 3136  
course, class, or program and makes a good faith effort in 3137  
assessing the person in the competency examination conducted 3138  
pursuant to division (G) (2) of section 2923.125 of the Revised 3139  
Code. 3140

(c) The entity or instructor did not issue the competency 3141  
certificate with malicious purpose, in bad faith, or in a wanton 3142  
or reckless manner. 3143

(4) An entity that or instructor who, prior to March 27, 3144  
2013, provides a renewed competency certification of a type 3145  
described in division (G) (4) of section 2923.125 of the Revised 3146  
Code as it existed prior to March 27, 2013, is immune from civil 3147  
liability that might otherwise be incurred or imposed for any 3148  
death or any injury or loss to person or property that is caused 3149  
by or related to a person to whom the entity or instructor has 3150  
issued the renewed competency certificate if all of the 3151  
following apply: 3152

(a) The entity or instructor makes a good faith effort in 3153

assessing the person in the physical demonstrations or the 3154  
competency examination conducted pursuant to division (G) (4) of 3155  
section 2923.125 of the Revised Code as it existed prior to 3156  
March 27, 2013. 3157

(b) The entity or instructor did not issue the renewed 3158  
competency certificate with malicious purpose, in bad faith, or 3159  
in a wanton or reckless manner. 3160

(B) Notwithstanding section 149.43 of the Revised Code, 3161  
the records that a sheriff keeps relative to the issuance, 3162  
renewal, suspension, or revocation of a concealed ~~handgun-~~ 3163  
weapons license, including, but not limited to, completed 3164  
applications for the issuance or renewal of a license, completed 3165  
affidavits submitted regarding an application for a license on a 3166  
temporary emergency basis, reports of criminal records checks 3167  
and incompetency records checks under section 311.41 of the 3168  
Revised Code, and applicants' social security numbers and 3169  
fingerprints that are obtained under division (A) of section 3170  
311.41 of the Revised Code, are confidential and are not public 3171  
records. No person shall release or otherwise disseminate 3172  
records that are confidential under this division unless 3173  
required to do so pursuant to a court order. 3174

(C) Each sheriff shall report to the Ohio peace officer 3175  
training commission the number of concealed ~~handgun-~~weapons 3176  
licenses that the sheriff issued, renewed, suspended, revoked, 3177  
or denied under section 2923.125 of the Revised Code during the 3178  
previous quarter of the calendar year, the number of 3179  
applications for those licenses for which processing was 3180  
suspended in accordance with division (D) (3) of section 2923.125 3181  
of the Revised Code during the previous quarter of the calendar 3182  
year, and the number of concealed ~~handgun-~~weapons licenses on a 3183

temporary emergency basis that the sheriff issued, suspended, 3184  
revoked, or denied under section 2923.1213 of the Revised Code 3185  
during the previous quarter of the calendar year. The sheriff 3186  
shall not include in the report the name or any other 3187  
identifying information of an applicant or licensee. The sheriff 3188  
shall report that information in a manner that permits the 3189  
commission to maintain the statistics described in division (C) 3190  
of section 109.731 of the Revised Code and to timely prepare the 3191  
statistical report described in that division. The information 3192  
that is received by the commission under this division is a 3193  
public record kept by the commission for the purposes of section 3194  
149.43 of the Revised Code. 3195

(D) Law enforcement agencies may use the information a 3196  
sheriff makes available through the use of the law enforcement 3197  
automated data system pursuant to division (H) of section 3198  
2923.125 or division (B) (2) or (D) of section 2923.1213 of the 3199  
Revised Code for law enforcement purposes only. The information 3200  
is confidential and is not a public record. Except as provided 3201  
in section 5503.101 of the Revised Code, a person who releases 3202  
or otherwise disseminates this information obtained through the 3203  
law enforcement automated data system in a manner not described 3204  
in this division is guilty of a violation of section 2913.04 of 3205  
the Revised Code. 3206

(E) Whoever violates division (B) of this section is 3207  
guilty of illegal release of confidential concealed ~~handgun~~ 3208  
weapons license records, a felony of the fifth degree. In 3209  
addition to any penalties imposed under Chapter 2929. of the 3210  
Revised Code for a violation of division (B) of this section or 3211  
a violation of section 2913.04 of the Revised Code described in 3212  
division (D) of this section, if the offender is a sheriff, an 3213  
employee of a sheriff, or any other public officer or employee, 3214

and if the violation was willful and deliberate, the offender 3215  
shall be subject to a civil fine of one thousand dollars. Any 3216  
person who is harmed by a violation of division (B) or (C) of 3217  
this section or a violation of section 2913.04 of the Revised 3218  
Code described in division (D) of this section has a private 3219  
cause of action against the offender for any injury, death, or 3220  
loss to person or property that is a proximate result of the 3221  
violation and may recover court costs and attorney's fees 3222  
related to the action. 3223

**Sec. 2923.1210.** (A) A business entity, property owner, or 3224  
public or private employer may not establish, maintain, or 3225  
enforce a policy or rule that prohibits or has the effect of 3226  
prohibiting a person who has been issued a valid concealed 3227  
handgun-weapons license or who is an active duty member of the 3228  
armed forces of the United States and has been issued a valid 3229  
military identification card and documentation of successful 3230  
completion of firearms training that meets or exceeds the 3231  
training requirements described in division (G)(1) of section 3232  
2923.125 of the Revised Code from transporting or storing a 3233  
firearm-deadly weapon or ammunition for a deadly weapon that is 3234  
a firearm when both of the following conditions are met: 3235

(1) Each firearm-deadly weapon and, if there is 3236  
ammunition, all of the ammunition remains inside the person's 3237  
privately owned motor vehicle while the person is physically 3238  
present inside the motor vehicle, or each firearm-deadly weapon 3239  
and, if there is ammunition, all of the ammunition is locked 3240  
within the trunk, glove box, or other enclosed compartment or 3241  
container within or on the person's privately owned motor 3242  
vehicle; 3243

(2) The vehicle is in a location where it is otherwise 3244

permitted to be. 3245

(B) A business entity, property owner, or public or 3246  
private employer that violates division (A) of this section may 3247  
be found liable in a civil action for injunctive relief brought 3248  
by any individual injured by the violation. The court may grant 3249  
any injunctive relief it finds appropriate. 3250

(C) No business entity, property owner, or public or 3251  
private employer shall be held liable in any civil action for 3252  
damages, injuries, or death resulting from or arising out of 3253  
another person's actions involving a ~~firearm~~-deadly weapon or 3254  
ammunition for a deadly weapon that is a firearm transported or 3255  
stored pursuant to division (A) of this section including the 3256  
theft of a ~~firearm~~-deadly weapon from an employee's or invitee's 3257  
automobile, unless the business entity, property owner, or 3258  
public or private employer intentionally solicited or procured 3259  
the other person's injurious actions. 3260

**Sec. 2923.1211.** (A) No person shall alter a concealed 3261  
~~handgun~~-weapons license or create a fictitious document that 3262  
purports to be a license of that nature. 3263

(B) No person, except in the performance of official 3264  
duties, shall possess a concealed ~~handgun~~-weapons license that 3265  
was issued and that has been revoked or suspended. 3266

(C) Whoever violates division (A) of this section is 3267  
guilty of falsification of a concealed ~~handgun~~-weapons license, 3268  
a felony of the fifth degree. Whoever violates division (B) of 3269  
this section is guilty of possessing a revoked or suspended 3270  
concealed ~~handgun~~-weapons license, a misdemeanor of the third 3271  
degree. 3272

**Sec. 2923.1212.** Each person, board, or entity that owns or 3273

controls any place or premises identified in division (B) of 3274  
section 2923.126 of the Revised Code as a place into which a 3275  
valid license does not authorize the licensee to carry a 3276  
concealed ~~handgun~~ deadly weapon, or a designee of such a person, 3277  
board, or entity, shall post in one or more conspicuous 3278  
locations in the premises a sign that contains a statement in 3279  
substantially the following form: "Unless otherwise authorized 3280  
by law, pursuant to the Ohio Revised Code, no person shall 3281  
knowingly possess, have under the person's control, convey, or 3282  
attempt to convey a deadly weapon or dangerous ordnance onto 3283  
these premises." 3284

**Sec. 2923.1213.** (A) As used in this section: 3285

(1) "Evidence of imminent danger" means any of the 3286  
following: 3287

(a) A statement sworn by the person seeking to carry a 3288  
concealed ~~handgun~~ deadly weapon other than an exclusive deadly 3289  
weapon that is made under threat of perjury and that states that 3290  
the person has reasonable cause to fear a criminal attack upon 3291  
the person or a member of the person's family, such as would 3292  
justify a prudent person in going armed; 3293

(b) A written document prepared by a governmental entity 3294  
or public official describing the facts that give the person 3295  
seeking to carry a concealed ~~handgun~~ deadly weapon other than an 3296  
exclusive deadly weapon reasonable cause to fear a criminal 3297  
attack upon the person or a member of the person's family, such 3298  
as would justify a prudent person in going armed. Written 3299  
documents of this nature include, but are not limited to, any 3300  
temporary protection order, civil protection order, protection 3301  
order issued by another state, or other court order, any court 3302  
report, and any report filed with or made by a law enforcement 3303

agency or prosecutor. 3304

(2) "Prosecutor" has the same meaning as in section 3305  
2935.01 of the Revised Code. 3306

(B) (1) A person seeking a concealed ~~handgun~~ weapons 3307  
license on a temporary emergency basis shall submit to the 3308  
sheriff of ~~the any county in which the person resides or~~, if the 3309  
person usually resides in another state, to the sheriff of the 3310  
county in which the person is temporarily staying, all of the 3311  
following: 3312

(a) Evidence of imminent danger to the person or a member 3313  
of the person's family; 3314

(b) A sworn affidavit that contains all of the information 3315  
required to be on the license and attesting that the person is 3316  
legally living in the United States; is at least twenty-one 3317  
years of age; is not a fugitive from justice; is not under 3318  
indictment for or otherwise charged with an offense identified 3319  
in division (D) (1) (d) of section 2923.125 of the Revised Code; 3320  
has not been convicted of or pleaded guilty to an offense, and 3321  
has not been adjudicated a delinquent child for committing an 3322  
act, identified in division (D) (1) (e) of that section and to 3323  
which division (B) (3) of this section does not apply; within 3324  
three years of the date of the submission, has not been 3325  
convicted of or pleaded guilty to an offense, and has not been 3326  
adjudicated a delinquent child for committing an act, identified 3327  
in division (D) (1) (f) of that section and to which division (B) 3328  
(3) of this section does not apply; within five years of the 3329  
date of the submission, has not been convicted of, pleaded 3330  
guilty, or adjudicated a delinquent child for committing two or 3331  
more violations identified in division (D) (1) (g) of that 3332  
section; within ten years of the date of the submission, has not 3333

been convicted of, pleaded guilty, or adjudicated a delinquent 3334  
child for committing a violation identified in division (D) (1) 3335  
(h) of that section and to which division (B) (3) of this section 3336  
does not apply; has not been committed to any mental 3337  
institution, is not under adjudication of mental incompetence, 3338  
has not been found by a court to be a person with a mental 3339  
illness subject to court order, and is not an involuntary 3340  
patient other than one who is a patient only for purposes of 3341  
observation, as described in division (D) (1) (i) of that section; 3342  
is not currently subject to a civil protection order, a 3343  
temporary protection order, or a protection order issued by a 3344  
court of another state, as described in division (D) (1) (j) of 3345  
that section; is not currently subject to a suspension imposed 3346  
under division (A) (2) of section 2923.128 of the Revised Code of 3347  
a concealed ~~handgun-weapon~~ license that previously was issued 3348  
to the person or a similar suspension imposed by another state 3349  
regarding a concealed ~~handgun-weapon~~ license issued by that 3350  
state; is not an unlawful user of or addicted to any controlled 3351  
substance as defined in 21 U.S.C. 802; if applicable, is an 3352  
alien and has not been admitted to the United States under a 3353  
nonimmigrant visa, as defined in the "Immigration and 3354  
Nationality Act," 8 U.S.C. 1101(a) (26); has not been discharged 3355  
from the armed forces of the United States under dishonorable 3356  
conditions; if applicable, has not renounced the applicant's 3357  
United States citizenship; and has not been convicted of, 3358  
pleaded guilty to, or been adjudicated a delinquent child for 3359  
committing a violation identified in division (D) (1) (s) of 3360  
section 2923.125 of the Revised Code; 3361

(c) A nonrefundable temporary emergency license fee as 3362  
described in either of the following: 3363

(i) For an applicant who has been a resident of this state 3364

for five or more years, a fee of fifteen dollars plus the actual 3365  
cost of having a background check performed by the bureau of 3366  
criminal identification and investigation pursuant to section 3367  
311.41 of the Revised Code; 3368

(ii) For an applicant who has been a resident of this 3369  
state for less than five years or who is not a resident of this 3370  
state, but is temporarily staying in this state, a fee of 3371  
fifteen dollars plus the actual cost of having background checks 3372  
performed by the federal bureau of investigation and the bureau 3373  
of criminal identification and investigation pursuant to section 3374  
311.41 of the Revised Code. 3375

(d) A set of fingerprints of the applicant provided as 3376  
described in section 311.41 of the Revised Code through use of 3377  
an electronic fingerprint reading device or, if the sheriff to 3378  
whom the application is submitted does not possess and does not 3379  
have ready access to the use of an electronic fingerprint 3380  
reading device, on a standard impression sheet prescribed 3381  
pursuant to division (C) (2) of section 109.572 of the Revised 3382  
Code. If the fingerprints are provided on a standard impression 3383  
sheet, the person also shall provide the person's social 3384  
security number to the sheriff. 3385

(2) A sheriff shall accept the evidence of imminent 3386  
danger, the sworn affidavit, the fee, and the set of 3387  
fingerprints required under division (B) (1) of this section at 3388  
the times and in the manners described in division (I) of this 3389  
section. Upon receipt of the evidence of imminent danger, the 3390  
sworn affidavit, the fee, and the set of fingerprints required 3391  
under division (B) (1) of this section, the sheriff, in the 3392  
manner specified in section 311.41 of the Revised Code, 3393  
immediately shall conduct or cause to be conducted the criminal 3394

records check and the incompetency records check described in 3395  
section 311.41 of the Revised Code. Immediately upon receipt of 3396  
the results of the records checks, the sheriff shall review the 3397  
information and shall determine whether the criteria set forth 3398  
in divisions (D)(1)(a) to (j) and (m) to (s) of section 2923.125 3399  
of the Revised Code apply regarding the person. If the sheriff 3400  
determines that all of the criteria set forth in divisions (D) 3401  
(1)(a) to (j) and (m) to (s) of section 2923.125 of the Revised 3402  
Code apply regarding the person, the sheriff shall immediately 3403  
make available through the law enforcement automated data system 3404  
all information that will be contained on the temporary 3405  
emergency license for the person if one is issued, and the 3406  
superintendent of the state highway patrol shall ensure that the 3407  
system is so configured as to permit the transmission through 3408  
the system of that information. Upon making that information 3409  
available through the law enforcement automated data system, the 3410  
sheriff shall immediately issue to the person a concealed 3411  
~~handgun~~-weapons license on a temporary emergency basis. 3412

If the sheriff denies the issuance of a license on a 3413  
temporary emergency basis to the person, the sheriff shall 3414  
specify the grounds for the denial in a written notice to the 3415  
person. The person may appeal the denial, or challenge criminal 3416  
records check results that were the basis of the denial if 3417  
applicable, in the same manners specified in division (D)(2) of 3418  
section 2923.125 and in section 2923.127 of the Revised Code, 3419  
regarding the denial of an application for a concealed ~~handgun~~- 3420  
weapons license under that section. 3421

The license on a temporary emergency basis issued under 3422  
this division shall be in the form, and shall include all of the 3423  
information, described in divisions (A)(2)(a) and (d) of section 3424  
109.731 of the Revised Code, and also shall include a unique 3425

combination of identifying letters and numbers in accordance 3426  
with division (A) (2) (c) of that section. 3427

The license on a temporary emergency basis issued under 3428  
this division is valid for ninety days and may not be renewed. A 3429  
person who has been issued a license on a temporary emergency 3430  
basis under this division shall not be issued another license on 3431  
a temporary emergency basis unless at least four years has 3432  
expired since the issuance of the prior license on a temporary 3433  
emergency basis. 3434

(3) If a person seeking a concealed ~~handgun~~ weapons 3435  
license on a temporary emergency basis has been convicted of or 3436  
pleaded guilty to an offense identified in division (D) (1) (e), 3437  
(f), or (h) of section 2923.125 of the Revised Code or has been 3438  
adjudicated a delinquent child for committing an act or 3439  
violation identified in any of those divisions, and if a court 3440  
has ordered the sealing or expungement of the records of that 3441  
conviction, guilty plea, or adjudication pursuant to sections 3442  
2151.355 to 2151.358, sections 2953.31 to 2953.35, or section 3443  
2953.39 of the Revised Code or the applicant has been relieved 3444  
under operation of law or legal process from the disability 3445  
imposed pursuant to section 2923.13 of the Revised Code relative 3446  
to that conviction, guilty plea, or adjudication, the 3447  
conviction, guilty plea, or adjudication shall not be relevant 3448  
for purposes of the sworn affidavit described in division (B) (1) 3449  
(b) of this section, and the person may complete, and swear to 3450  
the truth of, the affidavit as if the conviction, guilty plea, 3451  
or adjudication never had occurred. 3452

(4) The sheriff shall waive the payment pursuant to 3453  
division (B) (1) (c) of this section of the license fee in 3454  
connection with an application that is submitted by an applicant 3455

who is a retired peace officer, a retired person described in 3456  
division (B) (1) (b) of section 109.77 of the Revised Code, or a 3457  
retired federal law enforcement officer who, prior to 3458  
retirement, was authorized under federal law to carry a firearm 3459  
in the course of duty, unless the retired peace officer, person, 3460  
or federal law enforcement officer retired as the result of a 3461  
mental disability. 3462

The sheriff shall deposit all fees paid by an applicant 3463  
under division (B) (1) (c) of this section into the sheriff's 3464  
concealed ~~handgun-weapons~~ license issuance fund established 3465  
pursuant to section 311.42 of the Revised Code. 3466

(C) A person who holds a concealed ~~handgun-weapons~~ license 3467  
on a temporary emergency basis, regardless of whether the 3468  
license was issued prior to, on, or after the effective date of 3469  
this amendment, has the same right to carry a concealed ~~handgun-~~ 3470  
deadly weapon that is not an exclusive deadly weapon as a person 3471  
who was issued a concealed ~~handgun-weapons~~ license under section 3472  
2923.125 of the Revised Code, and any exceptions to the 3473  
prohibitions contained in section 1547.69 and sections 2923.12 3474  
to 2923.16 of the Revised Code for a licensee under section 3475  
2923.125 of the Revised Code apply to a licensee under this 3476  
section. The person is subject to the same restrictions, and to 3477  
all other procedures, duties, and sanctions, that apply to a 3478  
person who ~~carries~~ has been issued a license issued under 3479  
section 2923.125 of the Revised Code, other than the license 3480  
renewal procedures set forth in that section. A concealed 3481  
weapons license on a temporary emergency basis that a sheriff 3482  
issued as a concealed handgun license on a temporary emergency 3483  
basis prior to the effective date of this amendment and that had 3484  
not expired prior to the effective date of this amendment has 3485  
the same validity as a concealed weapons license on a temporary 3486

emergency basis issued on or after that date and shall be 3487  
treated for purposes of this section, sections 2923.127 to 3488  
2923.1212 of the Revised Code, and other Revised Code provisions 3489  
as if it were a license issued on or after that date. 3490

(D) A sheriff who issues a concealed ~~handgun~~-weapons 3491  
license on a temporary emergency basis under this section shall 3492  
not require a person seeking to carry a concealed ~~handgun~~-deadly 3493  
weapon that is not an exclusive deadly weapon in accordance with 3494  
this section to submit a competency certificate as a 3495  
prerequisite for issuing the license and shall comply with 3496  
division (H) of section 2923.125 of the Revised Code in regards 3497  
to the license. The sheriff shall suspend or revoke the license 3498  
in accordance with section 2923.128 of the Revised Code. In 3499  
addition to the suspension or revocation procedures set forth in 3500  
section 2923.128 of the Revised Code, the sheriff may revoke the 3501  
license upon receiving information, verifiable by public 3502  
documents, that the person is not eligible to possess a firearm 3503  
or deadly weapon under either the laws of this state or of the 3504  
United States or that the person committed perjury in obtaining 3505  
the license; if the sheriff revokes a license under this 3506  
additional authority, the sheriff shall notify the person, by 3507  
certified mail, return receipt requested, at the person's last 3508  
known residence address that the license has been revoked and 3509  
that the person is required to surrender the license at the 3510  
sheriff's office within ten days of the date on which the notice 3511  
was mailed. Division (H) of section 2923.125 of the Revised Code 3512  
applies regarding any suspension or revocation of a concealed 3513  
~~handgun~~-weapons license on a temporary emergency basis. 3514

(E) A sheriff who issues a concealed ~~handgun~~-weapons 3515  
license on a temporary emergency basis under this section shall 3516  
retain, for the entire period during which the license is in 3517

effect, the evidence of imminent danger that the person 3518  
submitted to the sheriff and that was the basis for the license, 3519  
or a copy of that evidence, as appropriate. 3520

(F) If a concealed ~~handgun-weapons~~ license on a temporary 3521  
emergency basis issued under this section is lost or is 3522  
destroyed, the licensee may obtain from the sheriff who issued 3523  
that license a duplicate license upon the payment of a fee of 3524  
fifteen dollars and the submission of an affidavit attesting to 3525  
the loss or destruction of the license. The sheriff, in 3526  
accordance with the procedures prescribed in section 109.731 of 3527  
the Revised Code, shall place on the replacement license a 3528  
combination of identifying numbers different from the 3529  
combination on the license that is being replaced. 3530

(G) The attorney general shall prescribe, and shall make 3531  
available to sheriffs, a standard form to be used under division 3532  
(B) of this section by a person who applies for a concealed 3533  
~~handgun-weapons~~ license on a temporary emergency basis on the 3534  
basis of imminent danger of a type described in division (A)(1) 3535  
(a) of this section. The attorney general shall design the form 3536  
to enable applicants to provide the information that is required 3537  
by law to be collected, and shall update the form as necessary. 3538  
Burdens or restrictions to obtaining a concealed ~~handgun-weapons~~ 3539  
license that are not expressly prescribed in law shall not be 3540  
incorporated into the form. The attorney general shall post a 3541  
printable version of the form on the web site of the attorney 3542  
general and shall provide the address of the web site to any 3543  
person who requests the form. 3544

(H) A sheriff who receives any fees paid by a person under 3545  
this section shall deposit all fees so paid into the sheriff's 3546  
concealed ~~handgun-weapons~~ license issuance expense fund 3547

established under section 311.42 of the Revised Code. 3548

(I) A sheriff shall accept evidence of imminent danger, a 3549  
sworn affidavit, the fee, and the set of fingerprints specified 3550  
in division (B)(1) of this section at any time during normal 3551  
business hours. In no case shall a sheriff require an 3552  
appointment, or designate a specific period of time, for the 3553  
submission or acceptance of evidence of imminent danger, a sworn 3554  
affidavit, the fee, and the set of fingerprints specified in 3555  
division (B)(1) of this section, or for the provision to any 3556  
person of a standard form to be used for a person to apply for a 3557  
concealed ~~handgun~~ weapons license on a temporary emergency 3558  
basis. 3559

(J) The availability of a concealed weapons license under 3560  
this section or section 2923.125 of the Revised Code shall not 3561  
be construed to prohibit or restrict a person from possessing, 3562  
carrying, or transporting a deadly weapon in a vehicle or on or 3563  
about the person's person, whether concealed or unconcealed, 3564  
loaded or unloaded, without a valid concealed weapons license if 3565  
the possession, carrying, or transport in the manner in question 3566  
is otherwise permitted by the Revised Code or any other 3567  
provision of law. 3568

**Sec. 2923.16.** (A) No person shall knowingly discharge a 3569  
firearm while in or on a motor vehicle. 3570

(B) No person shall knowingly transport or have a loaded 3571  
firearm in a motor vehicle in such a manner that the firearm is 3572  
accessible to the operator or any passenger without leaving the 3573  
vehicle. 3574

(C) No person shall knowingly transport or have a firearm 3575  
in a motor vehicle, unless the person may lawfully possess that 3576

firearm under applicable law of this state or the United States, 3577  
the firearm is unloaded, and the firearm is carried in one of 3578  
the following ways: 3579

(1) In a closed package, box, or case; 3580

(2) In a compartment that can be reached only by leaving 3581  
the vehicle; 3582

(3) In plain sight and secured in a rack or holder made 3583  
for the purpose; 3584

(4) If the firearm is at least twenty-four inches in 3585  
overall length as measured from the muzzle to the part of the 3586  
stock furthest from the muzzle and if the barrel is at least 3587  
eighteen inches in length, either in plain sight with the action 3588  
open or the weapon stripped, or, if the firearm is of a type on 3589  
which the action will not stay open or which cannot easily be 3590  
stripped, in plain sight. 3591

(D) No person shall knowingly transport or have a loaded 3592  
~~handgun~~ firearm in a motor vehicle if, at the time of that 3593  
transportation or possession, any of the following applies: 3594

(1) The person is under the influence of alcohol, a drug 3595  
of abuse, or a combination of them. 3596

(2) The person's whole blood, blood serum or plasma, 3597  
breath, or urine contains a concentration of alcohol, a listed 3598  
controlled substance, or a listed metabolite of a controlled 3599  
substance prohibited for persons operating a vehicle, as 3600  
specified in division (A) of section 4511.19 of the Revised 3601  
Code, regardless of whether the person at the time of the 3602  
transportation or possession as described in this division is 3603  
the operator of or a passenger in the motor vehicle. 3604

(E) No person who has been issued a concealed ~~handgun~~ weapons license or who is an active duty member of the armed forces of the United States and ~~is carrying~~ has been issued a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G)(1) of section 2923.125 of the Revised Code, who is the driver or an occupant of a motor vehicle that is stopped as a result of a traffic stop or a stop for another law enforcement purpose or is the driver or an occupant of a commercial motor vehicle that is stopped by an employee of the motor carrier enforcement unit for the purposes defined in section 5503.34 of the Revised Code, and who is transporting or has a loaded ~~handgun~~ firearm that is not an exclusive firearm in the motor vehicle or commercial motor vehicle in any manner, shall do any of the following:

(1) Before or at the time a law enforcement officer asks if the person is carrying a concealed ~~handgun~~ firearm that is not an exclusive firearm, knowingly fail to disclose that the person then possesses or has a loaded ~~handgun~~ firearm in the motor vehicle, provided that it is not a violation of this division if the person fails to disclose that fact to an officer during the stop and the person already has notified another officer of that fact during the same stop;

(2) Before or at the time an employee of the motor carrier enforcement unit asks if the person is carrying a concealed ~~handgun~~ firearm that is not an exclusive firearm, knowingly fail to disclose that the person then possesses or has a loaded ~~handgun~~ firearm in the commercial motor vehicle, provided that it is not a violation of this division if the person fails to disclose that fact to an employee of the unit during the stop and the person already has notified another employee of the unit

of that fact during the same stop; 3636

(3) Knowingly fail to remain in the motor vehicle while 3637  
stopped or knowingly fail to keep the person's hands in plain 3638  
sight at any time after any law enforcement officer begins 3639  
approaching the person while stopped and before the law 3640  
enforcement officer leaves, unless the failure is pursuant to 3641  
and in accordance with directions given by a law enforcement 3642  
officer; 3643

(4) Knowingly have contact with the loaded ~~handgun~~-firearm 3644  
by touching it with the person's hands or fingers in the motor 3645  
vehicle at any time after the law enforcement officer begins 3646  
approaching and before the law enforcement officer leaves, 3647  
unless the person has contact with the loaded ~~handgun~~-firearm 3648  
pursuant to and in accordance with directions given by the law 3649  
enforcement officer; 3650

(5) Knowingly disregard or fail to comply with any lawful 3651  
order of any law enforcement officer given while the motor 3652  
vehicle is stopped, including, but not limited to, a specific 3653  
order to the person to keep the person's hands in plain sight. 3654

(F) (1) Divisions (A), (B), (C), and (E) of this section do 3655  
not apply to any of the following: 3656

(a) An officer, agent, or employee of this or any other 3657  
state or the United States, or a law enforcement officer, when 3658  
authorized to carry or have loaded or accessible firearms in 3659  
motor vehicles and acting within the scope of the officer's, 3660  
agent's, or employee's duties; 3661

(b) Any person who is employed in this state, who is 3662  
authorized to carry or have loaded or accessible firearms in 3663  
motor vehicles, and who is subject to and in compliance with the 3664

requirements of section 109.801 of the Revised Code, unless the 3665  
appointing authority of the person has expressly specified that 3666  
the exemption provided in division (F) (1) (b) of this section 3667  
does not apply to the person. 3668

(2) Division (A) of this section does not apply to a 3669  
person if all of the following circumstances apply: 3670

(a) The person discharges a firearm from a motor vehicle 3671  
at a coyote or groundhog, the discharge is not during the deer 3672  
gun hunting season as set by the chief of the division of 3673  
wildlife of the department of natural resources, and the 3674  
discharge at the coyote or groundhog, but for the operation of 3675  
this section, is lawful. 3676

(b) The motor vehicle from which the person discharges the 3677  
firearm is on real property that is located in an unincorporated 3678  
area of a township and that either is zoned for agriculture or 3679  
is used for agriculture. 3680

(c) The person owns the real property described in 3681  
division (F) (2) (b) of this section, is the spouse or a child of 3682  
another person who owns that real property, is a tenant of 3683  
another person who owns that real property, or is the spouse or 3684  
a child of a tenant of another person who owns that real 3685  
property. 3686

(d) The person does not discharge the firearm in any of 3687  
the following manners: 3688

(i) While under the influence of alcohol, a drug of abuse, 3689  
or alcohol and a drug of abuse; 3690

(ii) In the direction of a street, highway, or other 3691  
public or private property used by the public for vehicular 3692  
traffic or parking; 3693

(iii) At or into an occupied structure that is a permanent 3694  
or temporary habitation; 3695

(iv) In the commission of any violation of law, including, 3696  
but not limited to, a felony that includes, as an essential 3697  
element, purposely or knowingly causing or attempting to cause 3698  
the death of or physical harm to another and that was committed 3699  
by discharging a firearm from a motor vehicle. 3700

(3) Division (A) of this section does not apply to a 3701  
person if all of the following apply: 3702

(a) The person possesses a valid all-purpose vehicle 3703  
permit issued under section 1533.103 of the Revised Code by the 3704  
chief of the division of wildlife. 3705

(b) The person discharges a firearm at a wild quadruped or 3706  
game bird as defined in section 1531.01 of the Revised Code 3707  
during the open hunting season for the applicable wild quadruped 3708  
or game bird. 3709

(c) The person discharges a firearm from a stationary all- 3710  
purpose vehicle as defined in section 1531.01 of the Revised 3711  
Code from private or publicly owned lands or from a motor 3712  
vehicle that is parked on a road that is owned or administered 3713  
by the division of wildlife. 3714

(d) The person does not discharge the firearm in any of 3715  
the following manners: 3716

(i) While under the influence of alcohol, a drug of abuse, 3717  
or alcohol and a drug of abuse; 3718

(ii) In the direction of a street, a highway, or other 3719  
public or private property that is used by the public for 3720  
vehicular traffic or parking; 3721

(iii) At or into an occupied structure that is a permanent 3722  
or temporary habitation; 3723

(iv) In the commission of any violation of law, including, 3724  
but not limited to, a felony that includes, as an essential 3725  
element, purposely or knowingly causing or attempting to cause 3726  
the death of or physical harm to another and that was committed 3727  
by discharging a firearm from a motor vehicle. 3728

(4) Divisions (B) and (C) of this section do not apply to 3729  
a person if all of the following circumstances apply: 3730

(a) At the time of the alleged violation of either of 3731  
those divisions, the person is the operator of or a passenger in 3732  
a motor vehicle. 3733

(b) The motor vehicle is on real property that is located 3734  
in an unincorporated area of a township and that either is zoned 3735  
for agriculture or is used for agriculture. 3736

(c) The person owns the real property described in 3737  
division (F) (4) (b) of this section, is the spouse or a child of 3738  
another person who owns that real property, is a tenant of 3739  
another person who owns that real property, or is the spouse or 3740  
a child of a tenant of another person who owns that real 3741  
property. 3742

(d) The person, prior to arriving at the real property 3743  
described in division (F) (4) (b) of this section, did not 3744  
transport or possess a firearm in the motor vehicle in a manner 3745  
prohibited by division (B) or (C) of this section while the 3746  
motor vehicle was being operated on a street, highway, or other 3747  
public or private property used by the public for vehicular 3748  
traffic or parking. 3749

~~(5)~~ (5) (a) Divisions (B) and (C) of this section do not 3750

apply to a person who transports or possesses a ~~handgun~~-firearm 3751  
that is not an exclusive firearm in a motor vehicle if, at the 3752  
time of that transportation or possession, both of the following 3753  
apply: 3754

~~(a)(i)~~ The person ~~transporting or possessing the handgun~~ 3755  
has been issued a concealed ~~handgun~~-weapons license that is 3756  
valid at the time ~~in question of the transporting or possessing~~ 3757  
or the person is an active duty member of the armed forces of 3758  
the United States and ~~is carrying~~ has been issued a valid 3759  
military identification card and documentation of successful 3760  
completion of firearms training that meets or exceeds the 3761  
training requirements described in division (G)(1) of section 3762  
2923.125 of the Revised Code that are valid at the time of the 3763  
transporting or possessing. 3764

~~(b)(ii)~~ The person transporting or possessing the ~~handgun~~- 3765  
firearm is not knowingly in a place described in division (B) of 3766  
section 2923.126 of the Revised Code. 3767

(b) If the exemption in division (F)(5)(a) of this section 3768  
applies, divisions (K)(5)(a) and (b) of this section do not 3769  
apply to a person who has been issued a concealed weapons 3770  
license that is valid at the time of the transporting or 3771  
possessing or who is an active duty member of the armed forces 3772  
of the United States and has been issued a valid military 3773  
identification card and documentation of successful completion 3774  
of firearms training that meets or exceeds the training 3775  
requirements described in division (G)(1) of section 2923.125 of 3776  
the Revised Code that are valid at the time of the transporting 3777  
or possessing. A person who is exempted under division (F)(5)(a) 3778  
of this section and who transports or possesses a firearm that 3779  
is not an exclusive firearm in a motor vehicle may have 3780

ammunition in the firearm in question, may have one or more 3781  
magazines or speed loaders containing ammunition anywhere in the 3782  
vehicle, and may insert the magazines or speed loaders 3783  
containing ammunition into the firearm in question, without 3784  
being transported or possessed as described in those divisions. 3785

(6) Divisions (B) and (C) of this section do not apply to 3786  
a person if all of the following apply: 3787

(a) The person possesses a valid all-purpose vehicle 3788  
permit issued under section 1533.103 of the Revised Code by the 3789  
chief of the division of wildlife. 3790

(b) The person is on or in an all-purpose vehicle as 3791  
defined in section 1531.01 of the Revised Code or a motor 3792  
vehicle during the open hunting season for a wild quadruped or 3793  
game bird. 3794

(c) The person is on or in an all-purpose vehicle as 3795  
defined in section 1531.01 of the Revised Code on private or 3796  
publicly owned lands or on or in a motor vehicle that is parked 3797  
on a road that is owned or administered by the division of 3798  
wildlife. 3799

(7) Nothing in this section prohibits or restricts a 3800  
person from possessing, storing, or leaving a firearm in a 3801  
locked motor vehicle that is parked in the state underground 3802  
parking garage at the state capitol building or in the parking 3803  
garage at the Riffe center for government and the arts in 3804  
Columbus, if the person's transportation and possession of the 3805  
firearm in the motor vehicle while traveling to the premises or 3806  
facility was not in violation of division (A), (B), (C), (D), or 3807  
(E) of this section or any other provision of the Revised Code. 3808

(G) (1) The affirmative defenses authorized in divisions 3809

(D) (1) and (2) of section 2923.12 of the Revised Code are 3810  
affirmative defenses to a charge under division (B) or (C) of 3811  
this section that involves a firearm other than a handgun. 3812

(2) It is an affirmative defense to a charge under 3813  
division (B) or (C) of this section of improperly handling 3814  
firearms in a motor vehicle that the actor transported or had 3815  
the firearm in the motor vehicle for any lawful purpose and 3816  
while the motor vehicle was on the actor's own property, 3817  
provided that this affirmative defense is not available unless 3818  
the person, immediately prior to arriving at the actor's own 3819  
property, did not transport or possess the firearm in a motor 3820  
vehicle in a manner prohibited by division (B) or (C) of this 3821  
section while the motor vehicle was being operated on a street, 3822  
highway, or other public or private property used by the public 3823  
for vehicular traffic. 3824

(H) (1) No person who is charged with a violation of 3825  
division (B), (C), or (D) of this section shall be required to 3826  
obtain a concealed ~~handgun~~ weapons license as a condition for 3827  
the dismissal of the charge. 3828

(2) (a) If a person is convicted of, was convicted of, 3829  
pleads guilty to, or has pleaded guilty to a violation of 3830  
division (E) of this section as it existed prior to September 3831  
30, 2011, and the conduct that was the basis of the violation no 3832  
longer would be a violation of division (E) of this section on 3833  
or after September 30, 2011, or if a person is convicted of, was 3834  
convicted of, pleads guilty to, or has pleaded guilty to a 3835  
violation of division (E) (1) or (2) of this section as it 3836  
existed prior to June 13, 2022, the person may file an 3837  
application under section 2953.35 of the Revised Code requesting 3838  
the expungement of the record of conviction. 3839

If a person is convicted of, was convicted of, pleads 3840  
guilty to, or has pleaded guilty to a violation of division (B) 3841  
or (C) of this section as the division existed prior to 3842  
September 30, 2011, and if the conduct that was the basis of the 3843  
violation no longer would be a violation of division (B) or (C) 3844  
of this section on or after September 30, 2011, due to the 3845  
application of division (F)(5) of this section as it exists on 3846  
and after September 30, 2011, the person may file an application 3847  
under section 2953.35 of the Revised Code requesting the 3848  
expungement of the record of conviction. 3849

(b) The attorney general shall develop a public media 3850  
advisory that summarizes the expungement procedure established 3851  
under section 2953.35 of the Revised Code and the offenders 3852  
identified in division (H)(2)(a) of this section and those 3853  
identified in division (E)(2) of section 2923.12 of the Revised 3854  
Code who are authorized to apply for the expungement. Within 3855  
thirty days after September 30, 2011, with respect to violations 3856  
of division (B), (C), or (E) of this section as they existed 3857  
prior to that date, and within thirty days after June 13, 2022, 3858  
with respect to a violation of division (E)(1) or (2) of this 3859  
section or division (B)(1) of section 2923.12 of the Revised 3860  
Code as they existed prior to June 13, 2022, the attorney 3861  
general shall provide a copy of the advisory to each daily 3862  
newspaper published in this state and each television station 3863  
that broadcasts in this state. The attorney general may provide 3864  
the advisory in a tangible form, an electronic form, or in both 3865  
tangible and electronic forms. 3866

(I) Whoever violates this section is guilty of improperly 3867  
handling firearms in a motor vehicle. A violation of division 3868  
(A) of this section is a felony of the fourth degree. A 3869  
violation of division (C) of this section is a misdemeanor of 3870

the fourth degree. A violation of division (D) of this section 3871  
is a felony of the fifth degree or, if the loaded ~~handgun~~ 3872  
firearm is concealed on the person's person, a felony of the 3873  
fourth degree. A violation of division (E)(1) or (2) of this 3874  
section is a misdemeanor of the second degree. A violation of 3875  
division (E)(4) of this section is a felony of the fifth degree. 3876  
A violation of division (E)(3) or (5) of this section is a 3877  
misdemeanor of the first degree or, if the offender previously 3878  
has been convicted of or pleaded guilty to a violation of 3879  
division (E)(3) or (5) of this section, a felony of the fifth 3880  
degree. In addition to any other penalty or sanction imposed for 3881  
a misdemeanor violation of division (E)(3) or (5) of this 3882  
section, if the offender has been issued a concealed weapons 3883  
license, the offender's ~~concealed handgun~~-license shall be 3884  
suspended pursuant to division (A)(2) of section 2923.128 of the 3885  
Revised Code. A violation of division (B) of this section is a 3886  
felony of the fourth degree. 3887

(J) If a law enforcement officer stops a motor vehicle for 3888  
a traffic stop or any other purpose, if any person in the motor 3889  
vehicle surrenders a ~~firearm~~-deadly weapon to the officer, 3890  
either voluntarily or pursuant to a request or demand of the 3891  
officer, and if the officer does not charge the person with a 3892  
violation of this section or arrest the person for any offense, 3893  
the person is not otherwise prohibited by law from possessing 3894  
the ~~firearm~~-deadly weapon, and the ~~firearm~~-deadly weapon is not 3895  
contraband, the officer shall return the ~~firearm~~-deadly weapon 3896  
to the person at the termination of the stop. If a court orders 3897  
a law enforcement officer to return a ~~firearm~~-deadly weapon to a 3898  
person pursuant to the requirement set forth in this division, 3899  
division (B) of section 2923.163 of the Revised Code applies. 3900

(K) As used in this section: 3901

(1) "Motor vehicle," "street," and "highway" have the same 3902  
meanings as in section 4511.01 of the Revised Code. 3903

(2) "Occupied structure" has the same meaning as in 3904  
section 2909.01 of the Revised Code. 3905

(3) "Agriculture" has the same meaning as in section 3906  
519.01 of the Revised Code. 3907

(4) "Tenant" has the same meaning as in section 1531.01 of 3908  
the Revised Code. 3909

~~(5)(a)~~ (5) Subject to division (F) (5) (b) of this section: 3910

(a) "Unloaded" means, with respect to a firearm other than 3911  
a firearm described in division (K) (6) of this section, that no 3912  
ammunition is in the firearm in question, no magazine or speed 3913  
loader containing ammunition is inserted into the firearm in 3914  
question, and one of the following applies: 3915

(i) There is no ammunition in a magazine or speed loader 3916  
that is in the vehicle in question and that may be used with the 3917  
firearm in question. 3918

(ii) Any magazine or speed loader that contains ammunition 3919  
and that may be used with the firearm in question is stored in a 3920  
compartment within the vehicle in question that cannot be 3921  
accessed without leaving the vehicle or is stored in a container 3922  
that provides complete and separate enclosure. 3923

(b) For the purposes of division (K) (5) (a) (ii) of this 3924  
section, a "container that provides complete and separate 3925  
enclosure" includes, but is not limited to, any of the 3926  
following: 3927

(i) A package, box, or case with multiple compartments, as 3928  
long as the loaded magazine or speed loader and the firearm in 3929

question either are in separate compartments within the package, 3930  
box, or case, or, if they are in the same compartment, the 3931  
magazine or speed loader is contained within a separate 3932  
enclosure in that compartment that does not contain the firearm 3933  
and that closes using a snap, button, buckle, zipper, hook and 3934  
loop closing mechanism, or other fastener that must be opened to 3935  
access the contents or the firearm is contained within a 3936  
separate enclosure of that nature in that compartment that does 3937  
not contain the magazine or speed loader; 3938

(ii) A pocket or other enclosure on the person of the 3939  
person in question that closes using a snap, button, buckle, 3940  
zipper, hook and loop closing mechanism, or other fastener that 3941  
must be opened to access the contents. 3942

(c) For the purposes of divisions (K) (5) (a) and (b) of 3943  
this section, ammunition held in stripper-clips or in en-bloc 3944  
clips is not considered ammunition that is loaded into a 3945  
magazine or speed loader. 3946

(6) "Unloaded" means, with respect to a firearm employing 3947  
a percussion cap, flintlock, or other obsolete ignition system, 3948  
when the weapon is uncapped or when the priming charge is 3949  
removed from the pan. 3950

(7) "Commercial motor vehicle" has the same meaning as in 3951  
division (A) of section 4506.25 of the Revised Code. 3952

(8) "Motor carrier enforcement unit" means the motor 3953  
carrier enforcement unit in the department of public safety, 3954  
division of state highway patrol, that is created by section 3955  
5503.34 of the Revised Code. 3956

~~(L) Divisions (K) (5) (a) and (b) of this section do not~~ 3957  
~~affect the authority of a person who has been issued a concealed~~ 3958

~~handgun license that is valid at the time in question to have~~ 3959  
~~one or more magazines or speed loaders containing ammunition~~ 3960  
~~anywhere in a vehicle, without being transported as described in~~ 3961  
~~those divisions, as long as no ammunition is in a firearm, other~~ 3962  
~~than a handgun, in the vehicle other than as permitted under any~~ 3963  
~~other provision of this chapter. A person who has been issued a~~ 3964  
~~concealed handgun license that is valid at the time in question~~ 3965  
~~may have one or more magazines or speed loaders containing~~ 3966  
~~ammunition anywhere in a vehicle without further restriction, as~~ 3967  
~~long as no ammunition is in a firearm, other than a handgun, in~~ 3968  
~~the vehicle other than as permitted under any provision of this~~ 3969  
~~chapter.~~ 3970

**Sec. 2923.17.** (A) No person shall knowingly acquire, have, 3971  
carry, or use any dangerous ordnance. 3972

(B) No person shall manufacture or process an explosive at 3973  
any location in this state unless the person first has been 3974  
issued a license, certificate of registration, or permit to do 3975  
so from a fire official of a political subdivision of this state 3976  
or from the office of the fire marshal. 3977

(C) Division (A) of this section does not apply to: 3978

(1) Officers, agents, or employees of this or any other 3979  
state or the United States, members of the armed forces of the 3980  
United States or the organized militia of this or any other 3981  
state, and law enforcement officers, to the extent that any such 3982  
person is authorized to acquire, have, carry, or use dangerous 3983  
ordnance and is acting within the scope of the person's duties; 3984

(2) Importers, manufacturers, dealers, and users of 3985  
explosives, having a license or user permit issued and in effect 3986  
pursuant to the "Organized Crime Control Act of 1970," 84 Stat. 3987

952, 18 U.S.C. 843, and any amendments or additions thereto or 3988  
reenactments thereof, with respect to explosives and explosive 3989  
devices lawfully acquired, possessed, carried, or used under the 3990  
laws of this state and applicable federal law; 3991

(3) Importers, manufacturers, and dealers having a license 3992  
to deal in destructive devices or their ammunition, issued and 3993  
in effect pursuant to the "Gun Control Act of 1968," 82 Stat. 3994  
1213, 18 U.S.C. 923, and any amendments or additions thereto or 3995  
reenactments thereof, with respect to dangerous ordnance 3996  
lawfully acquired, possessed, carried, or used under the laws of 3997  
this state and applicable federal law; 3998

(4) Persons to whom surplus ordnance has been sold, 3999  
loaned, or given by the secretary of the army pursuant to 70A 4000  
Stat. 262 and 263, 10 U.S.C. 4684, 4685, and 4686, and any 4001  
amendments or additions thereto or reenactments thereof, with 4002  
respect to dangerous ordnance when lawfully possessed and used 4003  
for the purposes specified in such section; 4004

(5) Owners of dangerous ordnance registered in the 4005  
national firearms registration and transfer record pursuant to 4006  
~~the act of October 22, 1968, 82 Stat. 1229, 26 U.S.C. 5841, and~~ 4007  
~~any amendments or additions thereto or reenactments thereof, and~~ 4008  
~~regulations issued thereunder.~~ "National Firearms Act," 26 U.S.C. 4009  
5841; 4010

(6) Carriers, warehouses, and others engaged in the 4011  
business of transporting or storing goods for hire, with respect 4012  
to dangerous ordnance lawfully transported or stored in the 4013  
usual course of their business and in compliance with the laws 4014  
of this state and applicable federal law; 4015

(7) The holders of a license or temporary permit issued 4016

and in effect pursuant to section 2923.18 of the Revised Code, 4017  
with respect to dangerous ordnance lawfully acquired, possessed, 4018  
carried, or used for the purposes and in the manner specified in 4019  
such license or permit, 4020

~~(8) Persons who own a dangerous ordnance that is a firearm 4021~~  
~~muffler or suppressor attached to a gun that is authorized to be 4022~~  
~~used for hunting by section 1533.16 of the Revised Code and who 4023~~  
~~are authorized to use such a dangerous ordnance by section 4024~~  
~~1533.04 of the Revised Code. 4025~~

(D) Whoever violates division (A) of this section is 4026  
guilty of unlawful possession of dangerous ordnance, a felony of 4027  
the fifth degree. 4028

(E) Whoever violates division (B) of this section is 4029  
guilty of illegally manufacturing or processing explosives, a 4030  
felony of the second degree. 4031

**Sec. 2953.35.** (A) Any person who is convicted of, was 4032  
convicted of, pleads guilty to, or has pleaded guilty to a 4033  
violation of division (B), (C), or (E) of section 2923.16 of the 4034  
Revised Code as the division existed prior to September 30, 4035  
2011, or a violation of division (E)(1) or (2) of section 4036  
2923.16 of the Revised Code as the division existed prior to 4037  
June 13, 2022, and who is authorized by division (H)(2)(a) of 4038  
that section to file an application under this section for the 4039  
expungement of the conviction record may apply to the sentencing 4040  
court for the expungement of the record of conviction. Any 4041  
person who is convicted of, was convicted of, pleads guilty to, 4042  
or has pleaded guilty to a violation of division (B)(1) of 4043  
section 2923.12 of the Revised Code as it existed prior to June 4044  
13, 2022, and who is authorized by division (E)(2) of that 4045  
section may apply to the sentencing court for the expungement of 4046

the record of conviction. The person may file the application at 4047  
any time on or after September 30, 2011, with respect to 4048  
violations of division (B), (C), or (E) of section 2923.16 of 4049  
the Revised Code as they existed prior to that date, or at any 4050  
time on or after June 13, 2022, with respect to a violation of 4051  
division (B)(1) of section 2923.12 of the Revised Code or of 4052  
division (E)(1) or (2) of section 2923.16 of the Revised Code as 4053  
the particular division existed prior to June 13, 2022. The 4054  
application shall do all of the following: 4055

(1) Identify the applicant, the offense for which the 4056  
expungement is sought, the date of the conviction of or plea of 4057  
guilty to that offense, and the court in which the conviction 4058  
occurred or the plea of guilty was entered; 4059

(2) Include evidence that the offense was a violation of 4060  
division (B), (C), or (E) of section 2923.16 of the Revised Code 4061  
as the division existed prior to September 30, 2011, or was a 4062  
violation of division (B)(1) of section 2923.12 of the Revised 4063  
Code or of division (E)(1) or (2) of section 2923.16 of the 4064  
Revised Code as the particular division existed prior to June 4065  
13, 2022, and that the applicant is authorized by division (H) 4066  
(2)(a) of section 2923.16 or division (E)(2) of section 2923.12 4067  
of the Revised Code, whichever is applicable, to file an 4068  
application under this section; 4069

(3) Include a request for expungement of the record of 4070  
conviction of that offense under this section. 4071

(B) Upon the filing of an application under division (A) 4072  
of this section and the payment of the fee described in division 4073  
(C)(3) of this section if applicable, the court shall set a date 4074  
for a hearing and shall notify the prosecutor for the case of 4075  
the hearing on the application. The prosecutor may object to the 4076

granting of the application by filing an objection with the 4077  
court prior to the date set for the hearing. The prosecutor 4078  
shall specify in the objection the reasons for believing a 4079  
denial of the application is justified. The court shall direct 4080  
its regular probation officer, a state probation officer, or the 4081  
department of probation of the county in which the applicant 4082  
resides to make inquiries and written reports as the court 4083  
requires concerning the applicant. The court shall hold the 4084  
hearing scheduled under this division. 4085

(C) (1) At the hearing held under division (B) of this 4086  
section, the court shall do each of the following: 4087

(a) Determine whether the applicant has been convicted of 4088  
or pleaded guilty to a violation of division (E) of section 4089  
2923.16 of the Revised Code as the division existed prior to 4090  
September 30, 2011, and whether the conduct that was the basis 4091  
of the violation no longer would be a violation of that division 4092  
on or after September 30, 2011; 4093

(b) Determine whether the applicant has been convicted of 4094  
or pleaded guilty to a violation of division (B) or (C) of 4095  
section 2923.16 of the Revised Code as the division existed 4096  
prior to September 30, 2011, and whether the conduct that was 4097  
the basis of the violation no longer would be a violation of 4098  
that division on or after September 30, 2011, due to the 4099  
application of division (F) (5) of that section as it exists on 4100  
and after September 30, 2011; 4101

(c) Determine whether the applicant has been convicted of 4102  
or pleaded guilty to a violation of division (B) (1) of section 4103  
2923.12 of the Revised Code or of division (E) (1) or (2) of 4104  
section 2923.16 of the Revised Code as the particular division 4105  
existed prior to June 13, 2022; 4106

(d) If the prosecutor has filed an objection in accordance 4107  
with division (B) of this section, consider the reasons against 4108  
granting the application specified by the prosecutor in the 4109  
objection; 4110

(e) Weigh the interests of the applicant in having the 4111  
records pertaining to the applicant's conviction or guilty plea 4112  
expunged against the legitimate needs, if any, of the government 4113  
to maintain those records. 4114

(2) (a) The court may order the expungement of all official 4115  
records pertaining to the case and the deletion of all index 4116  
references to the case and, if it does order the expungement, 4117  
shall send notice of the order to each public office or agency 4118  
that the court has reason to believe may have an official record 4119  
pertaining to the case if the court, after complying with 4120  
division (C) (1) of this section, determines both of the 4121  
following: 4122

(i) That the applicant has been convicted of or pleaded 4123  
guilty to a violation of division (E) of section 2923.16 of the 4124  
Revised Code as it existed prior to September 30, 2011, and the 4125  
conduct that was the basis of the violation no longer would be a 4126  
violation of that division on or after September 30, 2011; that 4127  
the applicant has been convicted of or pleaded guilty to a 4128  
violation of division (B) or (C) of section 2923.16 of the 4129  
Revised Code as the division existed prior to September 30, 4130  
2011, and the conduct that was the basis of the violation no 4131  
longer would be a violation of that division on or after 4132  
September 30, 2011, due to the application of division (F) (5) of 4133  
that section as it exists on and after September 30, 2011; or 4134  
that the applicant has been convicted of or pleaded guilty to a 4135  
violation of division (B) (1) of section 2923.12 of the Revised 4136

Code or of division (E) (1) or (2) of section 2923.16 of the 4137  
Revised Code as the particular division existed prior to June 4138  
13, 2022; 4139

(ii) That the interests of the applicant in having the 4140  
records pertaining to the applicant's conviction or guilty plea 4141  
expunged are not outweighed by any legitimate needs of the 4142  
government to maintain those records. 4143

(b) The proceedings in the case that is the subject of an 4144  
order issued under division (C) (2) (a) of this section shall be 4145  
considered not to have occurred and the conviction or guilty 4146  
plea of the person who is the subject of the proceedings shall 4147  
be expunged. The record of the conviction shall not be used for 4148  
any purpose, including, but not limited to, a criminal records 4149  
check under section 109.572 of the Revised Code or a 4150  
determination under section 2923.125 or 2923.1213 of the Revised 4151  
Code of eligibility for a concealed ~~handgun~~ weapons license. The 4152  
applicant may, and the court shall, reply that no record exists 4153  
with respect to the applicant upon any inquiry into the matter. 4154

(3) Upon the filing of an application under this section, 4155  
the applicant, unless indigent, shall pay a fee of fifty 4156  
dollars. The court shall pay thirty dollars of the fee into the 4157  
state treasury and shall pay twenty dollars of the fee into the 4158  
county general revenue fund. 4159

**Sec. 4749.10.** (A) No class A, B, or C licensee and no 4160  
registered employee of a class A, B, or C licensee shall carry a 4161  
firearm, as defined in section 2923.11 of the Revised Code, in 4162  
the course of engaging in the business of private investigation, 4163  
the business of security services, or both businesses, unless 4164  
all of the following apply: 4165

(1) The licensee or employee either has successfully 4166  
completed a basic firearm training program at a training school 4167  
approved by the Ohio peace officer training commission, which 4168  
program includes twenty hours of training in handgun use and, if 4169  
any firearm other than a handgun is to be used, five hours of 4170  
training in the use of other firearms, and has received a 4171  
certificate of satisfactory completion of that program from the 4172  
executive director of the commission; the licensee or employee 4173  
has, within three years prior to November 27, 1985, 4174  
satisfactorily completed firearms training that has been 4175  
approved by the commission as being equivalent to such a program 4176  
and has received written evidence of approval of that training 4177  
from the executive director of the commission; or the licensee 4178  
or employee is a former peace officer, as defined in section 4179  
109.71 of the Revised Code, who previously had successfully 4180  
completed a firearms training course at a training school 4181  
approved by the Ohio peace officer training commission and has 4182  
received a certificate or other evidence of satisfactory 4183  
completion of that course from the executive director of the 4184  
commission. 4185

(2) The licensee or employee submits an application to the 4186  
director of public safety, on a form prescribed by the director, 4187  
in which the licensee or employee requests registration as a 4188  
class A, B, or C licensee or employee who may carry a firearm. 4189  
The application shall be accompanied by a copy of the 4190  
certificate or the written evidence or other evidence described 4191  
in division (A) (1) of this section, the identification card 4192  
issued pursuant to section 4749.03 or 4749.06 of the Revised 4193  
Code if one has previously been issued, a statement of the 4194  
duties that will be performed while the licensee or employee is 4195  
armed, and a fee the director determines, not to exceed fifteen 4196

dollars. In the case of a registered employee, the statement 4197  
shall be prepared by the employing class A, B, or C licensee. 4198

(3) The licensee or employee receives a notation on the 4199  
licensee's or employee's identification card that the licensee 4200  
or employee is a firearm-bearer and carries the identification 4201  
card whenever the licensee or employee carries a firearm in the 4202  
course of engaging in the business of private investigation, the 4203  
business of security services, or both businesses. 4204

(4) At any time within the immediately preceding twelve- 4205  
month period, the licensee or employee has requalified in 4206  
firearms use on a firearms training range at a firearms 4207  
requalification program certified by the Ohio peace officer 4208  
training commission or on a firearms training range under the 4209  
supervision of an instructor certified by the commission and has 4210  
received a certificate of satisfactory requalification from the 4211  
certified program or certified instructor, provided that this 4212  
division does not apply to any licensee or employee prior to the 4213  
expiration of eighteen months after the licensee's or employee's 4214  
completion of the program described in division (A)(1) of this 4215  
section. A certificate of satisfactory requalification is valid 4216  
and remains in effect for twelve months from the date of the 4217  
requalification. 4218

(5) If division (A)(4) of this section applies to the 4219  
licensee or employee, the licensee or employee carries the 4220  
certificate of satisfactory requalification that then is in 4221  
effect or any other evidence of requalification issued or 4222  
provided by the director. 4223

(B)(1) The director of public safety shall register an 4224  
applicant under division (A) of this section who satisfies 4225  
divisions (A)(1) and (2) of this section, and place a notation 4226

on the applicant's identification card indicating that the 4227  
applicant is a firearm-bearer and the date on which the 4228  
applicant completed the program described in division (A) (1) of 4229  
this section. 4230

(2) A firearms requalification training program or 4231  
instructor certified by the commission for the annual 4232  
requalification of class A, B, or C licensees or employees who 4233  
are authorized to carry a firearm under section 4749.10 of the 4234  
Revised Code shall award a certificate of satisfactory 4235  
requalification to each class A, B, or C licensee or registered 4236  
employee of a class A, B, or C licensee who satisfactorily 4237  
requalifies in firearms training. The certificate shall identify 4238  
the licensee or employee and indicate the date of the 4239  
requalification. A licensee or employee who receives such a 4240  
certificate shall submit a copy of it to the director of public 4241  
safety. A licensee shall submit the copy of the requalification 4242  
certificate at the same time that the licensee makes application 4243  
for renewal of the licensee's class A, B, or C license. The 4244  
director shall keep a record of all copies of requalification 4245  
certificates the director receives under this division and shall 4246  
establish a procedure for the updating of identification cards 4247  
to provide evidence of compliance with the annual 4248  
requalification requirement. The procedure for the updating of 4249  
identification cards may provide for the issuance of a new card 4250  
containing the evidence, the entry of a new notation containing 4251  
the evidence on the existing card, the issuance of a separate 4252  
card or paper containing the evidence, or any other procedure 4253  
determined by the director to be reasonable. Each person who is 4254  
issued a requalification certificate under this division 4255  
promptly shall pay to the Ohio peace officer training commission 4256  
established by section 109.71 of the Revised Code a fee the 4257

director determines, not to exceed fifteen dollars, which fee 4258  
shall be transmitted to the treasurer of state for deposit in 4259  
the peace officer private security fund established by section 4260  
109.78 of the Revised Code. 4261

(C) Nothing in this section prohibits a private 4262  
investigator or a security guard provider from carrying a 4263  
concealed handgun—deadly weapon that is not an exclusive deadly 4264  
weapon if the private investigator or security guard provider 4265  
complies with sections 2923.124 to 2923.1213 of the Revised 4266  
Code. 4267

(D) As used in this section: 4268

(1) "Deadly weapon" has the same meaning as in section 4269  
2923.11 of the Revised Code. 4270

(2) "Exclusive deadly weapon" has the same meaning as in 4271  
section 2923.111 of the Revised Code. 4272

**Section 2.** That existing sections 9.68, 109.69, 109.731, 4273  
311.41, 311.42, 311.43, 1547.69, 2921.13, 2923.11, 2923.111, 4274  
2923.12, 2923.121, 2923.122, 2923.123, 2923.124, 2923.125, 4275  
2923.126, 2923.127, 2923.128, 2923.129, 2923.1210, 2923.1211, 4276  
2923.1212, 2923.1213, 2923.16, 2923.17, 2953.35, and 4749.10 of 4277  
the Revised Code are hereby repealed. 4278

**Section 3.** That section 1533.04 of the Revised Code is 4279  
hereby repealed. 4280

**Section 4.** If any provision of a section of this act or 4281  
the application thereof to any person or circumstance is held 4282  
invalid, the invalidity does not affect other provisions or 4283  
applications of the section or related sections that can be 4284  
given effect without the invalid provision or application, and 4285  
to this end the provisions are severable. 4286

**Section 5.** This act shall be known as the Freedom to Carry 4287  
Act. 4288

**Section 6.** The General Assembly, applying the principle 4289  
stated in division (B) of section 1.52 of the Revised Code that 4290  
amendments are to be harmonized if reasonably capable of 4291  
simultaneous operation, finds that the following section, 4292  
presented in this act as a composite of the section as amended 4293  
by the acts indicated, is the resulting version of the section 4294  
in effect prior to the effective date of the section as 4295  
presented in this act: 4296

Section 2923.125 of the Revised Code as amended by both 4297  
H.B. 281 and S.B. 288 of the 134th General Assembly. 4298

Section 2923.126 of the Revised Code as amended by H.B. 4299  
33, H.B. 452, and S.B. 98, all of the 135th General Assembly. 4300

Section 2923.128 of the Revised Code as amended by H.B. 4301  
281, S.B. 215, and S.B. 288, all of the 134th General Assembly. 4302

Section 2923.1213 of the Revised Code as amended by both 4303  
H.B. 281 and S.B. 288 of the 134th General Assembly. 4304