

As Introduced

131st General Assembly

Regular Session

2015-2016

H. B. No. 529

Representatives Retherford, Hagan

Cosponsors: Representatives Hambley, Becker, Koehler

A BILL

To amend sections 109.71, 109.73, 109.75, 109.79, 1
109.801, and 2923.126 and to enact sections 2
109.748 and 109.771 of the Revised Code to 3
provide for firearms training for tactical 4
medical professionals; to permit such a 5
professional who has received that training or 6
comparable training and who is authorized to 7
carry firearms by the law enforcement agency the 8
professional is serving to carry firearms while 9
on duty in the same manner, to the same extent, 10
in the same areas, and subject to the same 11
potential for civil and criminal liability as a 12
law enforcement officer of the agency; and to 13
grant such a professional, while on duty in that 14
capacity, the same right to carry a concealed 15
handgun in this state as a person who was issued 16
a concealed handgun license. 17

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

Section 1. That sections 109.71, 109.73, 109.75, 109.79, 18
109.801, and 2923.126 be amended and sections 109.748 and 19

109.771 of the Revised Code be enacted to read as follows: 20

Sec. 109.71. There is hereby created in the office of the 21
attorney general the Ohio peace officer training commission. The 22
commission shall consist of nine members appointed by the 23
governor with the advice and consent of the senate and selected 24
as follows: one member representing the public; two members who 25
are incumbent sheriffs; two members who are incumbent chiefs of 26
police; one member from the bureau of criminal identification 27
and investigation; one member from the state highway patrol; one 28
member who is the special agent in charge of a field office of 29
the federal bureau of investigation in this state; and one 30
member from the department of education, trade and industrial 31
education services, law enforcement training. 32

This section does not confer any arrest authority or any 33
ability or authority to detain a person, write or issue any 34
citation, or provide any disposition alternative, as granted 35
under Chapter 2935. of the Revised Code. 36

As used in sections 109.71 to 109.801 of the Revised Code: 37

(A) "Peace officer" means: 38

(1) A deputy sheriff, marshal, deputy marshal, member of 39
the organized police department of a township or municipal 40
corporation, member of a township police district or joint 41
police district police force, member of a police force employed 42
by a metropolitan housing authority under division (D) of 43
section 3735.31 of the Revised Code, or township constable, who 44
is commissioned and employed as a peace officer by a political 45
subdivision of this state or by a metropolitan housing 46
authority, and whose primary duties are to preserve the peace, 47
to protect life and property, and to enforce the laws of this 48

state, ordinances of a municipal corporation, resolutions of a township, or regulations of a board of county commissioners or board of township trustees, or any of those laws, ordinances, resolutions, or regulations;

(2) A police officer who is employed by a railroad company and appointed and commissioned by the secretary of state pursuant to sections 4973.17 to 4973.22 of the Revised Code;

(3) Employees of the department of taxation engaged in the enforcement of Chapter 5743. of the Revised Code and designated by the tax commissioner for peace officer training for purposes of the delegation of investigation powers under section 5743.45 of the Revised Code;

(4) An undercover drug agent;

(5) Enforcement agents of the department of public safety whom the director of public safety designates under section 5502.14 of the Revised Code;

(6) An employee of the department of natural resources who is a natural resources law enforcement staff officer designated pursuant to section 1501.013, a park officer designated pursuant to section 1541.10, a forest officer designated pursuant to section 1503.29, a preserve officer designated pursuant to section 1517.10, a wildlife officer designated pursuant to section 1531.13, or a state watercraft officer designated pursuant to section 1547.521 of the Revised Code;

(7) An employee of a park district who is designated pursuant to section 511.232 or 1545.13 of the Revised Code;

(8) An employee of a conservancy district who is designated pursuant to section 6101.75 of the Revised Code;

(9) A police officer who is employed by a hospital that	77
employs and maintains its own proprietary police department or	78
security department, and who is appointed and commissioned by	79
the secretary of state pursuant to sections 4973.17 to 4973.22	80
of the Revised Code;	81
(10) Veterans' homes police officers designated under	82
section 5907.02 of the Revised Code;	83
(11) A police officer who is employed by a qualified	84
nonprofit corporation police department pursuant to section	85
1702.80 of the Revised Code;	86
(12) A state university law enforcement officer appointed	87
under section 3345.04 of the Revised Code or a person serving as	88
a state university law enforcement officer on a permanent basis	89
on June 19, 1978, who has been awarded a certificate by the	90
executive director of the Ohio peace officer training commission	91
attesting to the person's satisfactory completion of an approved	92
state, county, municipal, or department of natural resources	93
peace officer basic training program;	94
(13) A special police officer employed by the department	95
of mental health and addiction services pursuant to section	96
5119.08 of the Revised Code or the department of developmental	97
disabilities pursuant to section 5123.13 of the Revised Code;	98
(14) A member of a campus police department appointed	99
under section 1713.50 of the Revised Code;	100
(15) A member of a police force employed by a regional	101
transit authority under division (Y) of section 306.35 of the	102
Revised Code;	103
(16) Investigators appointed by the auditor of state	104
pursuant to section 117.091 of the Revised Code and engaged in	105

the enforcement of Chapter 117. of the Revised Code;	106
(17) A special police officer designated by the	107
superintendent of the state highway patrol pursuant to section	108
5503.09 of the Revised Code or a person who was serving as a	109
special police officer pursuant to that section on a permanent	110
basis on October 21, 1997, and who has been awarded a	111
certificate by the executive director of the Ohio peace officer	112
training commission attesting to the person's satisfactory	113
completion of an approved state, county, municipal, or	114
department of natural resources peace officer basic training	115
program;	116
(18) A special police officer employed by a port authority	117
under section 4582.04 or 4582.28 of the Revised Code or a person	118
serving as a special police officer employed by a port authority	119
on a permanent basis on May 17, 2000, who has been awarded a	120
certificate by the executive director of the Ohio peace officer	121
training commission attesting to the person's satisfactory	122
completion of an approved state, county, municipal, or	123
department of natural resources peace officer basic training	124
program;	125
(19) A special police officer employed by a municipal	126
corporation who has been awarded a certificate by the executive	127
director of the Ohio peace officer training commission for	128
satisfactory completion of an approved peace officer basic	129
training program and who is employed on a permanent basis on or	130
after March 19, 2003, at a municipal airport, or other municipal	131
air navigation facility, that has scheduled operations, as	132
defined in section 119.3 of Title 14 of the Code of Federal	133
Regulations, 14 C.F.R. 119.3, as amended, and that is required	134
to be under a security program and is governed by aviation	135

security rules of the transportation security administration of 136
the United States department of transportation as provided in 137
Parts 1542. and 1544. of Title 49 of the Code of Federal 138
Regulations, as amended; 139

(20) A police officer who is employed by an owner or 140
operator of an amusement park that has an average yearly 141
attendance in excess of six hundred thousand guests and that 142
employs and maintains its own proprietary police department or 143
security department, and who is appointed and commissioned by a 144
judge of the appropriate municipal court or county court 145
pursuant to section 4973.17 of the Revised Code; 146

(21) A police officer who is employed by a bank, savings 147
and loan association, savings bank, credit union, or association 148
of banks, savings and loan associations, savings banks, or 149
credit unions, who has been appointed and commissioned by the 150
secretary of state pursuant to sections 4973.17 to 4973.22 of 151
the Revised Code, and who has been awarded a certificate by the 152
executive director of the Ohio peace officer training commission 153
attesting to the person's satisfactory completion of a state, 154
county, municipal, or department of natural resources peace 155
officer basic training program; 156

(22) An investigator, as defined in section 109.541 of the 157
Revised Code, of the bureau of criminal identification and 158
investigation who is commissioned by the superintendent of the 159
bureau as a special agent for the purpose of assisting law 160
enforcement officers or providing emergency assistance to peace 161
officers pursuant to authority granted under that section; 162

(23) A state fire marshal law enforcement officer 163
appointed under section 3737.22 of the Revised Code or a person 164
serving as a state fire marshal law enforcement officer on a 165

permanent basis on or after July 1, 1982, who has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of an approved state, county, municipal, or department of natural resources peace officer basic training program;

(24) A gaming agent employed under section 3772.03 of the Revised Code.

(B) "Undercover drug agent" has the same meaning as in division (B) (2) of section 109.79 of the Revised Code.

(C) "Crisis intervention training" means training in the use of interpersonal and communication skills to most effectively and sensitively interview victims of rape.

(D) "Missing children" has the same meaning as in section 2901.30 of the Revised Code.

(E) "Tactical medical professional" means an EMT, EMT-basic, AEMT, EMT-I, paramedic, nurse, or physician who is trained and certified in a nationally recognized tactical medical training program that is equivalent to "tactical combat casualty care" (TCCC) and "tactical emergency medical support" (TEMS) and who functions in the tactical or austere environment while attached to a law enforcement agency of either this state or a political subdivision of this state.

(F) "EMT-basic," "EMT-I," and "paramedic" have the same meanings as in section 4765.01 of the Revised Code and "EMT" and "AEMT" have the same meanings as in section 4765.011 of the Revised Code.

(G) "Nurse" means any of the following:

<u>(1) Any person who is licensed to practice nursing as a</u>	194
<u>registered nurse by the board of nursing;</u>	195
<u>(2) Any certified nurse practitioner, clinical nurse</u>	196
<u>specialist, certified registered nurse anesthetist, or certified</u>	197
<u>nurse-midwife who holds a certificate of authority issued by the</u>	198
<u>board of nursing under Chapter 4723. of the Revised Code;</u>	199
<u>(3) Any person who is licensed to practice nursing as a</u>	200
<u>licensed practical nurse by the board of nursing pursuant to</u>	201
<u>Chapter 4723. of the Revised Code.</u>	202
<u>(H) "Physician" means a person who is licensed pursuant to</u>	203
<u>Chapter 4731. of the Revised Code to practice medicine and</u>	204
<u>surgery or osteopathic medicine and surgery.</u>	205
Sec. 109.73. (A) The Ohio peace officer training	206
commission shall recommend rules to the attorney general with	207
respect to all of the following:	208
(1) The approval, or revocation of approval, of peace	209
officer training schools administered by the state, counties,	210
municipal corporations, public school districts, technical	211
college districts, and the department of natural resources;	212
(2) Minimum courses of study, attendance requirements, and	213
equipment and facilities to be required at approved state,	214
county, municipal, and department of natural resources peace	215
officer training schools;	216
(3) Minimum qualifications for instructors at approved	217
state, county, municipal, and department of natural resources	218
peace officer training schools;	219
(4) The requirements of minimum basic training that peace	220
officers appointed to probationary terms shall complete before	221

being eligible for permanent appointment, which requirements 222
shall include training in the handling of the offense of 223
domestic violence, other types of domestic violence-related 224
offenses and incidents, and protection orders and consent 225
agreements issued or approved under section 2919.26 or 3113.31 226
of the Revised Code; crisis intervention training; and training 227
in the handling of missing children and child abuse and neglect 228
cases; and training in handling violations of section 2905.32 of 229
the Revised Code; and the time within which such basic training 230
shall be completed following appointment to a probationary term; 231

(5) The requirements of minimum basic training that peace 232
officers not appointed for probationary terms but appointed on 233
other than a permanent basis shall complete in order to be 234
eligible for continued employment or permanent appointment, 235
which requirements shall include training in the handling of the 236
offense of domestic violence, other types of domestic violence- 237
related offenses and incidents, and protection orders and 238
consent agreements issued or approved under section 2919.26 or 239
3113.31 of the Revised Code, crisis intervention training, and 240
training in the handling of missing children and child abuse and 241
neglect cases, and training in handling violations of section 242
2905.32 of the Revised Code, and the time within which such 243
basic training shall be completed following appointment on other 244
than a permanent basis; 245

(6) Categories or classifications of advanced in-service 246
training programs for peace officers, including programs in the 247
handling of the offense of domestic violence, other types of 248
domestic violence-related offenses and incidents, and protection 249
orders and consent agreements issued or approved under section 250
2919.26 or 3113.31 of the Revised Code, in crisis intervention, 251
and in the handling of missing children and child abuse and 252

neglect cases, and in handling violations of section 2905.32 of 253
the Revised Code, and minimum courses of study and attendance 254
requirements with respect to such categories or classifications; 255

(7) Permitting persons, who are employed as members of a 256
campus police department appointed under section 1713.50 of the 257
Revised Code; who are employed as police officers by a qualified 258
nonprofit corporation police department pursuant to section 259
1702.80 of the Revised Code; who are appointed and commissioned 260
as bank, savings and loan association, savings bank, credit 261
union, or association of banks, savings and loan associations, 262
savings banks, or credit unions police officers, as railroad 263
police officers, or as hospital police officers pursuant to 264
sections 4973.17 to 4973.22 of the Revised Code; or who are 265
appointed and commissioned as amusement park police officers 266
pursuant to section 4973.17 of the Revised Code, to attend 267
approved peace officer training schools, including the Ohio 268
peace officer training academy, and to receive certificates of 269
satisfactory completion of basic training programs, if the 270
private college or university that established the campus police 271
department; qualified nonprofit corporation police department; 272
bank, savings and loan association, savings bank, credit union, 273
or association of banks, savings and loan associations, savings 274
banks, or credit unions; railroad company; hospital; or 275
amusement park sponsoring the police officers pays the entire 276
cost of the training and certification and if trainee vacancies 277
are available; 278

(8) Permitting undercover drug agents to attend approved 279
peace officer training schools, other than the Ohio peace 280
officer training academy, and to receive certificates of 281
satisfactory completion of basic training programs, if, for each 282
undercover drug agent, the county, township, or municipal 283

corporation that employs that undercover drug agent pays the	284
entire cost of the training and certification;	285
(9) (a) The requirements for basic training programs for	286
bailiffs and deputy bailiffs of courts of record of this state	287
and for criminal investigators employed by the state public	288
defender that those persons shall complete before they may carry	289
a firearm while on duty;	290
(b) The requirements for any training received by a	291
bailiff or deputy bailiff of a court of record of this state or	292
by a criminal investigator employed by the state public defender	293
prior to June 6, 1986, that is to be considered equivalent to	294
the training described in division (A) (9) (a) of this section.	295
(10) Establishing minimum qualifications and requirements	296
for certification for dogs utilized by law enforcement agencies;	297
(11) Establishing minimum requirements for certification	298
of persons who are employed as correction officers in a full-	299
service jail, five-day facility, or eight-hour holding facility	300
or who provide correction services in such a jail or facility;	301
(12) Establishing requirements for the training of agents	302
of a county humane society under section 1717.06 of the Revised	303
Code, including, without limitation, a requirement that the	304
agents receive instruction on traditional animal husbandry	305
methods and training techniques, including customary owner-	306
performed practices;	307
<u>(13) Permitting tactical medical professionals to attend</u>	308
<u>approved peace officer training schools, including the Ohio</u>	309
<u>peace officer training academy, to receive training of the type</u>	310
<u>described in division (A) (14) of this section and to receive</u>	311
<u>certificates of satisfactory completion of training programs</u>	312

described in that division; 313

(14) The requirements for training programs that tactical 314
medical professionals shall complete to qualify them to carry 315
firearms while on duty under section 109.771 of the Revised 316
Code, which requirements shall include at least the firearms 317
training specified in division (A) of section 109.748 of the 318
Revised Code. 319

(B) The commission shall appoint an executive director, 320
with the approval of the attorney general, who shall hold office 321
during the pleasure of the commission. The executive director 322
shall perform such duties assigned by the commission. The 323
executive director shall receive a salary fixed pursuant to 324
Chapter 124. of the Revised Code and reimbursement for expenses 325
within the amounts available by appropriation. The executive 326
director may appoint officers, employees, agents, and 327
consultants as the executive director considers necessary, 328
prescribe their duties, and provide for reimbursement of their 329
expenses within the amounts available for reimbursement by 330
appropriation and with the approval of the commission. 331

(C) The commission may do all of the following: 332

(1) Recommend studies, surveys, and reports to be made by 333
the executive director regarding the carrying out of the 334
objectives and purposes of sections 109.71 to 109.77 of the 335
Revised Code; 336

(2) Visit and inspect any peace officer training school 337
that has been approved by the executive director or for which 338
application for approval has been made; 339

(3) Make recommendations, from time to time, to the 340
executive director, the attorney general, and the general 341

assembly regarding the carrying out of the purposes of sections 342
109.71 to 109.77 of the Revised Code; 343

(4) Report to the attorney general from time to time, and 344
to the governor and the general assembly at least annually, 345
concerning the activities of the commission; 346

(5) Establish fees for the services the commission offers 347
under sections 109.71 to 109.79 of the Revised Code, including, 348
but not limited to, fees for training, certification, and 349
testing; 350

(6) Perform such other acts as are necessary or 351
appropriate to carry out the powers and duties of the commission 352
as set forth in sections 109.71 to 109.77 of the Revised Code. 353

(D) In establishing the requirements, under division (A) 354
(12) of this section, the commission may consider any portions 355
of the curriculum for instruction on the topic of animal 356
husbandry practices, if any, of the Ohio state university 357
college of veterinary medicine. No person or entity that fails 358
to provide instruction on traditional animal husbandry methods 359
and training techniques, including customary owner-performed 360
practices, shall qualify to train a humane agent for appointment 361
under section 1717.06 of the Revised Code. 362

Sec. 109.748. The attorney general shall adopt, in 363
accordance with Chapter 119. or pursuant to section 109.74 of 364
the Revised Code, the following rules: 365

(A) Rules governing the training of tactical medical 366
professionals to qualify them to carry firearms while on duty 367
under section 109.771 of the Revised Code. The rules shall 368
specify the amount of training necessary for the satisfactory 369
completion of training programs at approved peace officer 370

training schools, other than the Ohio peace officer training 371
academy. The rules shall include all of the following: 372

(1) For all such professionals, all of the following 373
requirements: 374

(a) A requirement that the professional shall receive 375
sixty hours of firearms training, based on handgun and shotgun 376
training, that includes a minimum of forty-six hours of live- 377
fire training exercises on a firing range; 378

(b) A requirement that the professional shall pass the 25- 379
round "student performance objectives" that apply to peace 380
officer basic training, with the shotgun training to satisfy 381
this requirement being buckshot or slug rounds; 382

(c) A requirement that, in addition to passing the student 383
performance objectives described in division (A)(2) of this 384
section, the professional shall fire a minimum of seven hundred 385
fifty rounds of handgun ammunition, seventy-five rounds of 386
pelleted shotgun ammunition (which may be birdshot), and twenty 387
rounds of shotgun slugs. 388

(2) For such professionals seeking certification to carry 389
a rifle or carbine, a requirement that, in addition to the 390
training described in division (A) of this section, the 391
professional shall receive an additional twenty-four hours of 392
training with respect to the carrying and use of rifles and 393
carbines. 394

(B) Rules authorizing and governing the attendance of 395
tactical medical professionals at approved peace officer 396
training schools, including the Ohio peace officer training 397
academy, to receive training to qualify them to carry firearms 398
while on duty under section 109.771 of the Revised Code, and the 399

certification of the professionals upon their satisfactory 400
completion of training programs providing that training. 401

Sec. 109.75. The executive director of the Ohio peace 402
officer training commission, on behalf of the commission, shall 403
have the following powers and duties, which shall be exercised 404
with the general advice of the commission and only in accordance 405
with section 109.751 of the Revised Code and the rules adopted 406
pursuant to that section, and with the rules adopted by the 407
attorney general pursuant to sections 109.74, 109.741, 109.742, 408
and 109.743 of the Revised Code: 409

(A) To approve peace officer training schools and firearms 410
requalification programs administered by the state, counties, 411
municipal corporations, and the department of natural resources, 412
to issue certificates of approval to approved schools, and to 413
revoke an approval or certificate; 414

(B) To certify, as qualified, instructors at approved 415
peace officer training schools, to issue appropriate 416
certificates to these instructors, and to revoke for good cause 417
shown certificates of these instructors; 418

(C) To certify, as qualified, commanders at approved peace 419
officer training schools, to issue appropriate certificates to 420
these commanders, and to revoke for good cause shown 421
certificates of these commanders. As used in this division, 422
"commander" means the director or other head of an approved 423
peace officer training school. 424

(D) To certify peace officers and sheriffs who have 425
satisfactorily completed basic training programs and to issue 426
appropriate certificates to these peace officers and sheriffs; 427

(E) To cause studies and surveys to be made relating to 428

the establishment, operation, and approval of state, county, and
municipal peace officer training schools; 429
430

(F) To consult and cooperate with state, county, and 431
municipal peace officer training schools for the development of 432
advanced in-service training programs for peace officers; 433

(G) To consult and cooperate with universities, colleges, 434
and institutes for the development of specialized courses of 435
study in the state for peace officers in police science and 436
police administration; 437

(H) To consult and cooperate with other departments and 438
agencies of the state and federal government concerned with 439
peace officer training; 440

(I) To perform any other acts that may be necessary or 441
appropriate to carry out the executive director's powers and 442
duties as set forth in sections 109.71 to 109.77 of the Revised 443
Code; 444

(J) To report to the commission at each regular meeting of 445
the commission and at any other times that the commission may 446
require; 447

(K) To certify persons who have satisfactorily completed 448
approved training programs for correction officers in full- 449
service jails, five-day facilities, or eight-hour holding 450
facilities or approved training programs for others who provide 451
correction services in those jails or facilities and to issue 452
appropriate certificates to those persons; 453

(L) To maintain any records associated with the powers and 454
duties set forth in this section. Certification examinations, 455
either before or after completion, are not public records for 456
purposes of section 149.43 of the Revised Code, but the results 457

of such examinations are public records under that section; 458

(M) To certify tactical medical professionals who have 459
satisfactorily completed approved training programs that qualify 460
them to carry firearms while on duty under section 109.771 of 461
the Revised Code and to issue appropriate certificates to such 462
professionals. 463

Sec. 109.771. (A) A tactical medical professional may 464
carry firearms while on duty in the same manner, to the same 465
extent, and in the same areas as a law enforcement officer of 466
the law enforcement agency the professional is serving, if all 467
of the following apply: 468

(1) The law enforcement agency that the tactical medical 469
professional is serving has authorized the professional to carry 470
firearms while on duty. 471

(2) The tactical medical professional has done or received 472
one of the following: 473

(a) The professional has been awarded a certificate by the 474
executive director of the Ohio peace officer training 475
commission, which certificate attests to satisfactory completion 476
of an approved state, county, or municipal basic training 477
program or a program at the Ohio peace officer training academy 478
that qualifies the professional to carry firearms while on duty 479
and that conforms to the rule adopted under section 109.748 of 480
the Revised Code. 481

(b) Prior to or during employment as a tactical medical 482
professional and prior to the effective date of this section, 483
the professional has successfully completed a firearms training 484
program, other than one described in division (A) (2) (a) of this 485
section, that was approved by the Ohio peace officer training 486

commission and provided training comparable to training mandated 487
under the rule required by section 109.748 of the Revised Code. 488

(B) A tactical medical professional to whom division (A) 489
of this section applies and who is carrying one or more firearms 490
under authority of that division has protection from potential 491
civil or criminal liability for any conduct occurring while 492
carrying the firearm or firearms to the same extent as a law 493
enforcement officer of the law enforcement agency the 494
professional is serving has such protection. 495

Sec. 109.79. (A) The Ohio peace officer training 496
commission shall establish and conduct a training school for law 497
enforcement officers of any political subdivision of the state 498
or of the state public defender's office. The school shall be 499
known as the Ohio peace officer training academy. No bailiff or 500
deputy bailiff of a court of record of this state and no 501
criminal investigator employed by the state public defender 502
shall be permitted to attend the academy for training unless the 503
employing court of the bailiff or deputy bailiff or the state 504
public defender, whichever is applicable, has authorized the 505
bailiff, deputy bailiff, or investigator to attend the academy. 506

The Ohio peace officer training commission shall develop 507
the training program, which shall include courses in both the 508
civil and criminal functions of law enforcement officers, a 509
course in crisis intervention with six or more hours of 510
training, training in the handling of missing children and child 511
abuse and neglect cases, and training on companion animal 512
encounters and companion animal behavior, and shall establish 513
rules governing qualifications for admission to the academy. The 514
commission may require competitive examinations to determine 515
fitness of prospective trainees, so long as the examinations or 516

other criteria for admission to the academy are consistent with 517
the provisions of Chapter 124. of the Revised Code. 518

The Ohio peace officer training commission shall determine 519
tuition costs sufficient in the aggregate to pay the costs of 520
operating the academy. The costs of acquiring and equipping the 521
academy shall be paid from appropriations made by the general 522
assembly to the Ohio peace officer training commission for that 523
purpose, from gifts or grants received for that purpose, or from 524
fees for goods related to the academy. 525

The Ohio peace officer training commission shall create a 526
gaming-related curriculum for gaming agents. The Ohio peace 527
officer training commission shall use money distributed to the 528
Ohio peace officer training academy from the Ohio law 529
enforcement training fund to first support the academy's 530
training programs for gaming agents and gaming-related 531
curriculum. The Ohio peace officer training commission may 532
utilize existing training programs in other states that 533
specialize in training gaming agents. 534

The law enforcement officers, during the period of their 535
training, shall receive compensation as determined by the 536
political subdivision that sponsors them or, if the officer is a 537
criminal investigator employed by the state public defender, as 538
determined by the state public defender. The political 539
subdivision may pay the tuition costs of the law enforcement 540
officers they sponsor and the state public defender may pay the 541
tuition costs of criminal investigators of that office who 542
attend the academy. 543

If trainee vacancies exist, the academy may train and 544
issue certificates of satisfactory completion to peace officers 545
who are employed by a campus police department pursuant to 546

section 1713.50 of the Revised Code, by a qualified nonprofit 547
corporation police department pursuant to section 1702.80 of the 548
Revised Code, or by a railroad company, who are amusement park 549
police officers appointed and commissioned by a judge of the 550
appropriate municipal court or county court pursuant to section 551
4973.17 of the Revised Code, or who are bank, savings and loan 552
association, savings bank, credit union, or association of 553
banks, savings and loan associations, savings banks, or credit 554
unions, or hospital police officers appointed and commissioned 555
by the secretary of state pursuant to sections 4973.17 to 556
4973.22 of the Revised Code, provided that no such officer shall 557
be trained at the academy unless the officer meets the 558
qualifications established for admission to the academy and the 559
qualified nonprofit corporation police department; bank, savings 560
and loan association, savings bank, credit union, or association 561
of banks, savings and loan associations, savings banks, or 562
credit unions; railroad company; hospital; or amusement park or 563
the private college or university that established the campus 564
police department prepays the entire cost of the training. A 565
qualified nonprofit corporation police department; bank, savings 566
and loan association, savings bank, credit union, or association 567
of banks, savings and loan associations, savings banks, or 568
credit unions; railroad company; hospital; or amusement park or 569
a private college or university that has established a campus 570
police department is not entitled to reimbursement from the 571
state for any amount paid for the cost of training the bank, 572
savings and loan association, savings bank, credit union, or 573
association of banks, savings and loan associations, savings 574
banks, or credit unions peace officers; the railroad company's 575
peace officers; or the peace officers of the qualified nonprofit 576
corporation police department, campus police department, 577
hospital, or amusement park. 578

The academy shall permit investigators employed by the 579
state medical board to take selected courses that the board 580
determines are consistent with its responsibilities for initial 581
and continuing training of investigators as required under 582
sections 4730.26 and 4731.05 of the Revised Code. The board 583
shall pay the entire cost of training that investigators receive 584
at the academy. 585

The academy shall permit tactical medical professionals to 586
attend training courses at the academy that are designed to 587
qualify the professionals to carry firearms while on duty under 588
section 109.771 of the Revised Code and that provide training 589
comparable to training mandated under the rule required by 590
division (A) of section 109.748 of the Revised Code. The 591
executive director of the Ohio peace officer training commission 592
may certify tactical medical professionals who satisfactorily 593
complete the training courses. The law enforcement agency served 594
by a tactical medical professional who attends the academy may 595
pay the tuition costs of the professional. 596

(B) As used in this section: 597

(1) "Law enforcement officers" include any undercover drug 598
agent, any bailiff or deputy bailiff of a court of record, and 599
any criminal investigator who is employed by the state public 600
defender. 601

(2) "Undercover drug agent" means any person who: 602

(a) Is employed by a county, township, or municipal 603
corporation for the purposes set forth in division (B) (2) (b) of 604
this section but who is not an employee of a county sheriff's 605
department, of a township constable, or of the police department 606
of a municipal corporation or township; 607

(b) In the course of the person's employment by a county, 608
township, or municipal corporation, investigates and gathers 609
information pertaining to persons who are suspected of violating 610
Chapter 2925. or 3719. of the Revised Code, and generally does 611
not wear a uniform in the performance of the person's duties. 612

(3) "Crisis intervention training" has the same meaning as 613
in section 109.71 of the Revised Code. 614

(4) "Missing children" has the same meaning as in section 615
2901.30 of the Revised Code. 616

(5) "Companion animal" has the same meaning as in section 617
959.131 of the Revised Code. 618

Sec. 109.801. (A) (1) Each year, any of the following 619
persons who are authorized to carry firearms in the course of 620
their official duties shall complete successfully a firearms 621
requalification program approved by the executive director of 622
the Ohio peace officer training commission in accordance with 623
rules adopted by the attorney general pursuant to section 624
109.743 of the Revised Code: any peace officer, sheriff, chief 625
of police of an organized police department of a municipal 626
corporation or township, chief of police of a township police 627
district or joint police district police force, superintendent 628
of the state highway patrol, state highway patrol trooper, or 629
chief of police of a university or college police department; 630
any parole or probation officer who carries a firearm in the 631
course of official duties; the house of representatives sergeant 632
at arms if the house of representatives sergeant at arms has 633
arrest authority pursuant to division (E) (1) of section 101.311 634
of the Revised Code; any assistant house of representatives 635
sergeant at arms; the senate sergeant at arms; any assistant 636
senate sergeant at arms; any tactical medical professional; or 637

any employee of the department of youth services who is 638
designated pursuant to division (A) (2) of section 5139.53 of the 639
Revised Code as being authorized to carry a firearm while on 640
duty as described in that division. 641

(2) No person listed in division (A) (1) of this section 642
shall carry a firearm during the course of official duties if 643
the person does not comply with division (A) (1) of this section. 644

(B) The hours that a sheriff spends attending a firearms 645
requalification program required by division (A) of this section 646
are in addition to the sixteen hours of continuing education 647
that are required by division (E) of section 311.01 of the 648
Revised Code. 649

(C) As used in this section, "firearm" has the same 650
meaning as in section 2923.11 of the Revised Code. 651

Sec. 2923.126. (A) A concealed handgun license that is 652
issued under section 2923.125 of the Revised Code shall expire 653
five years after the date of issuance. A licensee who has been 654
issued a license under that section shall be granted a grace 655
period of thirty days after the licensee's license expires 656
during which the licensee's license remains valid. Except as 657
provided in divisions (B) and (C) of this section, a licensee 658
who has been issued a concealed handgun license under section 659
2923.125 or 2923.1213 of the Revised Code may carry a concealed 660
handgun anywhere in this state if the licensee also carries a 661
valid license and valid identification when the licensee is in 662
actual possession of a concealed handgun. The licensee shall 663
give notice of any change in the licensee's residence address to 664
the sheriff who issued the license within forty-five days after 665
that change. 666

If a licensee is the driver or an occupant of a motor vehicle that is stopped as the result of a traffic stop or a stop for another law enforcement purpose and if the licensee is transporting or has a loaded handgun in the motor vehicle at that time, the licensee shall promptly inform any law enforcement officer who approaches the vehicle while stopped that the licensee has been issued a concealed handgun license and that the licensee currently possesses or has a loaded handgun; the licensee shall not knowingly disregard or fail to comply with lawful orders of a law enforcement officer given while the motor vehicle is stopped, knowingly fail to remain in the motor vehicle while stopped, or knowingly fail to keep the licensee's hands in plain sight after any law enforcement officer begins approaching the licensee while stopped and before the officer leaves, unless directed otherwise by a law enforcement officer; and the licensee shall not knowingly have contact with the loaded handgun by touching it with the licensee's hands or fingers, in any manner in violation of division (E) of section 2923.16 of the Revised Code, after any law enforcement officer begins approaching the licensee while stopped and before the officer leaves. Additionally, if a licensee 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 ~~5503.04~~ 5503.34 of the Revised Code and if the licensee is transporting or has a loaded handgun in the commercial motor vehicle at that time, the licensee shall promptly inform the employee of the unit who approaches the vehicle while stopped that the licensee has been issued a concealed handgun license and that the licensee currently possesses or has a loaded handgun.

If a licensee is stopped for a law enforcement purpose and

if the licensee is carrying a concealed handgun at the time the officer approaches, the licensee shall promptly inform any law enforcement officer who approaches the licensee while stopped that the licensee has been issued a concealed handgun license and that the licensee currently is carrying a concealed handgun; the licensee shall not knowingly disregard or fail to comply with lawful orders of a law enforcement officer given while the licensee is stopped or knowingly fail to keep the licensee's hands in plain sight after any law enforcement officer begins approaching the licensee while stopped and before the officer leaves, unless directed otherwise by a law enforcement officer; and the licensee shall not knowingly remove, attempt to remove, grasp, or hold the loaded handgun or knowingly have contact with the loaded handgun by touching it with the licensee's hands or fingers, in any manner in violation of division (B) of section 2923.12 of the Revised Code, after any law enforcement officer begins approaching the licensee while stopped and before the officer leaves.

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

(1) A police station, sheriff's office, or state highway patrol station, premises controlled by the bureau of criminal identification and investigation, a state correctional institution, jail, workhouse, or other detention facility, an airport passenger terminal, or an institution that is maintained, operated, managed, and governed pursuant to division (A) of section 5119.14 of the Revised Code or division (A) (1) of

section 5123.03 of the Revised Code; 729

(2) A school safety zone if the licensee's carrying the 730
concealed handgun is in violation of section 2923.122 of the 731
Revised Code; 732

(3) A courthouse or another building or structure in which 733
a courtroom is located, in violation of section 2923.123 of the 734
Revised Code; 735

(4) Any premises or open air arena for which a D permit 736
has been issued under Chapter 4303. of the Revised Code if the 737
licensee's carrying the concealed handgun is in violation of 738
section 2923.121 of the Revised Code; 739

(5) Any premises owned or leased by any public or private 740
college, university, or other institution of higher education, 741
unless the handgun is in a locked motor vehicle or the licensee 742
is in the immediate process of placing the handgun in a locked 743
motor vehicle; 744

(6) Any church, synagogue, mosque, or other place of 745
worship, unless the church, synagogue, mosque, or other place of 746
worship posts or permits otherwise; 747

(7) A child day-care center, a type A family day-care 748
home, or a type B family day-care home, except that this 749
division does not prohibit a licensee who resides in a type A 750
family day-care home or a type B family day-care home from 751
carrying a concealed handgun at any time in any part of the home 752
that is not dedicated or used for day-care purposes, or from 753
carrying a concealed handgun in a part of the home that is 754
dedicated or used for day-care purposes at any time during which 755
no children, other than children of that licensee, are in the 756
home; 757

(8) An aircraft that is in, or intended for operation in, 758
foreign air transportation, interstate air transportation, 759
intrastate air transportation, or the transportation of mail by 760
aircraft; 761

(9) Any building that is a government facility of this 762
state or a political subdivision of this state and that is not a 763
building that is used primarily as a shelter, restroom, parking 764
facility for motor vehicles, or rest facility and is not a 765
courthouse or other building or structure in which a courtroom 766
is located that is subject to division (B)(3) of this section; 767

(10) A place in which federal law prohibits the carrying 768
of handguns. 769

(C)(1) Nothing in this section shall negate or restrict a 770
rule, policy, or practice of a private employer that is not a 771
private college, university, or other institution of higher 772
education concerning or prohibiting the presence of firearms on 773
the private employer's premises or property, including motor 774
vehicles owned by the private employer. Nothing in this section 775
shall require a private employer of that nature to adopt a rule, 776
policy, or practice concerning or prohibiting the presence of 777
firearms on the private employer's premises or property, 778
including motor vehicles owned by the private employer. 779

(2)(a) A private employer shall be immune from liability 780
in a civil action for any injury, death, or loss to person or 781
property that allegedly was caused by or related to a licensee 782
bringing a handgun onto the premises or property of the private 783
employer, including motor vehicles owned by the private 784
employer, unless the private employer acted with malicious 785
purpose. A private employer is immune from liability in a civil 786
action for any injury, death, or loss to person or property that 787

allegedly was caused by or related to the private employer's 788
decision to permit a licensee to bring, or prohibit a licensee 789
from bringing, a handgun onto the premises or property of the 790
private employer. As used in this division, "private employer" 791
includes a private college, university, or other institution of 792
higher education. 793

(b) A political subdivision shall be immune from liability 794
in a civil action, to the extent and in the manner provided in 795
Chapter 2744. of the Revised Code, for any injury, death, or 796
loss to person or property that allegedly was caused by or 797
related to a licensee bringing a handgun onto any premises or 798
property owned, leased, or otherwise under the control of the 799
political subdivision. As used in this division, "political 800
subdivision" has the same meaning as in section 2744.01 of the 801
Revised Code. 802

(3) (a) Except as provided in division (C) (3) (b) of this 803
section, the owner or person in control of private land or 804
premises, and a private person or entity leasing land or 805
premises owned by the state, the United States, or a political 806
subdivision of the state or the United States, may post a sign 807
in a conspicuous location on that land or on those premises 808
prohibiting persons from carrying firearms or concealed firearms 809
on or onto that land or those premises. Except as otherwise 810
provided in this division, a person who knowingly violates a 811
posted prohibition of that nature is guilty of criminal trespass 812
in violation of division (A) (4) of section 2911.21 of the 813
Revised Code and is guilty of a misdemeanor of the fourth 814
degree. If a person knowingly violates a posted prohibition of 815
that nature and the posted land or premises primarily was a 816
parking lot or other parking facility, the person is not guilty 817
of criminal trespass under section 2911.21 of the Revised Code 818

or under any other criminal law of this state or criminal law, 819
ordinance, or resolution of a political subdivision of this 820
state, and instead is subject only to a civil cause of action 821
for trespass based on the violation. 822

(b) A landlord may not prohibit or restrict a tenant who 823
is a licensee and who on or after September 9, 2008, enters into 824
a rental agreement with the landlord for the use of residential 825
premises, and the tenant's guest while the tenant is present, 826
from lawfully carrying or possessing a handgun on those 827
residential premises. 828

(c) As used in division (C) (3) of this section: 829

(i) "Residential premises" has the same meaning as in 830
section 5321.01 of the Revised Code, except "residential 831
premises" does not include a dwelling unit that is owned or 832
operated by a college or university. 833

(ii) "Landlord," "tenant," and "rental agreement" have the 834
same meanings as in section 5321.01 of the Revised Code. 835

(D) A person who holds a valid concealed handgun license 836
issued by another state that is recognized by the attorney 837
general pursuant to a reciprocity agreement entered into 838
pursuant to section 109.69 of the Revised Code or a person who 839
holds a valid concealed handgun license under the circumstances 840
described in division (B) of section 109.69 of the Revised Code 841
has the same right to carry a concealed handgun in this state as 842
a person who was issued a concealed handgun license under 843
section 2923.125 of the Revised Code and is subject to the same 844
restrictions that apply to a person who carries a license issued 845
under that section. 846

(E) A peace officer has the same right to carry a 847

concealed handgun in this state as a person who was issued a 848
concealed handgun license under section 2923.125 of the Revised 849
Code. For purposes of reciprocity with other states, a peace 850
officer shall be considered to be a licensee in this state. 851

A tactical medical professional who is qualified to carry 852
firearms while on duty under section 109.771 of the Revised 853
Code, while on duty in that capacity, has the same right to 854
carry a concealed handgun in this state as a person who was 855
issued a concealed handgun license under section 2923.125 of the 856
Revised Code. 857

(F) (1) A qualified retired peace officer who possesses a 858
retired peace officer identification card issued pursuant to 859
division (F) (2) of this section and a valid firearms 860
requalification certification issued pursuant to division (F) (3) 861
of this section has the same right to carry a concealed handgun 862
in this state as a person who was issued a concealed handgun 863
license under section 2923.125 of the Revised Code and is 864
subject to the same restrictions that apply to a person who 865
carries a license issued under that section. For purposes of 866
reciprocity with other states, a qualified retired peace officer 867
who possesses a retired peace officer identification card issued 868
pursuant to division (F) (2) of this section and a valid firearms 869
requalification certification issued pursuant to division (F) (3) 870
of this section shall be considered to be a licensee in this 871
state. 872

(2) (a) Each public agency of this state or of a political 873
subdivision of this state that is served by one or more peace 874
officers shall issue a retired peace officer identification card 875
to any person who retired from service as a peace officer with 876
that agency, if the issuance is in accordance with the agency's 877

policies and procedures and if the person, with respect to the 878
person's service with that agency, satisfies all of the 879
following: 880

(i) The person retired in good standing from service as a 881
peace officer with the public agency, and the retirement was not 882
for reasons of mental instability. 883

(ii) Before retiring from service as a peace officer with 884
that agency, the person was authorized to engage in or supervise 885
the prevention, detection, investigation, or prosecution of, or 886
the incarceration of any person for, any violation of law and 887
the person had statutory powers of arrest. 888

(iii) At the time of the person's retirement as a peace 889
officer with that agency, the person was trained and qualified 890
to carry firearms in the performance of the peace officer's 891
duties. 892

(iv) Before retiring from service as a peace officer with 893
that agency, the person was regularly employed as a peace 894
officer for an aggregate of fifteen years or more, or, in the 895
alternative, the person retired from service as a peace officer 896
with that agency, after completing any applicable probationary 897
period of that service, due to a service-connected disability, 898
as determined by the agency. 899

(b) A retired peace officer identification card issued to 900
a person under division (F)(2)(a) of this section shall identify 901
the person by name, contain a photograph of the person, identify 902
the public agency of this state or of the political subdivision 903
of this state from which the person retired as a peace officer 904
and that is issuing the identification card, and specify that 905
the person retired in good standing from service as a peace 906

officer with the issuing public agency and satisfies the 907
criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 908
section. In addition to the required content specified in this 909
division, a retired peace officer identification card issued to 910
a person under division (F) (2) (a) of this section may include 911
the firearms requalification certification described in division 912
(F) (3) of this section, and if the identification card includes 913
that certification, the identification card shall serve as the 914
firearms requalification certification for the retired peace 915
officer. If the issuing public agency issues credentials to 916
active law enforcement officers who serve the agency, the agency 917
may comply with division (F) (2) (a) of this section by issuing 918
the same credentials to persons who retired from service as a 919
peace officer with the agency and who satisfy the criteria set 920
forth in divisions (F) (2) (a) (i) to (iv) of this section, 921
provided that the credentials so issued to retired peace 922
officers are stamped with the word "RETIRED." 923

(c) A public agency of this state or of a political 924
subdivision of this state may charge persons who retired from 925
service as a peace officer with the agency a reasonable fee for 926
issuing to the person a retired peace officer identification 927
card pursuant to division (F) (2) (a) of this section. 928

(3) If a person retired from service as a peace officer 929
with a public agency of this state or of a political subdivision 930
of this state and the person satisfies the criteria set forth in 931
divisions (F) (2) (a) (i) to (iv) of this section, the public 932
agency may provide the retired peace officer with the 933
opportunity to attend a firearms requalification program that is 934
approved for purposes of firearms requalification required under 935
section 109.801 of the Revised Code. The retired peace officer 936
may be required to pay the cost of the course. 937

If a retired peace officer who satisfies the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this section attends a firearms requalification program that is approved for purposes of firearms requalification required under section 109.801 of the Revised Code, the retired peace officer's successful completion of the firearms requalification program requalifies the retired peace officer for purposes of division (F) of this section for five years from the date on which the program was successfully completed, and the requalification is valid during that five-year period. If a retired peace officer who satisfies the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this section satisfactorily completes such a firearms requalification program, the retired peace officer shall be issued a firearms requalification certification that identifies the retired peace officer by name, identifies the entity that taught the program, specifies that the retired peace officer successfully completed the program, specifies the date on which the course was successfully completed, and specifies that the requalification is valid for five years from that date of successful completion. The firearms requalification certification for a retired peace officer may be included in the retired peace officer identification card issued to the retired peace officer under division (F) (2) of this section.

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

(G) As used in this section:

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

(a) The person satisfies the criteria set forth in	968
divisions (F) (2) (a) (i) to (v) of this section.	969
(b) The person is not under the influence of alcohol or	970
another intoxicating or hallucinatory drug or substance.	971
(c) The person is not prohibited by federal law from	972
receiving firearms.	973
(2) "Retired peace officer identification card" means an	974
identification card that is issued pursuant to division (F) (2)	975
of this section to a person who is a retired peace officer.	976
(3) "Government facility of this state or a political	977
subdivision of this state" means any of the following:	978
(a) A building or part of a building that is owned or	979
leased by the government of this state or a political	980
subdivision of this state and where employees of the government	981
of this state or the political subdivision regularly are present	982
for the purpose of performing their official duties as employees	983
of the state or political subdivision;	984
(b) The office of a deputy registrar serving pursuant to	985
Chapter 4503. of the Revised Code that is used to perform deputy	986
registrar functions.	987
<u>(4) "Tactical medical professional" has the same meaning</u>	988
<u>as in section 109.71 of the Revised Code.</u>	989
Section 2. That existing sections 109.71, 109.73, 109.75,	990
109.79, 109.801, and 2923.126 of the Revised Code are hereby	991
repealed.	992