As Introduced

132nd General Assembly

Regular Session

2017-2018

Representatives Householder, Lanese

Cosponsors: Representatives Koehler, Riedel, Seitz, Conditt, Hambley, Stein, Butler, Kick, Schaffer, Brinkman, Hughes, Goodman, Vitale, Merrin, Wiggam, Keller, Faber, Becker, Gavarone, Antani, Perales, Carfagna, Johnson, Duffey, Young, Thompson, Brenner, McColley, Hood, Sprague, Hagan, Hill, Greenspan

A BILL

-	To amend sections 2923.12, 2923.121, 2923.123, and	1
	2923.126 of the Revised Code to permit law	2
	enforcement officers to carry firearms off duty	3
	in places otherwise prohibited for concealed	4
	handgun licensees.	5

H. B. No. 253

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

Section 1. That sections 2923.12, 2923.121, 2923.123, and	6
2923.126 of the Revised Code be amended to read as follows:	7
Sec. 2923.12. (A) No person shall knowingly carry or have,	8
concealed on the person's person or concealed ready at hand, any	9
of the following:	10
(1) A deadly weapon other than a handgun;	11
(2) A handgun other than a dangerous ordnance;	12
(3) A dangerous ordnance.	13
(B) No person who has been issued a concealed handgun	14

license shall do any of the following:

(1) If the person is stopped for a law enforcement purpose and is carrying a concealed handgun, fail to promptly inform any law enforcement officer who approaches the person after the person has been stopped that the person has been issued a concealed handgun license and that the person then is carrying a concealed handgun;

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

(3) If the person is stopped for a law enforcement 29 purpose, if the person is carrying a concealed handgun, and if 30 the person is approached by any law enforcement officer while 31 stopped, knowingly remove or attempt to remove the loaded 32 handgun from the holster, pocket, or other place in which the 33 person is carrying it, knowingly grasp or hold the loaded 34 handgun, or knowingly have contact with the loaded handgun by 35 touching it with the person's hands or fingers at any time after 36 the law enforcement officer begins approaching and before the 37 law enforcement officer leaves, unless the person removes, 38 attempts to remove, grasps, holds, or has contact with the 39 loaded handgun pursuant to and in accordance with directions 40 given by the law enforcement officer; 41

(4) If the person is stopped for a law enforcement purpose
and is carrying a concealed handgun, knowingly disregard or fail
to comply with any lawful order of any law enforcement officer
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given while the person is stopped, including, but not limited 45 to, a specific order to the person to keep the person's hands in 46 plain sight. 47

(C)(1) This section does not apply to any of the 48
following: 49

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

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

(c) A person's transportation or storage of a firearm,
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other than a firearm described in divisions (G) to (M) of
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section 2923.11 of the Revised Code, in a motor vehicle for any
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lawful purpose if the firearm is not on the actor's person;
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(d) A person's storage or possession of a firearm, other
(d) A person's storage or possession of a firearm, other
(e) the firearm described in divisions (G) to (M) of section
(f) 2923.11 of the Revised Code, in the actor's own home for any
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(f) 12923.11 of the Revised Code, in

(2) Division (A) (2) of this section does not apply to any
person who, at the time of the alleged carrying or possession of
a handgun, either is carrying a valid concealed handgun license
or is an active duty member of the armed forces of the United
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States and is carrying a valid military identification card and74documentation of successful completion of firearms training that75meets or exceeds the training requirements described in division76(G) (1) of section 2923.125 of the Revised Code, unless the77person knowingly is in a place described in division78section 2923.126 of the Revised Code.79

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

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

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

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

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

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(F)(1) Whoever violates this section is guilty of carrying 103 concealed weapons. Except as otherwise provided in this division 104 or divisions (F)(2), (6), and (7) of this section, carrying 105 concealed weapons in violation of division (A) of this section 106 is a misdemeanor of the first degree. Except as otherwise 107 provided in this division or divisions (F)(2), (6), and (7) of 108 this section, if the offender previously has been convicted of a 109 violation of this section or of any offense of violence, if the 110 weapon involved is a firearm that is either loaded or for which 111 the offender has ammunition ready at hand, or if the weapon 112 involved is dangerous ordnance, carrying concealed weapons in 113 violation of division (A) of this section is a felony of the 114 fourth degree. Except as otherwise provided in divisions (F)(2) 115 and (6) of this section, if the offense is committed aboard an 116 aircraft, or with purpose to carry a concealed weapon aboard an 117 aircraft, regardless of the weapon involved, carrying concealed 118 weapons in violation of division (A) of this section is a felony 119 of the third degree. 120

(2) Except as provided in division (F)(6) of this section, 121 if a person being arrested for a violation of division (A)(2) of 122 this section promptly produces a valid concealed handgun 123 license, and if at the time of the violation the person was not 124 knowingly in a place described in division (B) of section 125 2923.126 of the Revised Code, the officer shall not arrest the 126 person for a violation of that division. If the person is not 127 able to promptly produce any concealed handgun license and if 128 the person is not in a place described in that section, the 129 officer may arrest the person for a violation of that division, 130 and the offender shall be punished as follows: 131

(a) The offender shall be guilty of a minor misdemeanor ifboth of the following apply:133

(i) Within ten days after the arrest, the offender 134 presents a concealed handgun license, which license was valid at 135 the time of the arrest to the law enforcement agency that 136 employs the arresting officer. 137 (ii) At the time of the arrest, the offender was not 138 knowingly in a place described in division (B) of section 139 2923.126 of the Revised Code. 140 141 (b) The offender shall be guilty of a misdemeanor and shall be fined five hundred dollars if all of the following 142 143 apply: (i) The offender previously had been issued a concealed 144 handgun license, and that license expired within the two years 145 immediately preceding the arrest. 146 (ii) Within forty-five days after the arrest, the offender 147 presents a concealed handgun license to the law enforcement 148 agency that employed the arresting officer, and the offender 149 waives in writing the offender's right to a speedy trial on the 150 charge of the violation that is provided in section 2945.71 of 151 the Revised Code. 152 (iii) At the time of the commission of the offense, the 153 offender was not knowingly in a place described in division (B) 154 of section 2923.126 of the Revised Code. 155 (c) If divisions (F)(2)(a) and (b) and (F)(6) of this 156 section do not apply, the offender shall be punished under 157 division (F)(1) or (7) of this section. 158 (3) Except as otherwise provided in this division, 159

carrying concealed weapons in violation of division (B)(1) of 160 this section is a misdemeanor of the first degree, and, in 161 addition to any other penalty or sanction imposed for a 162

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violation of division (B)(1) of this section, the offender's 163 concealed handgun license shall be suspended pursuant to 164 division (A)(2) of section 2923.128 of the Revised Code. If, at 165 the time of the stop of the offender for a law enforcement 166 purpose that was the basis of the violation, any law enforcement 167 officer involved with the stop had actual knowledge that the 168 offender has been issued a concealed handgun license, carrying 169 concealed weapons in violation of division (B)(1) of this 170 section is a minor misdemeanor, and the offender's concealed 171 handgun license shall not be suspended pursuant to division (A) 172 (2) of section 2923.128 of the Revised Code. 173

(4) Carrying concealed weapons in violation of division 174 (B) (2) or (4) of this section is a misdemeanor of the first 175 degree or, if the offender previously has been convicted of or 176 pleaded guilty to a violation of division (B)(2) or (4) of this 177 section, a felony of the fifth degree. In addition to any other 178 penalty or sanction imposed for a misdemeanor violation of 179 division (B)(2) or (4) of this section, the offender's concealed 180 handgun license shall be suspended pursuant to division (A) (2) 181 of section 2923.128 of the Revised Code. 182

(5) Carrying concealed weapons in violation of division(B) (3) of this section is a felony of the fifth degree.184

(6) If a person being arrested for a violation of division 185 (A) (2) of this section is an active duty member of the armed 186 forces of the United States and is carrying a valid military 187 identification card and documentation of successful completion 188 of firearms training that meets or exceeds the training 189 requirements described in division (G)(1) of section 2923.125 of 190 the Revised Code, and if at the time of the violation the person 191 was not knowingly in a place described in division (B) of 192

section 2923.126 of the Revised Code, the officer shall not 193 arrest the person for a violation of that division. If the 194 person is not able to promptly produce a valid military 195 identification card and documentation of successful completion 196 of firearms training that meets or exceeds the training 197 requirements described in division (G)(1) of section 2923.125 of 198 the Revised Code and if the person is not in a place described 199 in division (B) of section 2923.126 of the Revised Code, the 200 officer shall issue a citation and the offender shall be 201 assessed a civil penalty of not more than five hundred dollars. 202 The citation shall be automatically dismissed and the civil 203 penalty shall not be assessed if both of the following apply: 204

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

(b) At the time of the citation, the offender was not212knowingly in a place described in division (B) of section2923.126 of the Revised Code.214

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

(a) Except as otherwise provided in this division, if the221person produces a valid concealed handgun license within ten222

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days after the arrest and has not previously been convicted or223pleaded guilty to a violation of division (A) (2) of this224section, the person is guilty of a minor misdemeanor;225

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

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

(G) If a law enforcement officer stops a person to 242 question the person regarding a possible violation of this 243 section, for a traffic stop, or for any other law enforcement 244 purpose, if the person surrenders a firearm to the officer, 245 either voluntarily or pursuant to a request or demand of the 246 officer, and if the officer does not charge the person with a 247 violation of this section or arrest the person for any offense, 248 the person is not otherwise prohibited by law from possessing 249 the firearm, and the firearm is not contraband, the officer 250 shall return the firearm to the person at the termination of the 251 stop. If a court orders a law enforcement officer to return a 252

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firearm to a person pursuant to the requirement set forth in 253 this division, division (B) of section 2923.163 of the Revised 254 Code applies. 255

Sec. 2923.121. (A) No person shall possess a firearm in 256 any room in which any person is consuming beer or intoxicating 257 liquor in a premises for which a D permit has been issued under 258 Chapter 4303. of the Revised Code or in an open air arena for 259 which a permit of that nature has been issued. 260

(B) (1) This section does not apply to any of thefollowing:262

(a) An officer, agent, or employee of this or any other state or the United States, or to a law enforcement officer, who is authorized to carry firearms and is acting within the scope of the officer's, agent's, or employee's duties as long as the officer, agent, or employee is not consuming beer or intoxicating liquor or under the influence of alcohol or a drug of abuse;

(b) Any person who is employed in this state, who is 270
authorized to carry firearms, and who is subject to and in 271
compliance with the requirements of section 109.801 of the 272
Revised Code, unless the appointing authority of the person has 273
expressly specified that the exemption provided in division (B) 274
(1) (b) of this section does not apply to the person; 275

(c) Any room used for the accommodation of guests of a 276hotel, as defined in section 4301.01 of the Revised Code; 277

(d) The principal holder of a D permit issued for a 278
premises or an open air arena under Chapter 4303. of the Revised 279
Code while in the premises or open air arena for which the 280
permit was issued if the principal holder of the D permit also 281

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possesses a valid concealed handgun license and as long as the 282 principal holder is not consuming beer or intoxicating liquor or 283 under the influence of alcohol or a drug of abuse, or any agent 284 or employee of that holder who also is a peace officer, as 285 defined in section 2151.3515 of the Revised Code, who is off 286 duty, and who otherwise is authorized to carry firearms while in 287 the course of the officer's official duties and while in the 288 premises or open air arena for which the permit was issued and 289 as long as the agent or employee of that holder is not consuming 290 beer or intoxicating liquor or under the influence of alcohol or 291 a drug of abuse. 292

(e) Any person who is carrying a valid concealed handgun license or any person who is an active duty member of the armed forces of the United States and is carrying a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G) (1) of section 2923.125 of the Revised Code, as long as the person is not consuming beer or intoxicating liquor or under the influence of alcohol or a drug of abuse.

(2) This section does not prohibit any person who is a 302
member of a veteran's organization, as defined in section 303
2915.01 of the Revised Code, from possessing a rifle in any room 304
in any premises owned, leased, or otherwise under the control of 305
the veteran's organization, if the rifle is not loaded with live 306
ammunition and if the person otherwise is not prohibited by law 307
from having the rifle. 308

(3) This section does not apply to any person possessing
or displaying firearms in any room used to exhibit unloaded
firearms for sale or trade in a soldiers' memorial established
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pursuant to Chapter 345. of the Revised Code, in a convention312center, or in any other public meeting place, if the person is313an exhibitor, trader, purchaser, or seller of firearms and is314not otherwise prohibited by law from possessing, trading,315purchasing, or selling the firearms.316

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

(1) The firearm was carried or kept ready at hand by the 322
actor for defensive purposes, while the actor was engaged in or 323
was going to or from the actor's lawful business or occupation, 324
which business or occupation was of such character or was 325
necessarily carried on in such manner or at such a time or place 326
as to render the actor particularly susceptible to criminal 327
attack, such as would justify a prudent person in going armed. 328

(2) The firearm was carried or kept ready at hand by the
actor for defensive purposes, while the actor was engaged in a
lawful activity, and had reasonable cause to fear a criminal
attack upon the actor or a member of the actor's family, or upon
the actor's home, such as would justify a prudent person in
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(D) No person who is charged with a violation of this
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 section shall be required to obtain a concealed handgun license
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 as a condition for the dismissal of the charge.
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(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
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firearm in a liquor permit premises is a felony of the fifth 341 degree. If the offender commits the violation of this section by 342 knowingly carrying or having the firearm concealed on the 343 offender's person or concealed ready at hand, illegal possession 344 of a firearm in a liquor permit premises is a felony of the 345 third degree. 346

(F) As used in this section, "beer" and "intoxicating347liquor" have the same meanings as in section 4301.01 of theRevised Code.349

Sec. 2923.123. (A) No person shall knowingly convey or 350 attempt to convey a deadly weapon or dangerous ordnance into a 351 courthouse or into another building or structure in which a 352 courtroom is located. 353

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

(C) This section does not apply to any of the following: 358

(1) Except as provided in division (E) of this section, a 359judge of a court of record of this state or a magistrate; 360

(2) A peace officer, officer of a law enforcement agency,or person who is in either of the following categories:362

(a) Except as provided in division (E) of this section, a
peace officer, or an officer of a law enforcement agency of
another state, a political subdivision of another state, or the
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United States, who is authorized to carry a deadly weapon or
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dangerous ordnance, who possesses or has under that individual's
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control a deadly weapon or dangerous ordnance as a requirement
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of that individual's duties, and who is acting within the scope

control; 371 (b) Except as provided in division (E) of this section, a 372 person who is employed in this state, who is authorized to carry 373 a deadly weapon or dangerous ordnance, who possesses or has 374 under that individual's control a deadly weapon or dangerous 375 ordnance as a requirement of that person's duties, and who is 376 subject to and in compliance with the requirements of section 377 109.801 of the Revised Code, unless the appointing authority of 378 the person has expressly specified that the exemption provided 379 in division (C)(2)(b) of this section does not apply to the 380 person. 381 (3) A person who conveys, attempts to convey, possesses, 382 or has under the person's control a deadly weapon or dangerous 383 ordnance that is to be used as evidence in a pending criminal or 384 civil action or proceeding; 385 (4) Except as provided in division (E) of this section, a 386 bailiff or deputy bailiff of a court of record of this state who 387 is authorized to carry a firearm pursuant to section 109.77 of 388 the Revised Code, who possesses or has under that individual's 389 control a firearm as a requirement of that individual's duties, 390 and who is acting within the scope of that individual's duties 391 at the time of that possession or control; 392 (5) Except as provided in division (E) of this section, a 393 prosecutor, or a secret service officer appointed by a county 394 prosecuting attorney, who is authorized to carry a deadly weapon 395 or dangerous ordnance in the performance of the individual's 396 duties, who possesses or has under that individual's control a 397

deadly weapon or dangerous ordnance as a requirement of that

individual's duties, and who is acting within the scope of that

of that individual's duties at the time of that possession or

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individual's duties at the time of that possession or control; 400 (6) Except as provided in division (E) of this section, a 401 person who conveys or attempts to convey a handgun into a 402 courthouse or into another building or structure in which a 403 courtroom is located, who, at the time of the conveyance or 404 attempt, either is carrying a valid concealed handgun license or 405 is an active duty member of the armed forces of the United 406 States and is carrying a valid military identification card and 407 documentation of successful completion of firearms training that 408 409 meets or exceeds the training requirements described in division (G)(1) of section 2923.125 of the Revised Code, and who 410 transfers possession of the handgun to the officer or officer's 411 designee who has charge of the courthouse or building. The 412 officer shall secure the handgun until the licensee is prepared 413 to leave the premises. The exemption described in this division 414 applies only if the officer who has charge of the courthouse or 415 building provides services of the nature described in this 416 division. An officer who has charge of the courthouse or 417 building is not required to offer services of the nature 418 described in this division. 419

(D)(1) Whoever violates division (A) of this section is 420 guilty of illegal conveyance of a deadly weapon or dangerous 421 ordnance into a courthouse. Except as otherwise provided in this 422 division, illegal conveyance of a deadly weapon or dangerous 423 ordnance into a courthouse is a felony of the fifth degree. If 424 the offender previously has been convicted of a violation of 425 division (A) or (B) of this section, illegal conveyance of a 426 deadly weapon or dangerous ordnance into a courthouse is a 427 felony of the fourth degree. 428

(2) Whoever violates division (B) of this section is

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quilty of illegal possession or control of a deadly weapon or 430 dangerous ordnance in a courthouse. Except as otherwise provided 431 in this division, illegal possession or control of a deadly 432 weapon or dangerous ordnance in a courthouse is a felony of the 433 fifth degree. If the offender previously has been convicted of a 434 violation of division (A) or (B) of this section, illegal 435 possession or control of a deadly weapon or dangerous ordnance 436 in a courthouse is a felony of the fourth degree. 437

(E) (1) The exemptions described in divisions (C) (1), (2) 438 (a), (2)(b), (4), (5), and (6) of this section do not apply to 439 any judge, magistrate, peace officer, officer of a law 440 enforcement agency, bailiff, deputy bailiff, prosecutor, secret 441 service officer, or other person described in any of those 442 divisions if a rule of superintendence or another type of rule 443 adopted by the supreme court pursuant to Article IV, Ohio 444 Constitution, or an applicable local rule of court prohibits all 445 persons from conveying or attempting to convey a deadly weapon 446 or dangerous ordnance into a courthouse or into another building 447 or structure in which a courtroom is located or from possessing 448 or having under one's control a deadly weapon or dangerous 449 ordnance in a courthouse or in another building or structure in 450 which a courtroom is located. 451

(2) The exemption described in division (C) (2) (a) of this452section does not apply to a peace officer, or an officer of a453law enforcement agency of another state, a political subdivision454of another state, or the United States, who possesses or has455under the officer's control a deadly weapon or dangerous456ordnance in a courthouse or another building or structure in457which a courtroom is located if all of the following apply:458

(a) The officer is off duty at the time of possession.

(b) A criminal proceeding is occurring in which the	460
defendant is charged with an offense of violence and the alleged	461
victim is a family or household member of the officer.	462
	4.6.2
(c) The judge presiding over the case has issued an order	463
prohibiting the officer from possessing a deadly weapon or	464
dangerous ordnance in the courthouse or the building or	465
structure in which the courtroom is located while the criminal	466
proceeding is occurring.	467
(F) As used in this section:	468
(1) <u>"Family or household member" has the same meaning as</u>	469
in section 2919.25 of the Revised Code.	470
(2) "Magistrate" means an individual who is appointed by a	471
court of record of this state and who has the powers and may	472
perform the functions specified in Civil Rule 53, Criminal Rule	473
19, or Juvenile Rule 40.	
(2) (3) "Peace officer" and "prosecutor" have the same	475
meanings as in section 2935.01 of the Revised Code.	476
Sec. 2923.126. (A) A concealed handgun license that is	477
Sec. 2923.126. (A) A concealed handgun license that is issued under section 2923.125 of the Revised Code shall expire	477 478
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issued under section 2923.125 of the Revised Code shall expire	478
issued under section 2923.125 of the Revised Code shall expire five years after the date of issuance. A licensee who has been	478 479
issued under section 2923.125 of the Revised Code shall expire five years after the date of issuance. A licensee who has been issued a license under that section shall be granted a grace	478 479 480
issued under section 2923.125 of the Revised Code shall expire five years after the date of issuance. A licensee who has been issued a license under that section shall be granted a grace period of thirty days after the licensee's license expires	478 479 480 481
issued under section 2923.125 of the Revised Code shall expire five years after the date of issuance. A licensee who has been issued a license under that section shall be granted a grace period of thirty days after the licensee's license expires during which the licensee's license remains valid. Except as	478 479 480 481 482
issued under section 2923.125 of the Revised Code shall expire five years after the date of issuance. A licensee who has been issued a license under that section shall be granted a grace period of thirty days after the licensee's license expires during which the licensee's license remains valid. Except as provided in divisions (B) and (C) of this section, a licensee	478 479 480 481 482 483
issued under section 2923.125 of the Revised Code shall expire five years after the date of issuance. A licensee who has been issued a license under that section shall be granted a grace period of thirty days after the licensee's license expires during which the licensee's license remains valid. Except as provided in divisions (B) and (C) of this section, a licensee who has been issued a concealed handgun license under section	478 479 480 481 482 483 484
issued under section 2923.125 of the Revised Code shall expire five years after the date of issuance. A licensee who has been issued a license under that section shall be granted a grace period of thirty days after the licensee's license expires during which the licensee's license remains valid. Except as provided in divisions (B) and (C) of this section, a licensee who has been issued a concealed handgun license under section 2923.125 or 2923.1213 of the Revised Code may carry a concealed	478 479 480 481 482 483 484 485
issued under section 2923.125 of the Revised Code shall expire five years after the date of issuance. A licensee who has been issued a license under that section shall be granted a grace period of thirty days after the licensee's license expires during which the licensee's license remains valid. Except as provided in divisions (B) and (C) of this section, a licensee who has been issued a concealed handgun license under section 2923.125 or 2923.1213 of the Revised Code may carry a concealed handgun anywhere in this state if the licensee also carries a	478 479 480 481 482 483 483 484 485 486

give notice of any change in the licensee's residence address to 489 the sheriff who issued the license within forty-five days after 490 that change. 491

If a licensee is the driver or an occupant of a motor 492 vehicle that is stopped as the result of a traffic stop or a 493 stop for another law enforcement purpose and if the licensee is 494 transporting or has a loaded handgun in the motor vehicle at 495 that time, the licensee shall promptly inform any law 496 enforcement officer who approaches the vehicle while stopped 497 that the licensee has been issued a concealed handgun license 498 and that the licensee currently possesses or has a loaded 499 handgun; the licensee shall not knowingly disregard or fail to 500 comply with lawful orders of a law enforcement officer given 501 while the motor vehicle is stopped, knowingly fail to remain in 502 the motor vehicle while stopped, or knowingly fail to keep the 503 licensee's hands in plain sight after any law enforcement 504 officer begins approaching the licensee while stopped and before 505 the officer leaves, unless directed otherwise by a law 506 enforcement officer; and the licensee shall not knowingly have 507 contact with the loaded handgun by touching it with the 508 509 licensee's hands or fingers, in any manner in violation of division (E) of section 2923.16 of the Revised Code, after any 510 law enforcement officer begins approaching the licensee while 511 stopped and before the officer leaves. Additionally, if a 512 licensee is the driver or an occupant of a commercial motor 513 vehicle that is stopped by an employee of the motor carrier 514 enforcement unit for the purposes defined in section 5503.34 of 515 the Revised Code and if the licensee is transporting or has a 516 loaded handgun in the commercial motor vehicle at that time, the 517 licensee shall promptly inform the employee of the unit who 518 approaches the vehicle while stopped that the licensee has been 519 issued a concealed handgun license and that the licensee 520 currently possesses or has a loaded handgun. 521

If a licensee is stopped for a law enforcement purpose and 522 if the licensee is carrying a concealed handgun at the time the 523 officer approaches, the licensee shall promptly inform any law 524 enforcement officer who approaches the licensee while stopped 525 that the licensee has been issued a concealed handgun license 526 and that the licensee currently is carrying a concealed handgun; 527 the licensee shall not knowingly disregard or fail to comply 528 529 with lawful orders of a law enforcement officer given while the licensee is stopped or knowingly fail to keep the licensee's 530 hands in plain sight after any law enforcement officer begins 531 approaching the licensee while stopped and before the officer 532 leaves, unless directed otherwise by a law enforcement officer; 533 and the licensee shall not knowingly remove, attempt to remove, 534 grasp, or hold the loaded handgun or knowingly have contact with 535 the loaded handgun by touching it with the licensee's hands or 536 fingers, in any manner in violation of division (B) of section 537 2923.12 of the Revised Code, after any law enforcement officer 538 begins approaching the licensee while stopped and before the 539 officer leaves. 540

(B) A valid concealed handgun license does not authorize
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the licensee to carry a concealed handgun in any manner
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prohibited under division (B) of section 2923.12 of the Revised
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Code or in any manner prohibited under section 2923.16 of the
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Revised Code. A valid license does not authorize the licensee to
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carry a concealed handgun into any of the following places:
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(1) A police station, sheriff's office, or state highway
 patrol station, premises controlled by the bureau of criminal
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 identification and investigation; a state correctional
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institution, jail, workhouse, or other detention facility; any 550 area of an airport passenger terminal that is beyond a passenger 551 or property screening checkpoint or to which access is 552 restricted through security measures by the airport authority or 553 a public agency; or an institution that is maintained, operated, 554 managed, and governed pursuant to division (A) of section 555 5119.14 of the Revised Code or division (A)(1) of section 556 5123.03 of the Revised Code; 557

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

(3) A courthouse or another building or structure in which a courtroom is located, in violation of section 2923.123 of the Revised Code;

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

(5) Any premises owned or leased by any public or private 568 569 college, university, or other institution of higher education, unless the handgun is in a locked motor vehicle or the licensee 570 is in the immediate process of placing the handgun in a locked 571 motor vehicle or unless the licensee is carrying the concealed 572 handgun pursuant to a written policy, rule, or other 573 authorization that is adopted by the institution's board of 574 trustees or other governing body and that authorizes specific 575 individuals or classes of individuals to carry a concealed 576 handgun on the premises; 577

(6) Any church, synagogue, mosque, or other place of

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worship, unless the church, synagogue, mosque, or other place of 579 worship posts or permits otherwise; 580 (7) Any building that is a government facility of this 581 state or a political subdivision of this state and that is not a 582 building that is used primarily as a shelter, restroom, parking 583 facility for motor vehicles, or rest facility and is not a 584 courthouse or other building or structure in which a courtroom 585 is located that is subject to division (B)(3) of this section, 586 unless the governing body with authority over the building has 587 enacted a statute, ordinance, or policy that permits a licensee 588 to carry a concealed handgun into the building; 589 (8) A place in which federal law prohibits the carrying of 590 handguns. 591 (C) (1) Nothing in this section shall negate or restrict a 592 rule, policy, or practice of a private employer that is not a 593

private college, university, or other institution of higher 594 education concerning or prohibiting the presence of firearms on 595 the private employer's premises or property, including motor 596 vehicles owned by the private employer. Nothing in this section 597 shall require a private employer of that nature to adopt a rule, 598 policy, or practice concerning or prohibiting the presence of 599 firearms on the private employer's premises or property, 600 including motor vehicles owned by the private employer. 601

(2) (a) A private employer shall be immune from liability
in a civil action for any injury, death, or loss to person or
property that allegedly was caused by or related to a licensee
bringing a handgun onto the premises or property of the private
employer, including motor vehicles owned by the private
employer, unless the private employer acted with malicious
purpose. A private employer is immune from liability in a civil

action for any injury, death, or loss to person or property that609allegedly was caused by or related to the private employer's610decision to permit a licensee to bring, or prohibit a licensee611from bringing, a handgun onto the premises or property of the612private employer.613

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

(c) An institution of higher education shall be immune 623 from liability in a civil action for any injury, death, or loss 624 to person or property that allegedly was caused by or related to 625 a licensee bringing a handgun onto the premises of the 62.6 institution, including motor vehicles owned by the institution, 627 62.8 unless the institution acted with malicious purpose. An institution of higher education is immune from liability in a 629 civil action for any injury, death, or loss to person or 630 property that allegedly was caused by or related to the 631 institution's decision to permit a licensee or class of 632 licensees to bring a handgun onto the premises of the 633 institution. 634

(3) (a) Except as provided in division (C) (3) (b) of this
section, the owner or person in control of private land or
premises, and a private person or entity leasing land or
premises owned by the state, the United States, or a political
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subdivision of the state or the United States, may post a sign 639 in a conspicuous location on that land or on those premises 640 prohibiting persons from carrying firearms or concealed firearms 641 on or onto that land or those premises. Except as otherwise 642 provided in this division, a person who knowingly violates a 643 posted prohibition of that nature is guilty of criminal trespass 644 in violation of division (A)(4) of section 2911.21 of the 645 Revised Code and is guilty of a misdemeanor of the fourth 646 degree. If a person knowingly violates a posted prohibition of 647 that nature and the posted land or premises primarily was a 648 parking lot or other parking facility, the person is not guilty 649 of criminal trespass under section 2911.21 of the Revised Code 650 or under any other criminal law of this state or criminal law, 651 ordinance, or resolution of a political subdivision of this 652 state, and instead is subject only to a civil cause of action 653 for trespass based on the violation. 654

If a person knowingly violates a posted prohibition of the 655 nature described in this division and the posted land or 656 premises is a child day-care center, type A family day-care 657 home, or type B family day-care home, unless the person is a 658 licensee who resides in a type A family day-care home or type B 659 family day-care home, the person is guilty of aggravated 660 trespass in violation of section 2911.211 of the Revised Code. 661 Except as otherwise provided in this division, the offender is 662 guilty of a misdemeanor of the first degree. If the person 663 previously has been convicted of a violation of this division or 664 of any offense of violence, if the weapon involved is a firearm 665 that is either loaded or for which the offender has ammunition 666 ready at hand, or if the weapon involved is dangerous ordnance, 667 the offender is guilty of a felony of the fourth degree. 668

(b) A landlord may not prohibit or restrict a tenant who

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is a licensee and who on or after September 9, 2008, enters into 670 a rental agreement with the landlord for the use of residential 671 premises, and the tenant's guest while the tenant is present, 672 from lawfully carrying or possessing a handgun on those 673 residential premises. 674

(c) As used in division (C)(3) of this section: 675

(i) "Residential premises" has the same meaning as in
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section 5321.01 of the Revised Code, except "residential
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premises" does not include a dwelling unit that is owned or
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operated by a college or university.
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(ii) "Landlord," "tenant," and "rental agreement" have the680same meanings as in section 5321.01 of the Revised Code.681

(D) A person who holds a valid concealed handgun license 682 issued by another state that is recognized by the attorney 683 general pursuant to a reciprocity agreement entered into 684 pursuant to section 109.69 of the Revised Code or a person who 685 holds a valid concealed handgun license under the circumstances 686 described in division (B) of section 109.69 of the Revised Code 687 has the same right to carry a concealed handgun in this state as 688 689 a person who was issued a concealed handgun license under section 2923.125 of the Revised Code and is subject to the same 690 restrictions that apply to a person who carries a license issued 691 under that section. 692

(E) (1) A peace officer has the same right to carry a
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concealed handgun in this state as a person who was issued a
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concealed handgun license under section 2923.125 of the Revised
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Code and may carry in any of the places described in divisions
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(B) (1) to (7) of this section, subject to sections 2923.12,
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2923.121, 2923.122, and 2923.123 of the Revised Code, as well as
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on private property, regardless of any posted prohibition to the 699 contrary. For purposes of reciprocity with other states, a peace 700 officer shall be considered to be a licensee in this state. 701 (2) An active duty member of the armed forces of the 702 United States who is carrying a valid military identification 703 card and documentation of successful completion of firearms 704 training that meets or exceeds the training requirements 705 described in division (G)(1) of section 2923.125 of the Revised 706 707 Code has the same right to carry a concealed handgun in this 708 state as a person who was issued a concealed handgun license under section 2923.125 of the Revised Code and is subject to the 709 same restrictions as specified in this section. 710 (F) (1) A qualified retired peace officer who possesses a 711 retired peace officer identification card issued pursuant to 712 division (F)(2) of this section and a valid firearms 713 requalification certification issued pursuant to division (F)(3) 714 of this section has the same right to carry a concealed handgun 715 in this state as a person who was issued a concealed handgun 716 license under section 2923.125 of the Revised Code and is 717 subject to the same restrictions that apply to a person who 718 carries a license issued under that section. For purposes of 719 reciprocity with other states, a qualified retired peace officer 720 who possesses a retired peace officer identification card issued 721 pursuant to division (F)(2) of this section and a valid firearms 722 regualification certification issued pursuant to division (F) (3) 723 of this section shall be considered to be a licensee in this 724 state. 725

(2) (a) Each public agency of this state or of a political
subdivision of this state that is served by one or more peace
officers shall issue a retired peace officer identification card
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to any person who retired from service as a peace officer with729that agency, if the issuance is in accordance with the agency's730policies and procedures and if the person, with respect to the731person's service with that agency, satisfies all of the732following:733

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

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

(iii) At the time of the person's retirement as a peace 742
officer with that agency, the person was trained and qualified 743
to carry firearms in the performance of the peace officer's 744
duties. 745

(iv) Before retiring from service as a peace officer with 746 that agency, the person was regularly employed as a peace 747 officer for an aggregate of fifteen years or more, or, in the 748 alternative, the person retired from service as a peace officer 749 with that agency, after completing any applicable probationary 750 period of that service, due to a service-connected disability, 751 as determined by the agency. 752

(b) A retired peace officer identification card issued to
a person under division (F)(2)(a) of this section shall identify
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the person by name, contain a photograph of the person, identify
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the public agency of this state or of the political subdivision
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of this state from which the person retired as a peace officer
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and that is issuing the identification card, and specify that 758 the person retired in good standing from service as a peace 759 officer with the issuing public agency and satisfies the 760 criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 761 section. In addition to the required content specified in this 762 division, a retired peace officer identification card issued to 763 764 a person under division (F)(2)(a) of this section may include the firearms regualification certification described in division 765 (F) (3) of this section, and if the identification card includes 766 that certification, the identification card shall serve as the 767 firearms regualification certification for the retired peace 768 officer. If the issuing public agency issues credentials to 769 active law enforcement officers who serve the agency, the agency 770 may comply with division (F)(2)(a) of this section by issuing 771 the same credentials to persons who retired from service as a 772 peace officer with the agency and who satisfy the criteria set 773 forth in divisions (F)(2)(a)(i) to (iv) of this section, 774 provided that the credentials so issued to retired peace 775 officers are stamped with the word "RETIRED." 776

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

(3) If a person retired from service as a peace officer
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with a public agency of this state or of a political subdivision
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of this state and the person satisfies the criteria set forth in
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divisions (F) (2) (a) (i) to (iv) of this section, the public
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agency may provide the retired peace officer with the
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opportunity to attend a firearms requalification program that is
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approved for purposes of firearms requalification required under

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section 109.801 of the Revised Code. The retired peace officer	789
may be required to pay the cost of the course.	790
If a retired peace officer who satisfies the criteria set	791
forth in divisions (F)(2)(a)(i) to (iv) of this section attends	792
a firearms requalification program that is approved for purposes	793
of firearms requalification required under section 109.801 of	794
the Revised Code, the retired peace officer's successful	795
completion of the firearms requalification program requalifies	796
the retired peace officer for purposes of division (F) of this	797
section for five years from the date on which the program was	798
successfully completed, and the requalification is valid during	799
that five-year period. If a retired peace officer who satisfies	800
the criteria set forth in divisions (F)(2)(a)(i) to (iv) of this	801
section satisfactorily completes such a firearms requalification	802
program, the retired peace officer shall be issued a firearms	803
requalification certification that identifies the retired peace	804
officer by name, identifies the entity that taught the program,	805
specifies that the retired peace officer successfully completed	806
the program, specifies the date on which the course was	807
successfully completed, and specifies that the requalification	808
is valid for five years from that date of successful completion.	809
The firearms requalification certification for a retired peace	810
officer may be included in the retired peace officer	811
identification card issued to the retired peace officer under	812
division (F)(2) of this section.	813
A retired peace officer who attends a firearms	814

A retired peace officer who attends a firearms 814 requalification program that is approved for purposes of 815 firearms requalification required under section 109.801 of the 816 Revised Code may be required to pay the cost of the program. 817

(G) As used in this section:

(1) "Qualified retired peace officer" means a person who 819 satisfies all of the following: 820 (a) The person satisfies the criteria set forth in 821 divisions (F)(2)(a)(i) to (v) of this section. 822 (b) The person is not under the influence of alcohol or 823 another intoxicating or hallucinatory drug or substance. 824 825 (c) The person is not prohibited by federal law from receiving firearms. 826 (2) "Retired peace officer identification card" means an 827 identification card that is issued pursuant to division (F)(2) 828 of this section to a person who is a retired peace officer. 829 (3) "Government facility of this state or a political 830 subdivision of this state" means any of the following: 831 (a) A building or part of a building that is owned or 832 leased by the government of this state or a political 833 subdivision of this state and where employees of the government 834 of this state or the political subdivision regularly are present 835 for the purpose of performing their official duties as employees 836 of the state or political subdivision; 837 (b) The office of a deputy registrar serving pursuant to 838 Chapter 4503. of the Revised Code that is used to perform deputy 839 registrar functions. 840 (4) "Governing body" has the same meaning as in section 841 154.01 of the Revised Code. 842 Section 2. That existing sections 2923.12, 2923.121, 843

2923.123, and 2923.126 of the Revised Code are hereby repealed. 844