As Introduced

134th General Assembly

Regular Session

2021-2022

Representatives Brinkman, Jordan

Cosponsors: Representatives Loychik, Vitale, Dean, Wiggam, Riedel, Merrin, Click, Gross, Stoltzfus, Wilkin, McClain, Zeltwanger, Powell, Manchester, Hall, Fowler Arthur, Creech, Cross, Schmidt, Edwards

A BILL

To amend sections 9.68, 109.69, 109.731, 311.41, 311.42, 311.43, 1547.69, 2921.13, 2921.13, 2923.12, 2923.121, 2923.122, 2923.123, 2923.124, 2923.125, 2923.126, 2923.127, 2923.128, 2923.129, 2923.1210, 2923.1211, 2923.1212, 2923.1213, 2923.16, 2953.37, and 4749.10 and to enact section 2923.111 of the Revised Code to rename a concealed handgun license as a concealed weapons license, to allow a concealed weapons licensee to carry concealed all deadly weapons not otherwise prohibited by law, to expand state preemption of firearms regulation to include all deadly weapons, to repeal a notice requirement for licensees stopped for law enforcement purposes, to authorize expungement of related convictions, and to allow a person age 21 or older to carry a concealed deadly weapon without a license.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:
Section 1. That sections 9.68, 109.69, 109.731, 311.41, 311.42, 311.43, 1547.69, 2921.13, 2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 2923.124, 2923.125, 2923.126, 2923.127, 2923.128, 2923.129, 2923.1210, 2923.1211, 2923.1212, 2923.1213, 2923.16, 2953.37, and 4749.10 be amended and section 2923.111 of the Revised Code be enacted to read as follows:

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

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

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

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

(C) As used in this section:
(1) The possession, transporting, or carrying of **deadly** weapons, including firearms, their components, or their ammunition, include, but are not limited to, the possession, transporting, or carrying, openly or concealed on a person's person or concealed ready at hand, of **deadly weapons, including** firearms, their components, or their ammunition.

(2) "Firearm" and "deadly weapon" have the same meanings as in section 2923.11 of the Revised Code.

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

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

(1) A zoning ordinance that regulates or prohibits the commercial sale of **deadly weapons, including firearms, firearm components, or ammunition for firearms,** in areas zoned for residential or agricultural uses;

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

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

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

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

(2) A reciprocity agreement entered into under division (A)(1) of this section also may provide for the recognition in this state of a concealed handgun license issued on a temporary or emergency basis by the other license-issuing state that authorizes the carrying of concealed handguns, firearms, or deadly weapons, if the eligibility requirements imposed by that license-issuing state for the temporary or emergency license are substantially comparable to the eligibility requirements for a concealed handgun license issued under section 2923.125 or 2923.1213 of the Revised Code and if that license-issuing state recognizes a concealed handgun license issued under section 2923.1213 of the Revised Code.

(3) The attorney general shall not negotiate any agreement with any other license-issuing state under which a concealed handgun license that is issued by the other state and that authorizes the carrying of concealed handguns, firearms, or deadly weapons is recognized in this state other than as...
(B)(1) If, on or after the effective date of this amendment March 23, 2015, a person who is a resident of this state has a valid concealed handgun license that was issued by another license-issuing state and that authorizes the carrying of concealed handguns, firearms, or deadly weapons and the other state has entered into a reciprocity agreement with the attorney general under division (A)(1) of this section or the attorney general determines that the eligibility requirements imposed by that license-issuing state for that license are substantially comparable to the eligibility requirements for a concealed handgun weapons license issued under section 2923.125 of the Revised Code, the license issued by the other license-issuing state shall be recognized in this state, shall be accepted and valid in this state, and grants the person the same right to carry a concealed handgun deadly weapon in this state as a person who was issued a concealed handgun weapons license under section 2923.125 of the Revised Code prior to, on, or after the effective date of this amendment.

(2) If, on or after the effective date of this amendment March 23, 2015, a person who is a resident of this state has a valid concealed handgun license that was issued by another license-issuing state and that authorizes the carrying of concealed handguns, firearms, or deadly weapons and the other state has not entered into a reciprocity agreement with the attorney general under division (A)(1) of this section, the license issued by the other license-issuing state shall be recognized in this state, shall be accepted and valid in this state, and grants the person the same right to carry a concealed handgun deadly weapon in this state as a person who was issued a concealed handgun weapons license under section 2923.125 of the Revised Code.
Revised Code prior to, on, or after the effective date of this amendment, for a period of six months after the person became a resident of this state. After that six-month period, if the person wishes to obtain a concealed handgun weapons license, the person shall apply for a concealed handgun weapons license pursuant to section 2923.125 of the Revised Code.

(3) If, on or after the effective date of this amendment March 23, 2015, a person who is not a resident of this state has a valid concealed handgun license that was issued by another license-issuing state and that authorizes the carrying of concealed handguns, firearms, or deadly weapons, regardless of whether the other license-issuing state has entered into a reciprocity agreement with the attorney general under division (A)(1) of this section, if the person is temporarily in this state, during the time that the person is temporarily in this state the license issued by the other license-issuing state shall be recognized in this state, shall be accepted and valid in this state, and grants the person the same right to carry a concealed handgun in this state as a person who was issued a concealed handgun weapons license under section 2923.125 of the Revised Code prior to, on, or after the effective date of this amendment.

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

(D) As used in this section:

(1) "Handgun," "firearm," "concealed handgun weapons license," "deadly weapon," and "valid concealed handgun weapons license" have the same meanings as in section 2923.11 of the

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Revised Code.

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

Sec. 109.731. (A)(1) The attorney general shall prescribe, and shall make available to sheriffs an application form that is to be used under section 2923.125 of the Revised Code by a person who applies for a concealed handgun weapons license and an application form that is to be used under section 2923.125 of the Revised Code by a person who applies for the renewal of a license of that nature. The attorney general shall design the form to enable applicants to provide the information that is required by law to be collected, and shall update the form as necessary. Burdens or restrictions to obtaining a concealed handgun weapons license that are not expressly prescribed in law shall not be incorporated into the form. The attorney general shall post a printable version of the form on the web site of the attorney general and shall provide the address of the web site to any person who requests the form.

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

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

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

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

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

(iv) It does not require the licensee to include serial numbers of handguns, firearms or other deadly weapons, other identification related to handguns, firearms or other deadly weapons, or similar data that is not pertinent or relevant to obtaining the license and that could be used as a de facto means of registration of handguns, firearms or other deadly weapons owned by the licensee.

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

(c) A procedure by which a sheriff shall give each concealed handgun weapons license, replacement concealed handgun weapons license, or renewal concealed handgun weapons license and each concealed handgun weapons license on a temporary emergency basis or replacement concealed weapons license on a temporary emergency basis the sheriff issues under section 2923.125 or 2923.1213 of the Revised Code a unique combination of letters and numbers that identifies the county in which the license was issued and that uses the county code and a unique number for each license the sheriff of that county issues;
(d) A form for a concealed handgun weapons license on a temporary emergency basis that is to be issued by sheriffs to persons who qualify for such a license under section 2923.1213 of the Revised Code, which form shall conform to all the requirements set forth in divisions (A)(2)(a)(i) to (iv) of this section and shall additionally conspicuously specify that the license is issued on a temporary emergency basis and the date of its issuance.

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

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

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

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

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

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

(C) The Ohio peace officer training commission shall maintain statistics with respect to the issuance, renewal, suspension, revocation, and denial of concealed handgun weapons licenses under section 2923.125 of the Revised Code and the suspension of processing of applications for those licenses, and with respect to the issuance, suspension, revocation, and denial of concealed handgun weapons licenses on a temporary emergency basis under section 2923.1213 of the Revised Code, as reported by the sheriffs pursuant to division (C) of section 2923.129 of the Revised Code. Not later than the first day of March in each year, the commission shall submit a statistical report to the governor, the president of the senate, and the speaker of the house of representatives indicating the number of concealed handgun weapons licenses that were issued, renewed, suspended, revoked, and denied under section 2923.125 of the Revised Code in the previous calendar year, the number of applications for those licenses for which processing was suspended in accordance with division (D)(3) of that section in the previous calendar year, and the number of concealed handgun weapons licenses on a temporary emergency basis that were issued, suspended, revoked,
or denied under section 2923.1213 of the Revised Code in the
previous calendar year. Nothing in the statistics or the
statistical report shall identify, or enable the identification
of, any individual who was issued or denied a license, for whom
a license was renewed, whose license was suspended or revoked,
or for whom application processing was suspended. The statistics
and the statistical report are public records for the purpose of
section 149.43 of the Revised Code. The requirements of this
division apply regarding all concealed weapons licenses,
regardless of whether the issuance, renewal, suspension,
revocation, or denial in question occurred prior to, on, or
after the effective date of this amendment.

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

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

In order to conduct the criminal records check and the incompetency records check, the sheriff shall obtain the fingerprints of at least four fingers of the applicant by using an electronic fingerprint reading device for the purpose of conducting the criminal records check and the incompetency records check or, if the sheriff does not possess and does not have ready access to the use of an electronic fingerprint reading device, shall obtain from the applicant a completed standard fingerprint impression sheet prescribed pursuant to division (C)(2) of section 109.572 of the Revised Code. The fingerprints so obtained, along with the applicant's social security number, shall be used to conduct the criminal records check and the incompetency records check. If the sheriff does not use an electronic fingerprint reading device to obtain the fingerprints and conduct the records checks, the sheriff shall submit the completed standard fingerprint impression sheet of the applicant, along with the applicant's social security number, to the superintendent of the bureau of criminal identification and investigation and shall request the bureau to conduct the criminal records check and the incompetency records check of the applicant and, if necessary, shall request the superintendent of the bureau to obtain information from the federal bureau of investigation as part of the criminal records check for the applicant. If it is not possible to use an electronic fingerprint reading device to conduct an incompetency records check, the sheriff shall submit the completed standard
fingerprint impression sheet of the applicant, along with the applicant's social security number, to the superintendent of the bureau of criminal identification and investigation and shall request the bureau to conduct the incompetency records check. The sheriff shall not retain the applicant's fingerprints as part of the application.

(2) Except as otherwise provided in this division, if at any time the applicant decides not to continue with the application process, the sheriff immediately shall cease any investigation that is being conducted under division (A)(1) of this section. The sheriff shall not cease that investigation if, at the time of the applicant's decision not to continue with the application process, the sheriff had determined from any of the sheriff's investigations that the applicant then was engaged in activity of a criminal nature.

(B) If a criminal records check and an incompetency records check conducted under division (A) of this section do not indicate that the applicant fails to meet the criteria described in division (D)(1) of section 2923.125 of the Revised Code, except as otherwise provided in this division, the sheriff shall destroy or cause a designated employee to destroy all records other than the application for a concealed handgun weapons license, the application to renew a concealed handgun weapons license, or the affidavit submitted regarding an application for a concealed handgun weapons license on a temporary emergency basis that were made in connection with the criminal records check and incompetency records check within twenty days after conducting the criminal records check and incompetency records check. If an applicant appeals a denial of an application as described in division (D)(2) of section 2923.125 of the Revised Code or challenges the results of a
criminal records check pursuant to section 2923.127 of the Revised Code, records of fingerprints of the applicant shall not be destroyed during the pendency of the appeal or the challenge and review. When an applicant appeals a denial as described in that division, the twenty-day period described in this division commences regarding the fingerprints upon the determination of the appeal. When required as a result of a challenge and review performed pursuant to section 2923.127 of the Revised Code, the source the sheriff used in conducting the criminal records check shall destroy or the chief operating officer of the source shall cause an employee of the source designated by the chief to destroy all records other than the application for a concealed handgun license, the application to renew a concealed handgun license, or the affidavit submitted regarding an application for a concealed handgun license on a temporary emergency basis that were made in connection with the criminal records check within twenty days after completion of that challenge and review.

(C) If division (B) of this section applies to a particular criminal records check or incompetency records check, no sheriff, employee of a sheriff designated by the sheriff to destroy records under that division, source the sheriff used in conducting the criminal records check or incompetency records check, or employee of the source designated by the chief operating officer of the source to destroy records under that division shall fail to destroy or cause to be destroyed within the applicable twenty-day period specified in that division all records other than the application for a concealed handgun license, the application to renew a concealed handgun license, or the affidavit submitted regarding an application for a concealed handgun license on a
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temporary emergency basis made in connection with the particular 441
criminal records check or incompetency records check.

(D) Divisions (B) and (C) of this section apply with 442
respect to all applications for a concealed weapons license,
regardless of whether the application was made prior to, on, or 443
after the effective date of this amendment.

(E) Whoever violates division (C) of this section is 444
guilty of failure to destroy records, a misdemeanor of the 445
second degree.

(F) As used in this section:

(1) "Concealed handgun weapons license," "deadly weapon," 446
and "handgun" have the same meanings as in section 2923.11 of 447
the Revised Code.

(2) "National instant criminal background check system" 448
means the system established by the United States attorney 449
general pursuant to section 103 of the "Brady Handgun Violence 450

Sec. 311.42. (A) Each county shall establish in the county 451
treasury a sheriff's concealed handgun weapons license issuance 452
expense fund. The sheriff of that county shall deposit into that 453
fund all fees paid by applicants for the issuance or renewal of 454
a concealed handgun weapons license or duplicate concealed 455
handgun weapons license under section 2923.125 of the Revised 456
Code and all fees paid or by a person seeking a concealed 457
handgun weapons license on a temporary emergency basis under 458
section 2923.1213 of the Revised Code. The county shall 459
distribute all fees deposited into the fund except forty dollars 460
of each fee paid by an applicant under division (B) of section 461
2923.125 of the Revised Code, fifteen dollars of each fee paid 462
under section 2923.1213 of the Revised Code, and thirty-five dollars of each fee paid under division (F) of section 2923.125 of the Revised Code to the attorney general to be used to pay the cost of background checks performed by the bureau of criminal identification and investigation and the federal bureau of investigation and to cover administrative costs associated with issuing the license. This division applies with respect to all applications for issuance or renewal of a concealed weapons license, regardless of whether the application occurred prior to, on, or after the effective date of this amendment.

(B) The sheriff, with the approval of the board of county commissioners, may expend any county portion of the fees deposited into the sheriff's concealed handgun weapons license issuance expense fund for any of the following:

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

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

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

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

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

(1) "Certification" means the participation and assent of the chief law enforcement officer necessary under federal law for the approval of an application to make or transfer a firearm.

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

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

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

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

(1) If a resident of this state submits one or more federal forms, the sheriff shall charge the resident no more than the applicable fee described in division (B)(1)(a) of section 2923.125 of the Revised Code, without regard to how many federal forms are submitted at the same time.
(2) If a resident of this state submits one or more federal forms and currently has a concealed handgun weapons license or the sheriff has previously approved a federal form for that resident, the sheriff shall charge the resident no more than the applicable fee described in division (F)(4) of section 2923.125 of the Revised Code, without regard to how many federal forms are submitted at the same time.

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

(1) "Firearm," "deadly weapon," "concealed handgun weapons license," "handgun," "restricted deadly weapon," "valid concealed handgun weapons license," and "active duty" have the same meanings as in section 2923.11 of the Revised Code.

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

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

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

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

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

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

(E)(1) The affirmative defenses authorized in divisions (D)(1) and (2) of section 2923.12 of the Revised Code are affirmative defenses to a charge under division (C) or (D) of this section that involves a firearm other than a handgun if division (H)(2) of this section does not apply to the person charged. It is an affirmative defense to a charge under division (C) or (D) of this section of transporting or having a firearm of any type, including a handgun, in a vessel that the actor transported or had the firearm in the vessel for any lawful purpose and while the vessel was on the actor's own property, provided that this affirmative defense is not available unless the actor, prior to arriving at the vessel on the actor's own property, did not transport or possess the firearm in the vessel or in a motor vehicle in a manner prohibited by this section or division (B) or (C) of section 2923.16 of the Revised Code while the vessel was being operated on a waterway that was not on the actor's own property or while the motor vehicle was being operated on a street, highway, or other public or private property used by the public for vehicular traffic.

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

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

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

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

(a) An officer, agent, or employee of this or any other state or of the United States, or to a law enforcement officer, when authorized to carry or have loaded or accessible firearms in a vessel and 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 or have loaded or accessible firearms in a vessel, 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 expressly specified that the exemption provided in division (H)(1)(b) of this section does not apply to the person;

(c) Any person legally engaged in hunting.

(2) Divisions (a) Subject to division (H)(2)(b) of this section, divisions (C) and (D) of this section do not apply to a person who transports or possesses a handgun in a vessel a firearm that is not a restricted deadly weapon and who, at the time of that transportation or possession, either is carrying has been issued a valid concealed handgun weapons license, is
deemed under division (C) of section 2923.111 of the Revised Code to have been issued a concealed weapons license under section 2923.125 of the Revised Code, or 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, unless.

(b) The exemptions specified in division (H)(2)(a) of this section do not apply to a person if the person, at the time of the transport or possession in question, knowingly is in an unauthorized place on the vessel described specified in division (B) of section 2923.126 of the Revised Code or knowingly is transporting or possessing the deadly weapon in any prohibited manner listed in that division.

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

(J) Division (L) of section 2923.16 of the Revised Code applies with respect to division (A)(2) of this section, except that all references in division (L) of section 2923.16 of the Revised Code to "vehicle," to "this chapter," or to "division (K)(5)(a) or (b) of this section" shall be construed for...
purposes of this section to be, respectively, references to "vessel," to "section 1547.69 of the Revised Code," and to "divisions (K)(5)(a) and (b) of section 2923.16 of the Revised Code as incorporated under the definition of firearm adopted under division (A)(2) of this section."

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

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

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

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

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

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

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

(7) The statement is in writing on or in connection with a
(8) The statement is in writing and is made with purpose to induce another to extend credit to or employ the offender, to confer any degree, diploma, certificate of attainment, award of excellence, or honor on the offender, or to extend to or bestow upon the offender any other valuable benefit or distinction, when the person to whom the statement is directed relies upon it to that person's detriment.

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

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

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

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

(13) The statement is made in a document or instrument of writing that purports to be a judgment, lien, or claim of indebtedness and is filed or recorded with the secretary of state, a county recorder, or the clerk of a court of record.
(14) The statement is made in an application filed with a county sheriff pursuant to section 2923.125 of the Revised Code in order to obtain or renew a concealed handgun weapons license or is made in an affidavit submitted to a county sheriff to obtain a concealed handgun weapons license on a temporary emergency basis under section 2923.1213 of the Revised Code, regardless of whether the application was made or affidavit was submitted prior to, on, or after the effective date of this amendment.

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

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

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

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

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

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

(2) Whoever violates division (A)(9) of this section is guilty of falsification in a theft offense. Except as otherwise provided in this division, falsification in a theft offense is a misdemeanor of the first degree. If the value of the property or services stolen is one thousand dollars or more and is less than seven thousand five hundred dollars, falsification in a theft offense is a felony of the fifth degree. If the value of the property or services stolen is seven thousand five hundred dollars or more and is less than one hundred fifty thousand dollars, falsification in a theft offense is a felony of the fourth degree. If the value of the property or services stolen is one hundred fifty thousand dollars or more, falsification in a theft offense is a felony of the third degree.

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

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

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

(G) A person who violates this section is liable in a
civil action to any person harmed by the violation for injury,
death, or loss to person or property incurred as a result of the
commission of the offense and for reasonable attorney's fees,
court costs, and other expenses incurred as a result of
prosecuting the civil action commenced under this division. A
civil action under this division is not the exclusive remedy of
a person who incurs injury, death, or loss to person or property
as a result of a violation of this section.

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

Sec. 2923.11. As used in sections 2923.11 to 2923.24 of
the Revised Code:

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

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

(2) When determining whether a firearm is capable of
expelling or propelling one or more projectiles by the action of
an explosive or combustible propellant, the trier of fact may
rely upon circumstantial evidence, including, but not limited
to, the representations and actions of the individual exercising
control over the firearm.
(C) "Handgun" means any of the following:

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

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

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

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

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

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

(1) Any firearm of crude and extemporized manufacture;

(2) Any device, including without limitation a starter's pistol, that is not designed as a firearm, but that is specially adapted for use as a firearm;
(3) Any industrial tool, signalling device, or safety device, that is not designed as a firearm, but that as designed is capable of use as such, when possessed, carried, or used as a firearm.

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

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

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

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

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

(2) Any explosive device or incendiary device;

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

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

(5) Any firearm muffler or suppressor;

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

(L) "Dangerous ordnance" does not include any of the following:

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

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

(3) Any cannon or other artillery piece that, regardless of its actual age, is of a type in accepted use prior to 1887, has no mechanical, hydraulic, pneumatic, or other system for absorbing recoil and returning the tube into battery without displacing the carriage, and is designed and safe for use only with black powder;
(4) Black powder, priming quills, and percussion caps possessed and lawfully used to fire a cannon of a type defined in division (L)(3) of this section during displays, celebrations, organized matches or shoots, and target practice, and smokeless and black powder, primers, and percussion caps possessed and lawfully used as a propellant or ignition device in small-arms or small-arms ammunition;

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

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


(M) "Explosive" means any chemical compound, mixture, or device, the primary or common purpose of which is to function by explosion. "Explosive" includes all materials that have been classified as division 1.1, division 1.2, division 1.3, or division 1.4 explosives by the United States department of transportation in its regulations and includes, but is not limited to, dynamite, black powder, pellet powders, initiating explosives, blasting caps, electric blasting caps, safety fuses, fuse igniters, squibs, cordeau detonant fuses, instantaneous
fuses, and igniter cords and igniters. "Explosive" does not include "fireworks," as defined in section 3743.01 of the Revised Code, or any substance or material otherwise meeting the definition of explosive set forth in this section that is manufactured, sold, possessed, transported, stored, or used in any activity described in section 3743.80 of the Revised Code, provided the activity is conducted in accordance with all applicable laws, rules, and regulations, including, but not limited to, the provisions of section 3743.80 of the Revised Code and the rules of the fire marshal adopted pursuant to section 3737.82 of the Revised Code.

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

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

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

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

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

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

A reference in any provision of the Revised Code to a 
concealed handgun license issued by another state or a license 
to carry a concealed handgun issued by another state that 
authorizes the carrying of concealed handguns, firearms, or 
deadly weapons means only a license issued by another state with 
which the attorney general has entered into a reciprocity 
agreement under section 109.69 of the Revised Code.
A reference in any provision of the Revised Code to a person who is deemed under division (C) of section 2923.111 of the Revised Code to have been issued a concealed weapons license under section 2923.125 of the Revised Code means only a person who is so deemed and does not include a person who has been issued a license of a type described in division (N)(1) of this section.

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

(1) A concealed handgun weapons license of the type described in division (N)(1)(a) or (c) of this section that is currently valid, that is not under a suspension under division (A)(1) of section 2923.128 of the Revised Code, under section 2923.1213 of the Revised Code, or under a suspension provision of the state other than this state in which the license was issued, and that has not been revoked under division (B)(1) of section 2923.128 of the Revised Code, under section 2923.1213 of the Revised Code, or under a revocation provision of the state other than this state in which the license was issued;

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

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

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

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

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

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

(S) "Restricted firearm" means a firearm that is a dangerous ordnance or that is a firearm that any law of this state or the United States prohibits the subject person from possessing, having, or carrying.

(T) "Restricted deadly weapon" means a deadly weapon that is a restricted firearm or that is a deadly weapon that any law of this state or the United States prohibits the subject person from possessing, having, or carrying.

**Sec. 2923.111.** (A) Notwithstanding any other Revised Code section to the contrary, subject to the limitations specified in this division and to division (C)(2) of this section, a person who is twenty-one years of age or older and is not legally prohibited from possessing or receiving a firearm under any law of this state or the United States shall not be required to obtain a concealed weapons license under section 2923.125 or 2923.1213 of the Revised Code in order to carry in this state a concealed deadly weapon that is not a restricted deadly weapon.

Except as provided in divisions (B) and (C) of section...
2923.126 of the Revised Code and regardless of whether the person has been issued a concealed weapons license under section 2923.125 or 2923.1213 of the Revised Code or by another state, a person who is twenty-one years of age or older and is not legally prohibited from possessing or receiving a firearm under any law of this state or the United States may carry a concealed deadly weapon that is not a restricted deadly weapon anywhere in this state. The person's right to carry a concealed deadly weapon that is not a restricted deadly weapon that is granted under this division is the same right as is granted to a person who has been issued a concealed weapons license under section 2923.125 of the Revised Code, and the person described in this division is subject to the same restrictions as apply to a person who has been issued a concealed weapons license under section 2923.125 of the Revised Code.

(B) The mere carrying or possession of a deadly weapon that is not a restricted deadly weapon pursuant to the right described in division (A) of this section, with or without a concealed weapons license issued under section 2923.125 or 2923.1213 of the Revised Code or a concealed weapons license issued by another state, does not constitute grounds for any law enforcement officer or any agent of the state, a county, a municipal corporation, or a township to conduct any search, seizure, or detention, no matter how temporary in duration, of an otherwise law-abiding person.

(C)(1) For purposes of sections 1547.69 and 2923.12 to 2923.1213 of the Revised Code and any other provision of law that refers to a concealed weapons license or a concealed weapons licensee, except when the context clearly indicates otherwise, a person who is described in division (A) of this section and is carrying or has, concealed on the person's person
or ready at hand, a deadly weapon that is not a restricted deadly weapon shall be deemed to have been issued a concealed weapons license under section 2923.125 of the Revised Code.

(2) The concealed weapons license expiration provisions of section 2923.125 of the Revised Code and the concealed weapons license suspension and revocation provisions of section 2923.128 of the Revised Code do not apply with respect to a person who is described in division (A) of this section unless the person has been issued a concealed weapons license. If a person is described in division (A) of this section and the person thereafter comes within any category of persons legally prohibited from possessing or receiving a firearm under any law of this state or the United States, both of the following apply automatically and immediately upon the person coming within that category:

(a) Division (A) of this section and the authority and right to carry a concealed deadly weapon that are described in that division do not apply to the person.

(b) Division (C)(1) of this section does not apply to the person, and the person no longer is deemed to have been issued a concealed weapons license under section 2923.125 of the Revised Code as described in that division.

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

(1) A deadly weapon other than a handgun;

(2) A handgun other than a dangerous ordnance;

(3) A dangerous ordnance.
(B) No person who has been issued a concealed handgun weapons license and is carrying a concealed deadly weapon that is not a restricted deadly weapon or who is deemed under division (C) of section 2923.111 of the Revised Code to have been issued a concealed weapons license under section 2923.125 of the Revised Code and is carrying a concealed deadly weapon that is not a restricted deadly weapon 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 purpose, if the person is carrying a concealed handgun deadly weapon is a loaded firearm, and if the person is approached by any law enforcement officer while stopped, knowingly remove or attempt to remove the loaded handgun firearm from the holster, pocket, or other place in which the person is carrying it, knowingly grasp or hold the loaded handgun firearm, or knowingly have contact with the loaded handgun firearm by touching it with the person's hands or fingers at any time after the law
enforcement officer begins approaching and before the law
enforcement officer leaves, unless the person removes, attempts
to remove, grasps, holds, or has contact with the loaded handgun
pursuant to and in accordance with directions given by
the law enforcement officer;

(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 given while the person is stopped, including, but not
limited to, a specific order to the person to keep the person's
hands in plain sight.

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

(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 handgun firearms or other deadly
weapons 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 handgun firearms or other deadly
weapons, 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 expressly 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
deadly weapon, other than a firearm described in divisions (G)
to (M) of section 2923.11 of the Revised Code, in a motor
vehicle for any lawful purpose if the firearm deadly weapon is
not on the actor's person;

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

(2) Division (a) Subject to division (C)(2)(b) of this
section, divisions (A)(2), (A)(1) and (2) of this section do not
apply to any person who, with respect to the carrying or
possession of any deadly weapon that is not a restricted deadly
weapon if, at the time of the alleged carrying or possession of
a handgun, the deadly weapon, either is carrying the person has
been issued a valid concealed handgun weapons license, is deemed
under division (C) of section 2923.111 of the Revised Code to
have been issued a concealed weapons license under section
2923.125 of the Revised Code, or 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, unless

(b) The exemptions specified in division (C)(2)(a) of this
section do not apply to a person if the person, at the time of
the carrying or possession in question, knowingly is in an
authorized place described in division (B) of section
2923.126 of the Revised Code or knowingly is transporting or
possessing the deadly weapon in any prohibited manner listed in
that division.

(D) It is an affirmative defense to a charge under
division (A)(1) of this section of carrying or having control of a deadly weapon other than a handgun and other than a dangerous ordnance that neither division (C)(1) nor (2) of this section applies, 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 lawful activity and had reasonable cause to fear a criminal attack upon the actor, a member of the actor's family, or the actor's home, such as would justify a prudent person in going 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)(1) No person who is charged with a violation of this section shall be required to obtain a concealed handgun weapons license as a condition for the dismissal of the charge.

(2) If a person is convicted of, was convicted of, pleads guilty to, or has pleaded guilty to a violation of division (B)(1) of this section as it existed prior to the effective date of this amendment, the person may file an application under section 2953.37 of the Revised Code requesting the expungement of the record of conviction.
(F)(1) Whoever violates this section is guilty of carrying concealed weapons. Except as otherwise provided in this division or divisions (F)(2), (6), (F)(4) and (7) (5) of this section, carrying concealed weapons in violation of division (A) of this section is a misdemeanor of the first degree. Except as otherwise provided in this division or divisions (F)(2), (6), (F)(4) and (7) (5) of this section, if the offender previously has been convicted of a violation of this section or of 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 dangerous ordnance, carrying concealed weapons in violation of division (A) of this section is a felony of the fourth degree. Except as otherwise provided in divisions (F)(2) and (6) division (F)(4) of this section, if the offense is committed aboard an aircraft, or with purpose to carry a concealed weapon aboard an aircraft, regardless of the weapon involved, carrying concealed weapons in violation of division (A) of this section is a felony of the third degree.

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

(a) The offender shall be guilty of a minor misdemeanor if both of the following apply:
(i) Within ten days after the arrest, the offender presents a concealed handgun license, which license was valid at the time of the arrest to the law enforcement agency that employs the arresting officer.

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

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

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

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

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

(c) If divisions (F)(2)(a) and (b) and (F)(6) of this section do not apply, the offender shall be punished under division (F)(1) or (7) of this section.

(3) Except as otherwise provided in this division, carrying concealed weapons in violation of division (B)(1) of this section is a misdemeanor of the first degree, and, in addition to any other penalty or sanction imposed for a
violation of division (B)(1) of this section, the offender's concealed handgun license shall be suspended pursuant to division (A)(2) of section 2923.128 of the Revised Code. If, at the time of the stop of the offender for a law enforcement purpose that was the basis of the violation, any law enforcement officer involved with the stop had actual knowledge that the offender has been issued a concealed handgun license, carrying concealed weapons in violation of division (B)(1) of this section is a minor misdemeanor, and the offender's concealed handgun license shall not be suspended pursuant to division (A)(2) of section 2923.128 of the Revised Code.

(4) Carrying concealed weapons in violation of division (B)(2)–(B)(1) or (4)–(3) of this section is a misdemeanor of the first degree or, if the offender previously has been convicted of or pleaded guilty to a violation of division (B)(2)–(B)(1) or (4)–(3) of this section, a felony of the fifth degree. In addition to any other penalty or sanction imposed for a misdemeanor violation of division (B)(2)–(B)(1) or (4)–(3) of this section, if the offender has been issued a concealed weapons license, the offender's concealed handgun license shall be suspended pursuant to division (A)(2) of section 2923.128 of the Revised Code.

(5) (4) Carrying concealed weapons in violation of division (B)(3)–(B)(2) of this section is a felony of the fifth degree.

(6) (4) If a person being arrested for a violation of division (A)(2)–(A)(1) or (2) of this section based on carrying a concealed deadly weapon that is not a restricted deadly weapon is an active duty member of the armed forces of the United States and is carrying a valid military identification card and
documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G)(1) of section 2923.125 of the Revised Code, and if at the time of the violation the person was not knowingly in an unauthorized place described in division (B) of section 2923.126 of the Revised Code or knowingly carrying or having the deadly weapon in any prohibited manner listed in that division, the officer shall not arrest the person for a violation of that division (A)(1) or (2) of this section. If the person is not able to promptly produce a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G)(1) of section 2923.125 of the Revised Code and if the person at the time of the violation is not knowingly in an unauthorized place described in division (B) of section 2923.126 of the Revised Code or knowingly carrying or having the deadly weapon in any prohibited manner listed in that division, the officer shall issue a citation and the offender shall be assessed a civil penalty of not more than five hundred dollars. The citation shall be automatically dismissed and the civil penalty shall not be assessed if both of the following apply:

(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 not knowingly in an unauthorized place described in
division (B) of section 2923.126 of the Revised Code or knowingly carrying or having the deadly weapon in any prohibited manner listed in that division.

(7) If a person being arrested for a violation of division (A)(2), (A)(1) or (2) of this section based on carrying a concealed deadly weapon that is not a restricted deadly weapon is knowingly in any unauthorized place described in division (B)(5) of section 2923.126 of the Revised Code and is not authorized to carry a handgun deadly weapon or have a handgun deadly weapon 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 the person produces a valid concealed handgun license within ten days after the arrest and has not previously been convicted or pleaded guilty to a violation of division (A)(2) of this section (F)(5)(b), (c), or (d) of this section, the person is guilty of a minor misdemeanor;

(b) Except as otherwise provided in this division (F)(5) (c) or (d) of this section, if the person has previously been convicted of or pleaded guilty to a violation of division (A)(2), (A)(1) or (2) of this section, the person is guilty of a misdemeanor of the fourth degree;

(c) Except as otherwise provided in this division (F)(5) (c) or (d) of this section, if the person has previously been convicted of or pleaded guilty to two violations of division (A) (2) (A)(1) or (2) of this section, the person is guilty of a misdemeanor of the third degree;

(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), (A)(1) or (2) of
this section, or convicted of or pleaded guilty to any offense
of violence, if the deadly weapon involved is a firearm that is
either loaded or for which the offender has ammunition ready at
hand, or if the deadly 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
question the person regarding a possible violation of this
section, for a traffic stop, or for any other law enforcement
purpose, if the person surrenders a firearm deadly weapon to the
officer, either voluntarily or pursuant to a request or demand
of the officer, and if the officer does not charge the person
with a violation of this section or arrest the person for any
offense, the person is not otherwise prohibited by law from
possessing the firearm deadly weapon, and the firearm deadly
weapon is not contraband, the officer shall return the firearm
deadly weapon to the person at the termination of the stop. If a
court orders a law enforcement officer to return a firearm
deadly weapon to a person pursuant to the requirement set forth
in this division, division (B) of section 2923.163 of the
Revised Code applies.

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

Sec. 2923.121. (A) No person shall possess a firearm in
any room in which any person is consuming beer or intoxicating
liquor in a premises for which a D permit has been issued under
Chapter 4303. of the Revised Code or in an open air arena for
which a permit of that nature has been issued.
(B)(1) This section does not apply to any of the following:

(a) An officer, agent, or employee of this or any other state or the United States, or 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;

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

(i) The officer or investigator is carrying validating identification.

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

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

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

(d) The principal holder of a D permit issued for a premises or an open air arena under Chapter 4303. of the Revised Code while in the premises or open air arena for which the permit was issued if the principal holder of the D permit also possesses or is deemed under division (C) of section 2923.111 of...
the Revised Code to have been issued a concealed weapons license under section 2923.125 of the Revised Code and as long as the firearm is not a restricted firearm and the principal holder is not consuming beer or intoxicating liquor or under the influence of alcohol or a drug of abuse, or any agent or employee of that holder who also is a peace officer, as defined in section 2151.3515 of the Revised Code, who is off duty, and who otherwise is authorized to carry firearms while in the course of the officer's official duties and while in the premises or open air arena for which the permit was issued and as long as the firearm is not a restricted firearm and the agent or employee of that holder is not consuming beer or intoxicating liquor or under the influence of alcohol or a drug of abuse.

(e) Any person who is carrying has been issued a valid concealed handgun weapons license, any person who is deemed under division (C) of section 2923.111 of the Revised Code to have been issued a concealed weapons license under section 2923.125 of the Revised Code, 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 firearm is not a restricted firearm and 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 member of a veteran's organization, as defined in section 2915.01 of the Revised Code, from possessing a rifle in any room in any premises owned, leased, or otherwise under the control of the veteran's organization, if the rifle is not loaded with live ordnance.
ammunition and if the person otherwise is not prohibited by law from having the rifle.

(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 pursuant to Chapter 345. of the Revised Code, in a convention center, or in any other public meeting place, if the person is an exhibitor, trader, purchaser, or seller of firearms and is not otherwise prohibited by law from possessing, trading, purchasing, or selling the firearms.

(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 neither division (B)(1)(d) nor (e) of this section applies, that the actor was not otherwise prohibited by law from having the firearm, and that any of the following apply:

(1) The firearm 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 such character or was necessarily carried on in such manner or at such 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 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 going armed.
(D) No person who is charged with a violation of this section shall be required to obtain a concealed handgun weapon license as a condition for the dismissal of the charge.

(E) Whoever violates this section is guilty of illegal possession of a firearm in a liquor permit premises. Except as otherwise provided in this division, illegal possession of a firearm in a liquor permit premises is a felony of the fifth degree. If the offender commits the violation of this section by knowingly carrying or having the firearm concealed on the offender's person or concealed ready at hand, illegal possession of a firearm in a liquor permit premises is a felony of the third degree.

(F) As used in this section:

1. "Beer" and "intoxicating liquor" have the same meanings as in section 4301.01 of the Revised Code.

2. "Investigator" has the same meaning as in section 109.541 of the Revised Code.

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

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

   b. Carrying a firearm issued or approved by the agency or bureau in premises described in division (A) of section 2923.1214 of the Revised Code.
(4) "Law enforcement officer" has the same meaning as in section 9.69 of the Revised Code.

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

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

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

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

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

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

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

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

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

(a) An officer, agent, or employee of this or any other
state or the United States who is authorized to carry deadly weapons or dangerous ordnance and is acting within the scope of the officer's, agent's, or employee's duties, a law enforcement officer who is authorized to carry deadly weapons or dangerous ordnance, a security officer employed by a board of education or governing body of a school during the time that the security officer is on duty pursuant to that contract of employment, or any other person who has written authorization from the board of education or governing body of a school to convey deadly weapons or dangerous ordnance into a school safety zone or to possess a deadly weapon or dangerous ordnance in a school safety zone and who conveys or possesses the deadly weapon or dangerous ordnance in accordance with that authorization;

(b) Any person who is employed in this state, who is authorized to carry deadly weapons or dangerous ordnance, 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 expressly specified that the exemption provided in division (D)(1)(b) of this section does not apply to the person.

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

(3) This section does not apply to a person who conveys or
attempts to convey a handgun deadly weapon that is not a
restricted deadly weapon into, or possesses a handgun deadly
weapon that is not a restricted deadly weapon in, a school
safety zone if, at both of the following apply:

(a) At the time of that conveyance, attempted conveyance,
or possession of the handgun deadly weapon that is not a
restricted deadly weapon, all the person has been issued a valid
concealed weapons license, the person is deemed under division
(C) of section 2923.111 of the Revised Code to have been issued
a concealed weapons license under section 2923.125 of the
Revised Code, or the person is an active duty member of the
armed forces of the United States and is carrying a valid
military identification card and documentation of successful
completion of firearms training that meets or exceeds the
training requirements described in division (G)(1) of section
2923.125 of the Revised Code.

(b) Either of the following apply:

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

(b) The person is carrying a valid concealed handgun
license or the person is an active duty member of the armed
forces of the United States and is carrying a valid military
identification card and documentation of successful completion
of firearms training that meets or exceeds the training
requirements described in division (G)(1) of section 2923.125 of
(c) The person is in the school safety zone in accordance with 18 U.S.C. 922(q)(2)(B).

(d) The person is not knowingly in an unauthorized place described in division (B)(1) or (B) (3) to (8) of section 2923.126 of the Revised Code and is not knowingly conveying, attempting to convey, or possessing the deadly weapon in any prohibited manner specified in any of those divisions.

(4) This section does not apply to a person who conveys or attempts to convey a handgun into, or possesses a handgun in, a school safety zone if at the time of that conveyance, attempted conveyance, or possession of the handgun all of the following apply:

(a) The person is carrying a valid concealed handgun license or the person is an active duty member of the armed forces of the United States and is carrying a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (C)(1) of section 2923.125 of the Revised Code.

(b)(ii) The person leaves the handgun deadly weapon in a motor vehicle.

(c) The handgun, the deadly weapon does not leave the motor vehicle.

(d) If, and, if the person exits the motor vehicle, the person locks the motor vehicle.

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

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

(F)(1) In addition to any other penalty imposed upon a person who is convicted of or pleads guilty to a violation of this section and subject to division (F)(2) of this section, if the offender has not attained nineteen years of age, regardless of whether the offender is attending or is enrolled in a school operated by a board of education or for which the state board of education prescribes minimum standards under section 3301.07 of the Revised Code, the court shall impose upon the offender a class four suspension of the offender's probationary driver's license, restricted license, driver's license, commercial driver's license, temporary instruction permit, or probationary commercial driver's license that then is in effect from the range specified in division (A)(4) of section 4510.02 of the
Revised Code and shall deny the offender the issuance of any
permit or license of that type during the period of the
suspension.

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

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

(G) As used in this section, "object that is
indistinguishable from a firearm" means an object made,
constructed, or altered so that, to a reasonable person without
specialized training in firearms, the object appears to be a
firearm.

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

(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:

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

(2) A peace officer, officer of a law enforcement agency, or person who is in either of the following categories:
   (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 United States, who is authorized to carry a deadly weapon or dangerous ordnance, who possesses or has under that individual's control a deadly weapon or dangerous ordnance as a requirement of that individual's duties, and who is acting within the scope of that individual's duties at the time of that possession or control;
   (b) Except as provided in division (E) of this section, a person who is employed in this state, who is authorized to carry a deadly weapon or dangerous ordnance, who possesses or has under that individual's control a deadly weapon or dangerous ordnance as a requirement of that person's duties, 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 expressly specified that the exemption provided in division (C)(2)(b) of this section does not apply to the person.

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

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

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

(6)(a) Except as provided in division (E) of this section, a
person who conveys or attempts to convey a handgun deadly
weapon that is not a restricted deadly weapon into a courthouse
or into another building or structure in which a courtroom is
located, or who possesses or has under the person's control a
deadly weapon that is not a restricted deadly weapon in a
courthouse or such a building or structure, if both of the
following apply with respect to the person:

(i) The person, at the time of the conveyance or attempt,
either is carrying possession, or control, has been issued a
valid concealed handgun weapons license, is deemed under
division (C) of section 2923.111 of the Revised Code to have
been issued a concealed weapons license under section 2923.125
of the Revised Code, or is an active duty member of the armed
forces of the United States and is carrying a valid military
identification card and documentation of successful completion
of firearms training that meets or exceeds the training 
requirements described in division (G)(1) of section 2923.125 of 
the Revised Code, and who .

(ii) The person transfers possession of the handgun deadly 
weapon that is not a restricted deadly weapon to the officer or 
officer's designee who has charge of the courthouse or building.

(b) The officer described in division (C)(6)(a)(ii) of 
this section shall secure the handgun deadly weapon that is not 
a restricted deadly weapon until the licensee person in question 
is prepared to leave the premises. The exemption described in 
this division (C)(6)(a) of this section applies only if the 
officer who has charge of the courthouse or building provides 
services of the nature described in this division (C)(6)(a)(ii) 
of this section. An officer who has charge of the courthouse or 
building is not required to offer services of the nature 
described in this division (C)(6)(a)(ii) of this section.

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

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

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

(F) As used in this section:

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

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

Sec. 2923.124. As used in sections 2923.124 to 2923.1213 of the Revised Code:

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

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

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

(D) "Licensee" means a person to whom a concealed handgun weapons license has been issued under section 2923.125 of the Revised Code prior to, on, or after the effective date of this amendment and, except when the context clearly indicates otherwise, includes a person to whom a concealed handgun weapons license on a temporary emergency basis has been issued under section 2923.1213 of the Revised Code and prior to, on, or after the effective date of this amendment, a person to whom a concealed handgun weapons license has been issued by another state, and a person who is deemed under division (C) of section 2923.111 of the Revised Code to have been issued a concealed weapons license under section 2923.125 of the Revised Code.

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

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

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

(H) "Civil protection order" means a protection order issued, or consent agreement approved, under section 2903.214 or 3113.31 of the Revised Code.
(I) "Temporary protection order" means a protection order issued under section 2903.213 or 2919.26 of the Revised Code.

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

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

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

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

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

Sec. 2923.125. It is the intent of the general assembly that Ohio concealed handgun weapons license law be compliant with the national instant criminal background check system, that the bureau of alcohol, tobacco, firearms, and explosives is able to determine that Ohio law is compliant with the national instant criminal background check system, and that no person shall be eligible to receive a concealed handgun weapons license permit under section 2923.125 or 2923.1213 of the Revised Code unless the person is eligible lawfully to receive or possess a firearm in the United States.

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

(B) An applicant for a concealed handgun weapons license
who is a resident of this state shall submit a completed
application form and all of the material and information
described in divisions (B)(1) to (6) of this section to the
sheriff of the county in which the applicant resides or to the
sheriff of any county adjacent to the county in which the
applicant resides. An applicant for a license who resides in
another state shall submit a completed application form and all
of the material and information described in divisions (B)(1) to
(7) of this section to the sheriff of the county in which the
applicant is employed or to the sheriff of any county adjacent
to the county in which the applicant is employed:

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

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

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

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

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

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

(2) A color photograph of the applicant that was taken within thirty days prior to the date of the application;
(3) One or more of the following competency certifications, each of which shall reflect that, regarding a certification described in division (B)(3)(a), (b), (c), (e), or (f) of this section, within the three years immediately preceding the application the applicant has performed that to which the competency certification relates and that, regarding a certification described in division (B)(3)(d) of this section, the applicant currently is an active or reserve member of the armed forces of the United States, the applicant has retired from or was honorably discharged from military service in the active or reserve armed forces of the United States, or within the ten years immediately preceding the application the retirement of the peace officer, person described in division (B)(1)(b) of section 109.77 of the Revised Code, or federal law enforcement officer to which the competency certification relates occurred:

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

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

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

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

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

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

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

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

(i) That the applicant is an active or reserve member of the armed forces of the United States, has retired from or was honorably discharged from military service in the active or reserve armed forces of the United States, is a retired trooper of the state highway patrol, or is a retired peace officer or
federal law enforcement officer described in division (B)(1) of this section or a retired person described in division (B)(1)(b) of section 109.77 of the Revised Code and division (B)(1) of this section;

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

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

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

(g) A document that evidences that the applicant has successfully completed the Ohio peace officer training program described in section 109.79 of the Revised Code.
(4) A certification by the applicant that the applicant has read the pamphlet prepared by the Ohio peace officer training commission pursuant to section 109.731 of the Revised Code that reviews deadly weapons (including firearms), dispute resolution, and use of deadly force matters.

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

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

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

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

(D)(1) Except as provided in division (D)(3) of this section, within forty-five days after a sheriff's receipt of an applicant's completed application form for a concealed handgun weapons license under this section, the supporting
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documentation, and, if not waived, the license fee, the sheriff
shall make available through the law enforcement automated data
system in accordance with division (H) of this section the
information described in that division and, upon making the
information available through the system, shall issue to the
applicant a concealed handgun weapons license that shall expire
as described in division (D)(2)(a) of this section if all of the
following apply:

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

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

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

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

(e) Except as otherwise provided in division (D)(4) or (5)
of this section, the applicant has not been convicted of or
pleaded guilty to a felony or an offense under Chapter 2925.,
3719., or 4729. of the Revised Code that involves the illegal
possession, use, sale, administration, or distribution of or
trafficking in a drug of abuse; has not been adjudicated a
delinquent child for committing an act that if committed by an
adult would be a felony or would be an offense under Chapter
2925., 3719., or 4729. of the Revised Code that involves the
illegal possession, use, sale, administration, or distribution
of or trafficking in a drug of abuse; has not been convicted of,
pleaded guilty to, or adjudicated a delinquent child for
committing a violation of section 2903.13 of the Revised Code
when the victim of the violation is a peace officer, regardless
of whether the applicant was sentenced under division (C)(4) of
that section; and has not been convicted of, pleaded guilty to,
or adjudicated a delinquent child for committing any other
offense that is not previously described in this division that
is a misdemeanor punishable by imprisonment for a term exceeding
one year.

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

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

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

(i) The applicant has not been adjudicated as a mental defective, has not been committed to any mental institution, is not under adjudication of mental incompetence, has not been found by a court to be a mentally ill person subject to court order, and is not an involuntary patient other than one who is a patient only for purposes of observation. As used in this division, "mentally ill person subject to court order" and "patient" have the same meanings as in section 5122.01 of the Revised Code.

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

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

(l) The applicant submits a competency certification of the type described in division (B)(3) of this section and submits a certification of the type described in division (B)(4)
of this section regarding the applicant's reading of the
pamphlet prepared by the Ohio peace officer training commission
pursuant to section 109.731 of the Revised Code.

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

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

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

(p) If the applicant is not a United States citizen, the
applicant is an alien and has not been admitted to the United
States under a nonimmigrant visa, as defined in the "Immigration

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

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

(s) The applicant has not been convicted of, pleaded
guilty to, or been adjudicated a delinquent child for committing
a violation of section 2919.25 of the Revised Code or a similar
violation in another state.
(2)(a) A concealed handgun weapons license that a sheriff issues under division (D)(1) of this section prior to, on, or after the effective date of this amendment shall expire five years after the date of issuance. A concealed weapons license that a sheriff issued as a concealed handgun license under that division prior to the effective date of this amendment and that has not expired prior to the effective date of this amendment has the same validity as a concealed weapons license issued on or after that date and shall be treated for purposes of this section and other Revised Code provisions as if it were a license issued on or after that date.

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

(b) If a sheriff denies an application under this section because the applicant does not satisfy the criteria described in division (D)(1) of this section, the sheriff shall specify the grounds for the denial in a written notice to the applicant. The applicant may appeal the denial pursuant to section 119.12 of the Revised Code in the county served by the sheriff who denied the application. If the denial was as a result of the criminal records check conducted pursuant to section 311.41 of the Revised Code and if, pursuant to section 2923.127 of the Revised Code, the applicant challenges the criminal records check results using the appropriate challenge and review procedure specified in that section, the time for filing the appeal pursuant to section 119.12 of the Revised Code and this division is tolled during the pendency of the request or the challenge and review.
(c) If the court in an appeal under section 119.12 of the Revised Code and division (D)(2)(b) of this section enters a judgment sustaining the sheriff's refusal to grant to the applicant a concealed handgun weapons license, the applicant may file a new application beginning one year after the judgment is entered. If the court enters a judgment in favor of the applicant, that judgment shall not restrict the authority of a sheriff to suspend or revoke the license pursuant to section 2923.128 or 2923.1213 of the Revised Code or to refuse to renew the license for any proper cause that may occur after the date the judgment is entered. In the appeal, the court shall have full power to dispose of all costs.

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

(4) If an applicant has been convicted of or pleaded guilty to an offense identified in division (D)(1)(e), (f), or (h) of this section or has been adjudicated a delinquent child for committing an act or violation identified in any of those divisions, and if a court has ordered the sealing or expungement of the records of that conviction, guilty plea, or adjudication pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 2953.36, or section 2953.37 of the Revised Code or the applicant has been relieved under operation of law or legal process from the disability imposed pursuant to section 2923.13 of the Revised Code relative to that conviction, guilty plea, or adjudication, the sheriff with whom the application was...
submitted shall not consider the conviction, guilty plea, or adjudication in making a determination under division (D)(1) or (F) of this section or, in relation to an application for a concealed handgun weapons license on a temporary emergency basis submitted under section 2923.1213 of the Revised Code, in making a determination under division (B)(2) of that section.

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

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

(F)(1)(a) Except as provided in division (F)(1)(b) of this section, a licensee who wishes to renew a concealed handgun weapons license issued under this section prior to, on, or after the effective date of this amendment may do so at any time
before the expiration date of the license or at any time after
the expiration date of the license by filing with the sheriff of
the county in which the applicant resides or with the sheriff of
an adjacent county, or in the case of an applicant who resides
in another state with the sheriff of the county that issued the
applicant's previous concealed handgun weapons license an
application for renewal of the license obtained pursuant to
division (D) of this section, a certification by the applicant
that, subsequent to the issuance of the license, the applicant
has reread the pamphlet prepared by the Ohio peace officer
training commission pursuant to section 109.731 of the Revised
Code that reviews deadly weapons (including firearms), dispute
resolution, and use of deadly force matters, and a nonrefundable
license renewal fee in an amount determined pursuant to division
(F)(4) of this section unless the fee is waived.

(b) A person on active duty in the armed forces of the
United States or in service with the peace corps, volunteers in
service to America, or the foreign service of the United States
is exempt from the license requirements of this section for the
period of the person's active duty or service and for six months
thereafter, provided the person was a licensee under this
section at the time the person commenced the person's active
duty or service or had obtained a license while on active duty
or service. The spouse or a dependent of any such person on
active duty or in service also is exempt from the license
requirements of this section for the period of the person's
active duty or service and for six months thereafter, provided
the spouse or dependent was a licensee under this section at the
time the person commenced the active duty or service or had
obtained a license while the person was on active duty or
service, and provided further that the person's active duty or
service resulted in the spouse or dependent relocating outside
of this state during the period of the active duty or service.
This division does not prevent such a person or the person's
spouse or dependent from making an application for the renewal
of a concealed handgun weapons license during the period of the
person's active duty or service.

(2) A sheriff shall accept a completed renewal
application, the license renewal fee, and the information
specified in division (F)(1) of this section at the times and in
the manners described in division (I) of this section. Upon
receipt of a completed renewal application, of certification
that the applicant has reread the specified pamphlet prepared by
the Ohio peace officer training commission, and of a license
renewal fee unless the fee is waived, a sheriff, in the manner
specified in section 311.41 of the Revised Code shall conduct or
cause to be conducted the criminal records check and the
incompetency records check described in section 311.41 of the
Revised Code. The sheriff shall renew the license if the sheriff
determines that the applicant continues to satisfy the
requirements described in division (D)(1) of this section,
except that the applicant is not required to meet the
requirements of division (D)(1)(l) of this section. A renewed
license shall expire five years after the date of issuance,
regardless of whether the renewal occurred prior to, on, or
after the effective date of this amendment. A renewed license is
subject to division (E) of this section and sections 2923.126
and 2923.128 of the Revised Code. A sheriff shall comply with
divisions (D)(2) and (3) of this section when the circumstances
described in those divisions apply to a requested license
renewal. If a sheriff denies the renewal of a concealed handgun-
weapons license, the applicant may appeal the denial, or
challenge the criminal record check results that were the basis of the denial if applicable, in the same manner as specified in division (D)(2)(b) of this section and in section 2923.127 of the Revised Code, regarding the denial of a license under this section.

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

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

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

(b) For an applicant who has been a resident of this state for less than five years or who is not a resident of this state but who is employed in this state, a fee of fifty dollars plus the actual cost of having a background check performed by the
(5) The concealed handgun weapons license of a licensee who is no longer a resident of this state or no longer employed in this state, as applicable, is valid until the date of expiration on the license, regardless of whether the license was issued prior to, on, or after the effective date of this amendment, and the licensee is prohibited from renewing the concealed handgun weapons license.

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

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

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

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

(d) Gun handling training;

(e) A minimum of two hours of in-person training that
(2) To satisfactorily complete the course, class, or program described in division (B)(3)(a), (b), (c), or (e) of this section, the applicant shall pass a competency examination that shall include both of the following:

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

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

(3)(a) Except as otherwise provided in this division, the training specified in division (G)(1)(a) of this section shall be provided to the person receiving the training in person by an instructor. If the training specified in division (G)(1)(a) of this section is provided by a course, class, or program described in division (B)(3)(a) of this section, or it is provided by a course, class, or program described in division (B)(3)(b), (c), or (e) of this section and the instructor is a qualified instructor certified by a national gun advocacy organization, the training so specified, other than the training that requires the person receiving the training to demonstrate handling abilities, may be provided online or as a combination of in-person and online training, as long as the online training includes an interactive component that regularly engages the person.
(b) Except as otherwise provided in this division, the written section of the competency examination specified in division (G)(2)(a) of this section shall be administered to the person taking the competency examination in person by an instructor. If the training specified in division (G)(1)(a) of this section is provided to the person receiving the training by a course, class, or program described in division (B)(3)(a) of this section, or it is provided by a course, class, or program described in division (B)(3)(b), (c), or (e) of this section and the instructor is a qualified instructor certified by a national gun advocacy organization, the written section of the competency examination specified in division (G)(2)(a) of this section may be administered online, as long as the online training includes an interactive component that regularly engages the person.

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

(H) Upon deciding to issue a concealed handgun weapons license, deciding to issue a replacement concealed handgun weapons license, or deciding to renew a concealed handgun weapons license pursuant to this section, and before actually issuing or renewing the license, the sheriff shall make available through the law enforcement automated data system all information contained on the license. If the license subsequently is suspended under division (A)(1) or (2) of section 2923.128 of the Revised Code, revoked pursuant to division (B)(1) of section 2923.128 of the Revised Code, or lost
or destroyed, the sheriff also shall make available through the law enforcement automated data system a notation of that fact. The superintendent of the state highway patrol shall ensure that the law enforcement automated data system is so configured as to permit the transmission through the system of the information specified in this division.

(I)(1) A sheriff shall accept a completed application form or renewal application, and the fee, items, materials, and information specified in divisions (B)(1) to (5) or division (F) of this section, whichever is applicable, and shall provide an application form or renewal application to any person during at least fifteen hours a week and shall provide the web site address at which a printable version of the application form that can be downloaded and the pamphlet described in division (B) of section 109.731 of the Revised Code may be found at any time, upon request. The sheriff shall post notice of the hours during which the sheriff is available to accept or provide the information described in this division.

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

Sec. 2923.126. (A) A concealed handgun weapons license
that is issued under section 2923.125 of the Revised Code prior
to, on, or after the effective date of this amendment 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 weapons license under section 2923.125 or 2923.1213 of the Revised Code prior to, on, or after the effective date of this amendment may carry a concealed handgun deadly weapon that is not a restricted deadly weapon anywhere in this state if the licensee also carries a valid license when the licensee is in actual possession of a concealed handgun. The licensee who has been issued a concealed weapons license under section 2923.125 or 2923.1213 of the Revised Code shall give notice of any change in the licensee's residence address to the sheriff who issued the license within forty-five days after that change. A concealed weapons license that a sheriff issued as a concealed handgun license prior to the effective date of this amendment and that has not expired prior to the effective date of this amendment has the same validity as a concealed weapons license issued on or after that date and shall be treated for purposes of this section, sections 2923.127 to 2923.1212 of the Revised Code, and other Revised Code provisions as if it were a license issued on
or after that date.

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 a deadly weapon that is a loaded firearm and that is not a restricted firearm, 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 5503.34 of the Revised Code and 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 that is not a restricted deadly weapon 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, if the deadly weapon is a loaded firearm, the licensee shall not knowingly remove, attempt to remove, grasp, or hold the loaded handgun firearm or knowingly have contact with the loaded handgun firearm 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 The right to carry a concealed deadly weapon that is granted under division (A) of this section to a licensee who has been issued a concealed handgun weapons license, or that is granted under division (A) of section 2923.111 of the Revised Code to a licensee who is deemed under division (C) of that section to have been issued a concealed weapons license under section 2923.125 of the Revised Code, does not authorize the licensee to carry any restricted deadly weapon, does not authorize the licensee to carry a deadly weapon or a concealed
handgun—deadly weapon in any manner prohibited under division (B) of section 2923.12 of the Revised Code or in any manner prohibited under section 1547.69, 2921.36, 2923.12, 2923.121, 2923.122, 2923.123, 2923.13, 2923.131, 2923.15, or 2923.16 of the Revised Code. A valid license, and does not authorize the licensee to carry a concealed handgun—deadly weapon 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; any area of an airport passenger terminal that is beyond a passenger or property screening checkpoint or to which access is restricted through security measures by the airport authority or a public agency; 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;

(2) A school safety zone if the licensee's carrying the concealed handgun—deadly weapon 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 if the licensee's carrying the concealed handgun—deadly weapon is 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—deadly weapon is in violation of section 2923.121 of the Revised Code;
(5) Any premises owned or leased by any public or private college, university, or other institution of higher education, unless the handgun deadly weapon is in a locked motor vehicle or, the licensee is in the immediate process of placing the handgun deadly weapon in a locked motor vehicle, or unless the licensee is carrying the concealed handgun deadly weapon pursuant to a written policy, rule, or other authorization that is adopted by the institution's board of trustees or other governing body and that authorizes specific individuals or classes of individuals to carry a concealed handgun deadly weapon on the premises;

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

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

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

(C)(1) Nothing in this section or section 2923.111 of the Revised Code shall negate or restrict a rule, policy, or practice of a private employer that is not a private college, university, or other institution of higher education concerning or prohibiting the presence of firearms deadly weapons on the
private employer's premises or property, including motor vehicles owned by the private employer. Nothing in this section or section 2923.111 of the Revised Code shall require a private employer of that nature to adopt a rule, policy, or practice concerning or prohibiting the presence of firearms deadly weapons on the private employer's premises or property, including motor vehicles owned by the private employer.

(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—deadly weapon 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 that allegedly was caused by or related to the private employer's decision to permit a licensee to bring, or prohibit a licensee from bringing, a handgun—deadly weapon onto the premises or property of the private employer.

(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—deadly weapon 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 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-deadly weapon onto the premises of the institution, including motor vehicles owned by the institution, unless the institution acted with malicious purpose. An institution of higher education is 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 the institution's decision to permit a licensee or class of licensees to bring a handgun-deadly weapon onto the premises of the institution.

(d) A nonprofit corporation 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-deadly weapon onto the premises of the nonprofit corporation, including any motor vehicle owned by the nonprofit corporation, or to any event organized by the nonprofit corporation, unless the nonprofit corporation acted with malicious purpose. A nonprofit corporation is 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 the nonprofit corporation's decision to permit a licensee to bring a handgun-deadly weapon onto the premises of the nonprofit corporation or to any event organized by the nonprofit corporation.

(3)(a) Except as provided in division (C)(3)(b) of this section and section 2923.1214 of the Revised Code, 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 subdivision of the state or the United States, may post a sign in a conspicuous location on that land or on those premises prohibiting persons from carrying
firearms or concealed firearms on or onto that land or those premises. Except as otherwise provided in this division, a person who knowingly violates a posted prohibition of that nature is guilty of criminal trespass in violation of division (A)(4) of section 2911.21 of the Revised Code and is guilty of a misdemeanor of the fourth degree. If a person knowingly violates a posted prohibition of that nature and the posted land or premises primarily was a parking lot or other parking facility, the person is not guilty of criminal trespass under section 2911.21 of the Revised Code or under any other criminal law of this state or criminal law, ordinance, or resolution of a political subdivision of this state, and instead is subject only to a civil cause of action for trespass based on the violation.

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

(b) A landlord may not prohibit or restrict a tenant who is a licensee and who on or after September 9, 2008, enters into
a rental agreement with the landlord for the use of residential premises, and the tenant's guest while the tenant is present, from lawfully carrying or possessing a handgun on those residential premises. **A landlord may not prohibit or restrict a tenant who is a licensee and who on or after the effective date of this amendment enters into a rental agreement with the landlord for the use of residential premises and the tenant's guest while the tenant is present from lawfully carrying or possessing a deadly weapon that is not a restricted deadly weapon on those premises.**

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

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

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

(D) A person who holds a valid concealed handgun weapons license issued by another state that is recognized by the attorney general pursuant to a reciprocity agreement entered into pursuant to section 109.69 of the Revised Code or a person who holds a valid concealed handgun weapons license under the circumstances described in division (B) of section 109.69 of the Revised Code, or a person who is deemed under division (C) of section 2923.111 of the Revised Code to have been issued a concealed weapons license under section 2923.125 of the Revised Code has the same right to carry a concealed handgun deadly weapon that is not a restricted deadly weapon in this state as a person who was issued a concealed handgun weapons license under section 2923.125 of the Revised Code and is subject to the same
restrictions that apply to a person who carries a license issued under that section.

(E)(1) A peace officer has the same right to carry a concealed handgun deadly weapon that is not a restricted deadly weapon in this state as a person who was issued a concealed handgun weapons license under section 2923.125 of the Revised Code, provided that the officer when carrying a concealed handgun deadly weapon under authority of this division is carrying validating identification. For purposes of reciprocity with other states, a peace officer shall be considered to be a licensee in this state who has been issued such a license under that section.

(2) An active duty member of the armed forces of the United States who 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 has the same right to carry a concealed handgun deadly weapon that is not a restricted deadly weapon in this state as a person who was issued a concealed handgun weapons license under section 2923.125 of the Revised Code and is subject to the same restrictions as specified in this section.

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

(F)(1) A qualified retired peace officer who possesses a retired peace officer identification card issued pursuant to
division (F)(2) of this section and a valid firearms requalification certification issued pursuant to division (F)(3) of this section has the same right to carry a concealed deadly weapon that is not a restricted deadly weapon in this state as a person who was issued a concealed weapons license under section 2923.125 of the Revised Code and is subject to the same restrictions that apply to a person who carries a license issued under that section. For purposes of reciprocity with other states, a qualified retired peace officer who possesses a retired peace officer identification card issued pursuant to division (F)(2) of this section and a valid firearms requalification certification issued pursuant to division (F)(3) of this section shall be considered to be a licensee in this state who has been issued a concealed weapons license under section 2923.125 of the Revised Code.

(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 to any person who retired from service as a peace officer with that agency, if the issuance is in accordance with the agency's policies and procedures and if the person, with respect to the person's service with that agency, satisfies all of the following:

(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 officer with that agency, the person was trained and qualified to carry firearms in the performance of the peace officer's duties.

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

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

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

(3) If a person retired from service as a peace officer
with a public agency of this state or of a political subdivision
of this state and the person satisfies the criteria set forth in
divisions (F)(2)(a)(i) to (iv) of this section, the public
agency may provide the retired peace officer with the
opportunity to attend 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
may be required to pay the cost of the course.

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 divisions (F)(2)(a)(i) to (v) of this section.

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

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

(2) "Retired peace officer identification card" means an identification card that is issued pursuant to division (F)(2) of this section to a person who is a retired peace officer.
(3) "Government facility of this state or a political subdivision of this state" means any of the following:

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

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

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

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

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

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

Sec. 2923.127. (A) If a sheriff denies an application for a concealed handgun weapons license under section 2923.125 of the Revised Code, denies the renewal of a concealed handgun weapons license under that section, or denies an application for a concealed handgun weapons license on a temporary emergency basis under section 2923.1213 of the Revised Code as a result of
the criminal records check conducted pursuant to section 311.41 of the Revised Code and if the applicant believes the denial was based on incorrect information reported by the source the sheriff used in conducting the criminal records check, the applicant may challenge the criminal records check results using whichever of the following is applicable:

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

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

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

**Sec. 2923.128.** (A)(1)(a) If a licensee holding a valid concealed handgun weapons license is arrested for or otherwise charged with an offense described in division (D)(1)(d) of section 2923.125 of the Revised Code or with a violation of section 2923.15 of the Revised Code or becomes subject to a temporary protection order or to a protection order issued by a court of another state that is substantially equivalent to a
temporary protection order, the sheriff who issued the license shall suspend it and shall comply with division (A)(3) of this section upon becoming aware of the arrest, charge, or protection order. Upon suspending the license, the sheriff also shall comply with division (H) of section 2923.125 of the Revised Code.

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

(2)(a) If a licensee holding a valid concealed handgun weapons license is convicted of or pleads guilty to a misdemeanor violation of division (B)(1), (2), or (4)(3) of section 2923.12 of the Revised Code or of division (E)(1), (2), (3), or (5)(3) of section 2923.16 of the Revised Code, except as provided in division (A)(2)(c) of this section and subject to division (C) of this section, the sheriff who issued the license shall suspend it and shall comply with division (A)(3) of this section upon becoming aware of the conviction or guilty plea. Upon suspending the license, the sheriff also shall comply with division (H) of section 2923.125 of the Revised Code.
(b) A suspension under division (A)(2)(a) of this section shall be considered as beginning on the date that the licensee is convicted of or pleads guilty to the offense described in that division, irrespective of when the sheriff notifies the licensee under division (A)(3) of this section. If the suspension is imposed for a misdemeanor violation of division (B)(1) or (2) of section 2923.12 of the Revised Code or of division (E)(1), (2), or (3) of section 2923.16 of the Revised Code, it shall end on the date that is one year after the date that the licensee is convicted of or pleads guilty to that violation. If the suspension is imposed for a misdemeanor violation of division (B)(4)(3) of section 2923.12 of the Revised Code or of division (E)(5)(3) of section 2923.16 of the Revised Code, it shall end on the date that is two years after the date that the licensee is convicted of or pleads guilty to that violation. If the licensee's license was issued under section 2923.125 of the Revised Code and the license remains valid after the suspension ends as described in this division, when the suspension ends, the sheriff shall return the license to the licensee. If the licensee's license was issued under section 2923.125 of the Revised Code and the license expires before the suspension ends as described in this division, or if the licensee's license was issued under section 2923.1213 of the Revised Code, the licensee is not eligible to apply for a new license under section 2923.125 or 2923.1213 of the Revised Code or to renew the license under section 2923.125 of the Revised Code until after the suspension ends as described in this division.

(c) The license of a licensee who is convicted of or pleads guilty to a violation of division (B)(1) of section 2923.12 or division (E)(1) or (2) of section 2923.16 of the Revised Code shall be considered as beginning on the date that the licensee is convicted of or pleads guilty to the offense described in that division, irrespective of when the sheriff notifies the licensee under division (A)(3) of this section. If the suspension is imposed for a misdemeanor violation of division (B)(1) or (2) of section 2923.12 of the Revised Code or of division (E)(1), (2), or (3) of section 2923.16 of the Revised Code, it shall end on the date that is one year after the date that the licensee is convicted of or pleads guilty to that violation. If the suspension is imposed for a misdemeanor violation of division (B)(4)(3) of section 2923.12 of the Revised Code or of division (E)(5)(3) of section 2923.16 of the Revised Code, it shall end on the date that is two years after the date that the licensee is convicted of or pleads guilty to that violation. If the licensee's license was issued under section 2923.125 of the Revised Code and the license remains valid after the suspension ends as described in this division, when the suspension ends, the sheriff shall return the license to the licensee. If the licensee's license was issued under section 2923.125 of the Revised Code and the license expires before the suspension ends as described in this division, or if the licensee's license was issued under section 2923.1213 of the Revised Code, the licensee is not eligible to apply for a new license under section 2923.125 or 2923.1213 of the Revised Code or to renew the license under section 2923.125 of the Revised Code until after the suspension ends as described in this division.
Revised Code shall not be suspended pursuant to division (A)(2) (a) of this section if, at the time of the stop of the licensee for a law enforcement purpose, for a traffic stop, or for a purpose defined in section 5503.34 of the Revised Code that was the basis of the violation, any law enforcement officer involved with the stop or the employee of the motor carrier enforcement unit who made the stop had actual knowledge of the licensee's status as a licensee.

(3) Upon becoming aware of an arrest, charge, or protection order described in division (A)(1)(a) of this section with respect to a licensee who was issued a concealed handgun weapons license, or a conviction of or plea of guilty to a misdemeanor offense described in division (A)(2)(a) of this section with respect to a licensee who was issued a concealed handgun weapons license and with respect to which division (A)(2)(c) of this section does not apply, subject to division (C) of this section, the sheriff who issued the licensee's license shall notify the licensee, by certified mail, return receipt requested, at the licensee's last known residence address that the license has been suspended and that the licensee is required to surrender the license at the sheriff's office within ten days of the date on which the notice was mailed. If the suspension is pursuant to division (A)(2) of this section, the notice shall identify the date on which the suspension ends.

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

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

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

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

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

(e) The licensee knowingly carries a concealed handgun or deadly weapon into a place that the licensee knows is an unauthorized place specified in division (B) of section 2923.126 of the Revised Code, knowingly carries a concealed deadly weapon in any prohibited manner listed in that division, or knowingly carries under alleged authority as a licensee a concealed restricted deadly weapon.

(f) On or after the date on which the license was issued, the licensee is adjudicated as a mental defective or is committed to a mental institution.

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

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

(2) Upon becoming aware of any circumstance listed in division (B)(1) of this section that applies to a particular licensee who was issued a concealed handgun weapons license, subject to division (C) of this section, the sheriff who issued the license to the licensee shall notify the licensee, by certified mail, return receipt requested, at the licensee's last known residence address that the license is subject to revocation and that the licensee may come to the sheriff's office and contest the sheriff's proposed revocation within fourteen days of the date on which the notice was mailed. After the fourteen-day period and after consideration of any information that the licensee provides during that period, if the sheriff determines on the basis of the information of which the sheriff is aware that the licensee is described in division (B)(1) of this section and no longer satisfies the requirements described in division (D)(1) of section 2923.125 of the Revised Code that are applicable to the licensee's type of license, the sheriff shall revoke the license, notify the licensee of that fact, and require the licensee to surrender the license. Upon revoking the license, the sheriff also shall comply with division (H) of section 2923.125 of the Revised Code.

(C) If a sheriff who issues a concealed handgun weapons license to a licensee becomes aware that at the time of the issuance of the license the licensee had been convicted of or pleaded guilty to an offense identified in division (D)(1)(e), (f), or (h) of section 2923.125 of the Revised Code or had been adjudicated a delinquent child for committing an act or violation identified in any of those divisions or becomes aware that on or after the date on which the license was issued the licensee has been convicted of or pleaded guilty to an offense
identified in division (A)(2)(a) or (B)(1)(c) of this section, the sheriff shall not consider that conviction, guilty plea, or adjudication as having occurred for purposes of divisions (A) (2), (A)(3), (B)(1), and (B)(2) of this section if a court has ordered the sealing or expungement of the records of that conviction, guilty plea, or adjudication pursuant to sections 2151.355 to 2151.358 or sections 2953.31 to 2953.36 of the Revised Code or the licensee has been relieved under operation of law or legal process from the disability imposed pursuant to section 2923.13 of the Revised Code relative to that conviction, guilty plea, or adjudication.

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

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

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

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

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

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

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

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

(b) The entity or instructor makes a good faith effort in determining whether the person has satisfactorily completed the course, class, or program and makes a good faith effort in assessing the person in the competency examination conducted pursuant to division (G)(2) of section 2923.125 of the Revised Code.
(c) The entity or instructor did not issue the competency certificate with malicious purpose, in bad faith, or in a wanton or reckless manner.

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

(a) The entity or instructor makes a good faith effort in assessing the person in the physical demonstrations or the competency examination conducted pursuant to division (G)(4) of section 2923.125 of the Revised Code as it existed prior to March 27, 2013.

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

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

(C) Each sheriff shall report to the Ohio peace officer
training commission the number of concealed handgun weapons
licenses that the sheriff issued, renewed, suspended, revoked,
or denied under section 2923.125 of the Revised Code during the
previous quarter of the calendar year, the number of
applications for those licenses for which processing was
suspended in accordance with division (D)(3) of section 2923.125
of the Revised Code during the previous quarter of the calendar
year, and the number of concealed handgun weapons licenses on a
temporary emergency basis that the sheriff issued, suspended,
revoked, or denied under section 2923.1213 of the Revised Code
during the previous quarter of the calendar year. The sheriff
shall not include in the report the name or any other
identifying information of an applicant or licensee. The sheriff
shall report that information in a manner that permits the
commission to maintain the statistics described in division (C)
of section 109.731 of the Revised Code and to timely prepare the
statistical report described in that division. The information
that is received by the commission under this division is a
public record kept by the commission for the purposes of section
149.43 of the Revised Code.

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

(E) Whoever violates division (B) of this section is
guilty of illegal release of confidential concealed handgun
license records, a felony of the fifth degree. In
addition to any penalties imposed under Chapter 2929. of the
Revised Code for a violation of division (B) of this section or
a violation of section 2913.04 of the Revised Code described in
division (D) of this section, if the offender is a sheriff, an
employee of a sheriff, or any other public officer or employee,
and if the violation was willful and deliberate, the offender
shall be subject to a civil fine of one thousand dollars. Any
person who is harmed by a violation of division (B) or (C) of
this section or a violation of section 2913.04 of the Revised
Code described in division (D) of this section has a private
cause of action against the offender for any injury, death, or
loss to person or property that is a proximate result of the
violation and may recover court costs and attorney's fees
related to the action.

Sec. 2923.1210. (A) A business entity, property owner, or
public or private employer may not establish, maintain, or
enforce a policy or rule that prohibits or has the effect of
prohibiting a person who has been issued a valid concealed
handgun weapons license, or a person who is deemed under
division (C) of section 2923.111 of the Revised Code to have
been issued a concealed weapons license under section 2923.125
of the Revised Code, from transporting or storing a firearm-
deadly weapon or ammunition for a deadly weapon that is a
firearm when both of the following conditions are met:

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

(2) The vehicle is in a location where it is otherwise permitted to be.

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

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

Sec. 2923.1211. (A) No person shall alter a concealed handgun weapons license or create a fictitious document that purports to be a license of that nature.
(B) No person, except in the performance of official duties, shall possess a concealed handgun weapons license that was issued and that has been revoked or suspended.

(C) Whoever violates division (A) of this section is guilty of falsification of a concealed handgun weapons license, a felony of the fifth degree. Whoever violates division (B) of this section is guilty of possessing a revoked or suspended concealed handgun weapons license, a misdemeanor of the third degree.

Sec. 2923.1212. Each (A) Except as provided in division (B) of this section, each person, board, or entity that owns or controls any place or premises identified in division (B) of section 2923.126 of the Revised Code as a place into which a valid license does not authorize the licensee to carry a concealed handgun deadly weapon, or a designee of such a person, board, or entity, shall post in one or more conspicuous locations in the premises a sign that contains a statement in substantially the following form: "Unless otherwise authorized by law, pursuant to the Ohio Revised Code, no person shall knowingly possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordnance onto these premises."

(B) If a person, board, or entity that owns or controls any place or premises identified in division (B)(6) or (7) of section 2923.126 of the Revised Code as a place that may permit the licensee to carry a concealed deadly weapon, or a designee of such a person, board, or entity, does not post a sign as provided in division (A) of this section, it shall be presumed that the person, board, or entity that owns or controls the place or premises permits the licensee to carry a concealed
deadly weapon on the premises.

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

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

(a) A statement sworn by the person seeking to carry a concealed firearm other than a restricted firearm that is made under threat of perjury and that states that the person has reasonable cause to fear a criminal attack upon the person or a member of the person's family, such as would justify a prudent person in going armed;

(b) A written document prepared by a governmental entity or public official describing the facts that give the person seeking to carry a concealed firearm reasonable cause to fear a criminal attack upon the person or a member of the person's family, such as would justify a prudent person in going armed. Written documents of this nature include, but are not limited to, any temporary protection order, civil protection order, protection order issued by another state, or other court order, any court report, and any report filed with or made by a law enforcement agency or prosecutor.

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

(B)(1) A person seeking a concealed firearm license on a temporary emergency basis shall submit to the sheriff of the county in which the person resides or, if the person usually resides in another state, to the sheriff of the county in which the person is temporarily staying, all of the following:
(a) Evidence of imminent danger to the person or a member of the person's family;

(b) A sworn affidavit that contains all of the information required to be on the license and attesting that the person is legally living in the United States; is at least twenty-one years of age; is not a fugitive from justice; is not under indictment for or otherwise charged with an offense identified in division (D)(1)(d) of section 2923.125 of the Revised Code; has not been convicted of or pleaded guilty to an offense, and has not been adjudicated a delinquent child for committing an act, identified in division (D)(1)(e) of that section and to which division (B)(3) of this section does not apply; within three years of the date of the submission, has not been convicted of or pleaded guilty to an offense, and has not been adjudicated a delinquent child for committing an act, identified in division (D)(1)(f) of that section and to which division (B)(3) of this section does not apply; within five years of the date of the submission, has not been convicted of, pleaded guilty, or adjudicated a delinquent child for committing two or more violations identified in division (D)(1)(g) of that section; within ten years of the date of the submission, has not been convicted of, pleaded guilty, or adjudicated a delinquent child for committing a violation identified in division (D)(1)(h) of that section and to which division (B)(3) of this section does not apply; has not been adjudicated as a mental defective, has not been committed to any mental institution, is not under adjudication of mental incompetence, has not been found by a court to be a mentally ill person subject to court order, and is not an involuntary patient other than one who is a patient only for purposes of observation, as described in division (D)(1)(i) of that section; is not
currently subject to a civil protection order, a temporary protection order, or a protection order issued by a court of another state, as described in division (D)(1)(j) of that section; is not currently subject to a suspension imposed under division (A)(2) of section 2923.128 of the Revised Code of a concealed handgun weapons license that previously was issued to the person or a similar suspension imposed by another state regarding a concealed handgun weapons license issued by that state; is not an unlawful user of or addicted to any controlled substance as defined in 21 U.S.C. 802; if applicable, is an alien and has not been admitted to the United States under a nonimmigrant visa, as defined in the "Immigration and Nationality Act," 8 U.S.C. 1101(a)(26); has not been discharged from the armed forces of the United States under dishonorable conditions; if applicable, has not renounced the applicant's United States citizenship; and has not been convicted of, pleaded guilty to, or been adjudicated a delinquent child for committing a violation identified in division (D)(1)(s) of section 2923.125 of the Revised Code;

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

(i) For an applicant who has been a resident of this state for five or more years, a fee of fifteen dollars plus the actual cost of having a background check performed by the bureau of criminal identification and investigation pursuant to section 311.41 of the Revised Code;

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

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

(2) A sheriff shall accept the evidence of imminent danger, the sworn affidavit, the fee, and the set of fingerprints required under division (B)(1) of this section at the times and in the manners described in division (I) of this section. Upon receipt of the evidence of imminent danger, the sworn affidavit, the fee, and the set of fingerprints required under division (B)(1) of this section, the sheriff, in the manner specified in section 311.41 of the Revised Code, immediately shall conduct or cause to be conducted the criminal records check and the incompetency records check described in section 311.41 of the Revised Code. Immediately upon receipt of the results of the records checks, the sheriff shall review the information and shall determine whether the criteria set forth in divisions (D)(1)(a) to (j) and (m) to (s) of section 2923.125 of the Revised Code apply regarding the person. If the sheriff determines that all of the criteria set forth in divisions (D)(1)(a) to (j) and (m) to (s) of section 2923.125 of the Revised Code apply regarding the person, the sheriff shall immediately
make available through the law enforcement automated data system all information that will be contained on the temporary emergency license for the person if one is issued, and the superintendent of the state highway patrol shall ensure that the system is so configured as to permit the transmission through the system of that information. Upon making that information available through the law enforcement automated data system, the sheriff shall immediately issue to the person a concealed handgun weapons license on a temporary emergency basis.

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

The license on a temporary emergency basis issued under this division shall be in the form, and shall include all of the information, described in divisions (A)(2)(a) and (d) of section 109.731 of the Revised Code, and also shall include a unique combination of identifying letters and numbers in accordance with division (A)(2)(c) of that section.

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

(3) If a person seeking a concealed handgun weapons license on a temporary emergency basis has been convicted of or pleaded guilty to an offense identified in division (D)(1)(e), (f), or (h) of section 2923.125 of the Revised Code or has been adjudicated a delinquent child for committing an act or violation identified in any of those divisions, and if a court has ordered the sealing or expungement of the records of that conviction, guilty plea, or adjudication pursuant to sections 2151.355 to 2151.358 or sections 2953.31 to 2953.36 of the Revised Code or the applicant has been relieved under operation of law or legal process from the disability imposed pursuant to section 2923.13 of the Revised Code relative to that conviction, guilty plea, or adjudication, the conviction, guilty plea, or adjudication shall not be relevant for purposes of the sworn affidavit described in division (B)(1)(b) of this section, and the person may complete, and swear to the truth of, the affidavit as if the conviction, guilty plea, or adjudication never had occurred.

(4) The sheriff shall waive the payment pursuant to division (B)(1)(c) of this section of the license fee in connection with an application that is submitted by an applicant who is a retired peace officer, a retired person described in division (B)(1)(b) of section 109.77 of the Revised Code, or a retired federal law enforcement officer who, prior to retirement, was authorized under federal law to carry a firearm in the course of duty, unless the retired peace officer, person, or federal law enforcement officer retired as the result of a mental disability.

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

(C) A person who holds a concealed handgun weapons license on a temporary emergency basis, regardless of whether the license was issued prior to, on, or after the effective date of this amendment, has the same right to carry a concealed handgun deadly weapon that is not a restricted deadly weapon as a person who was issued a concealed handgun weapons license under section 2923.125 of the Revised Code, and any exceptions to the prohibitions contained in section 1547.69 and sections 2923.12 to 2923.16 of the Revised Code for a licensee under section 2923.125 of the Revised Code apply to a licensee under this section. The person is subject to the same restrictions, and to all other procedures, duties, and sanctions, that apply to a person who carries a license issued under section 2923.125 of the Revised Code, other than the license renewal procedures set forth in that section. A concealed weapons license on a temporary emergency basis that a sheriff issued as a concealed handgun license on a temporary emergency basis prior to the effective date of this amendment and that had not expired prior to the effective date of this amendment has the same validity as a concealed weapons license on a temporary emergency basis issued on or after that date and shall be treated for purposes of this section, sections 2923.127 to 2923.1212 of the Revised Code, and other Revised Code provisions as if it were a license issued on or after that date.

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

(E) A sheriff who issues a concealed handgun weapons license on a temporary emergency basis under this section shall retain, for the entire period during which the license is in effect, the evidence of imminent danger that the person submitted to the sheriff and that was the basis for the license, or a copy of that evidence, as appropriate.

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

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

(H) A sheriff who receives any fees paid by a person under this section shall deposit all fees so paid into the sheriff's concealed weapon license issuance expense fund established under section 311.42 of the Revised Code.

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

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

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

(C) No person shall knowingly transport or have a firearm
in a motor vehicle, unless the person may lawfully possess that
firearm under applicable law of this state or the United States,
the firearm is unloaded, and the firearm is carried in one of
the following ways:

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

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

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

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

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

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

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

(E) No person who has been issued a concealed handgun weapons license, who is deemed under division (C) of section 2923.111 of the Revised Code to have been issued a concealed weapons license under section 2923.125 of the Revised Code, or 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, who is the driver or an occupant of a motor vehicle that is stopped as a result of a traffic stop or a stop for another law enforcement purpose or is the driver or an occupant of a commercial motor vehicle that is stopped by an employee of the motor carrier enforcement unit for the purposes defined in section 5503.34 of the Revised Code, and who is transporting or has a loaded handgun firearm that is not a restricted firearm in the motor vehicle or commercial motor vehicle in any manner, shall do any of the following:
(1) Fail to promptly inform any law enforcement officer who approaches the vehicle while stopped that the person has been issued a concealed handgun license or is authorized to carry a concealed handgun as an active duty member of the armed forces of the United States and that the person then possesses or has a loaded handgun in the motor vehicle;

(2) Fail to promptly inform the employee of the unit who approaches the vehicle while stopped that the person has been issued a concealed handgun license or is authorized to carry a concealed handgun as an active duty member of the armed forces of the United States and that the person then possesses or has a loaded handgun in the commercial motor vehicle;

(3) Knowingly fail to remain in the motor vehicle while stopped or 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;

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

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

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

(a) An officer, agent, or employee of this or any other state or the United States, or a law enforcement officer, when authorized to carry or have loaded or accessible firearms in motor vehicles and 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 or have loaded or accessible firearms in motor vehicles, 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 expressly specified that the exemption provided in division (F)(1)(b) of this section does not apply to the person.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) The person owns the real property described in division (D)(4)(b) of this section, is the spouse or a child of
another person who owns that real property, or is the spouse or a child of a tenant of another person who owns that real property.

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

(5) Divisions (B) and (C) of this section do not apply to a person who transports or possesses a handgun firearm that is not a restricted firearm in a motor vehicle if, at the time of that transportation or possession, both of the following apply:

(a) The person transporting or possessing the handgun is either carrying a firearm has been issued a valid concealed handgun weapons license, is deemed under division (C) of section 2923.111 of the Revised Code to have been issued a concealed weapons license under section 2923.125 of the Revised Code, or 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.

(b) The person transporting or possessing the handgun firearm is not knowingly in an unauthorized place described specified in division (B) of section 2923.126 of the Revised Code and is not knowingly transporting or possessing the firearm in any prohibited manner listed in that division.
(6) Divisions (B) and (C) of this section do not apply to a person if all of the following apply:

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

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

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

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

(G)(1) The affirmative defenses authorized in divisions (D)(1) and (2) of section 2923.12 of the Revised Code are affirmative defenses to a charge under division (B) or (C) of this section that involves a firearm other than a handgun if division (E)(3) of this section does not apply to the person charged.
(2) It is an affirmative defense to a charge under division (B) or (C) of this section of improperly handling firearms in a motor vehicle that the actor transported or had the firearm in the motor vehicle for any lawful purpose and while the motor vehicle was on the actor's own property, provided that this affirmative defense is not available unless the person, immediately prior to arriving at the actor's own property, did not transport or possess the firearm in a motor vehicle in a manner prohibited by division (B) or (C) of this section while the motor vehicle was being operated on a street, highway, or other public or private property used by the public for vehicular traffic.

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

(2)(a) If a person is convicted of, was convicted of, pleads guilty to, or has pleaded guilty to a violation of division (E) of this section as it existed prior to September 30, 2011, and if the conduct that was the basis of the violation no longer would be a violation of division (E) of this section on or after September 30, 2011, or if a person is convicted of, was convicted of, pleads guilty to, or has pleaded guilty to a violation of division (E)(1) or (2) of this section as it existed prior to the effective date of this amendment, the person may file an application under section 2953.37 of the Revised Code requesting the expungement of the record of conviction.

If a person is convicted of, was convicted of, pleads guilty to, or has pleaded guilty to a violation of division (B)
or (C) of this section as the division existed prior to September 30, 2011, and if the conduct that was the basis of the violation no longer would be a violation of division (B) or (C) of this section on or after September 30, 2011, due to the application of division (F)(5) of this section as it exists on and after September 30, 2011, the person may file an application under section 2953.37 of the Revised Code requesting the expungement of the record of conviction.

(b) The attorney general shall develop a public media advisory that summarizes the expungement procedure established under section 2953.37 of the Revised Code and the offenders identified in division (H)(2)(a) of this section and those identified in division (E)(2) of section 2923.12 of the Revised Code who are authorized to apply for the expungement. Within thirty days after September 30, 2011, with respect to violations of division (B), (C), or (E) of this section as they existed prior to that date, and within thirty days after the effective date of this amendment with respect to a violation of division (E)(1) or (2) of this section or division (B)(1) of section 2923.12 of the Revised Code as they existed prior to the effective date of this amendment, the attorney general shall provide a copy of the advisory to each daily newspaper published in this state and each television station that broadcasts in this state. The attorney general may provide the advisory in a tangible form, an electronic form, or in both tangible and electronic forms.

(I) Whoever violates this section is guilty of improperly handling firearms in a motor vehicle. Violation of division (A) of this section is a felony of the fourth degree. Violation of division (C) of this section is a misdemeanor of the fourth degree. A violation of division (D) of this section is a felony
of the fifth degree or, if the loaded handgun firearm is concealed on the person's person, a felony of the fourth degree. Except as otherwise provided in this division, a violation of division (E)(1) or (2) of this section is a misdemeanor of the first degree, and, in addition to any other penalty or sanction imposed for the violation, the offender's concealed handgun license shall be suspended pursuant to division (A)(2) of section 2923.128 of the Revised Code. If at the time of the stop of the offender for a traffic stop, for another law enforcement purpose, or for a purpose defined in section 5503.34 of the Revised Code that was the basis of the violation any law enforcement officer involved with the stop or the employee of the motor carrier enforcement unit who made the stop had actual knowledge of the offender's status as a licensee, a violation of division (E)(1) or (2) of this section is a minor misdemeanor, and the offender's concealed handgun license shall not be suspended pursuant to division (A)(2) of section 2923.128 of the Revised Code. A violation of division (E) (4)-(2) of this section is a felony of the fifth degree. A violation of division (E) (2)-(1) or (5)-(3) of this section is a misdemeanor of the first degree or, if the offender previously has been convicted of or pleaded guilty to a violation of division (E) (2)-(1) or (5)-(3) of this section, a felony of the fifth degree. In addition to any other penalty or sanction imposed for a misdemeanor violation of division (E) (2)-(1) or (5)-(3) of this section, if the offender has been issued a concealed weapons license, the offender's concealed handgun license shall be suspended pursuant to division (A)(2) of section 2923.128 of the Revised Code. A violation of division (B) of this section is a felony of the fourth degree.

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

(K) As used in this section:

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

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

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

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

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

(i) There is no ammunition in a magazine or speed loader that is in the vehicle in question and that may be used with the firearm in question.
(ii) Any magazine or speed loader that contains ammunition and that may be used with the firearm in question is stored in a compartment within the vehicle in question that cannot be accessed without leaving the vehicle or is stored in a container that provides complete and separate enclosure.

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

(i) A package, box, or case with multiple compartments, as long as the loaded magazine or speed loader and the firearm in question either are in separate compartments within the package, box, or case, or, if they are in the same compartment, the magazine or speed loader is contained within a separate enclosure in that compartment that does not contain the firearm and that closes using a snap, button, buckle, zipper, hook and loop closing mechanism, or other fastener that must be opened to access the contents or the firearm is contained within a separate enclosure of that nature in that compartment that does not contain the magazine or speed loader;

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

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

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

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

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

(L) Divisions (K)(5)(a) and (b) of this section do not  
affect the authority of a person who is carrying has been issued  
a valid concealed handgun weapons license or who is deemed under  
division (C) of section 2923.111 of the Revised Code to have  
been issued a concealed weapons license under section 2923.125  
of the Revised Code to have one or more magazines or speed  
loaders containing ammunition anywhere in a vehicle, without  
being transported as described in those divisions, as long as no  
ammunition is in a firearm, other than a handgun, in the vehicle  
other than as permitted under any other provision of this  
chapter. A person who is carrying has been issued a valid  
concealed handgun weapons license or who is deemed under  
division (C) of section 2923.111 of the Revised Code to have  
been issued a concealed weapons license under section 2923.125  
of the Revised Code may have one or more magazines or speed  
loaders containing ammunition anywhere in a vehicle without  
further restriction, as long as no ammunition is in a firearm,  
other than a handgun, in the vehicle other than as permitted  
der under any provision of this chapter.

Sec. 2953.37. (A) As used in this section:
(1) "Expunge" means to destroy, delete, and erase a record as appropriate for the record's physical or electronic form or characteristic so that the record is permanently irretrievable.

(2) "Official records" has the same meaning as in section 2953.51 of the Revised Code.

(3) "Prosecutor" has the same meaning as in section 2953.31 of the Revised Code.

(4) "Record of conviction" means the record related to a conviction of or plea of guilty to an offense.

(B) Any person who is convicted of, was convicted of, pleads guilty to, or has pleaded guilty to a violation of division (B), (C), or (E) of section 2923.16 of the Revised Code as the division existed prior to September 30, 2011, or a violation of division (E)(1) or (2) of section 2923.16 of the Revised Code as the division existed prior to the effective date of this amendment, and who is authorized by division (H)(2)(a) of that section to file an application under this section for the expungement of the conviction record may apply to the sentencing court for the expungement of the record of conviction. Any person who is convicted of, was convicted of, pleads guilty to, or has pleaded guilty to a violation of division (B)(1) of section 2923.12 of the Revised Code as it existed prior to the effective date of this amendment and who is authorized by division (E)(2) of that section may apply to the sentencing court for the expungement of the record of conviction. The person may file the application at any time on or after September 30, 2011, with respect to violations of division (B), (C), or (E) of section 2923.16 of the Revised Code as they existed prior to that date, or at any time on or after the effective date of this amendment with respect to a violation.
of division (B)(1) of section 2923.12 or of division (E)(1) or 
(2) of section 2923.16 of the Revised Code as the particular 
division existed prior to the effective date of this amendment.
The application shall do all of the following:

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

(2) Include evidence that the offense was a violation of 
division (B), (C), or (E) of section 2923.16 of the Revised Code 
as the division existed prior to September 30, 2011, or was a 
violation of division (B)(1) of section 2923.12 or of division 
(E)(1) or (2) of section 2923.16 of the Revised Code as the 
particular division existed prior to the effective date of this 
amendment, and that the applicant is authorized by division (H) 
(2)(a) of that section 2923.16 or division (E)(2) of section 
2923.12 of the Revised Code, whichever is applicable, to file an 
application under this section;

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

(C) Upon the filing of an application under division (B) 
of this section and the payment of the fee described in division 
(D)(3) of this section if applicable, the court shall set a date 
for a hearing and shall notify the prosecutor for the case of 
the hearing on the application. The prosecutor may object to the 
granting of the application by filing an objection with the 
court prior to the date set for the hearing. The prosecutor 
shall specify in the objection the reasons for believing a 
denial of the application is justified. The court shall direct 
its regular probation officer, a state probation officer, or the
department of probation of the county in which the applicant resides to make inquiries and written reports as the court requires concerning the applicant. The court shall hold the hearing scheduled under this division.

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

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

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

(c) Determine whether the applicant has been convicted of or pleaded guilty to a violation of division (B)(1) of section 2923.12 of the Revised Code or of division (E)(1) or (2) of section 2923.16 of the Revised Code as the particular division existed prior to the effective date of this amendment;

(d) If the prosecutor has filed an objection in accordance with division (C) of this section, consider the reasons against granting the application specified by the prosecutor in the objection;
(d)(e) Weigh the interests of the applicant in having the records pertaining to the applicant's conviction or guilty plea expunged against the legitimate needs, if any, of the government to maintain those records.

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

(i) That the applicant has been convicted of or pleaded guilty to a violation of division (E) of section 2923.16 of the Revised Code as it existed prior to September 30, 2011, and the conduct that was the basis of the violation no longer would be a violation of that division on or after September 30, 2011; or:

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

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

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

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

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

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

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

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

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

(B)(1) The director of public safety shall register an applicant under division (A) of this section who satisfies divisions (A)(1) and (2) of this section, and place a notation on the applicant's identification card indicating that the applicant is a firearm-bearer and the date on which the applicant completed the program described in division (A)(1) of this section.

(2) A firearms requalification training program or
instructor certified by the commission for the annual requalification of class A, B, or C licensees or employees who are authorized to carry a firearm under section 4749.10 of the Revised Code shall award a certificate of satisfactory requalification to each class A, B, or C licensee or registered employee of a class A, B, or C licensee who satisfactorily requalifies in firearms training. The certificate shall identify the licensee or employee and indicate the date of the requalification. A licensee or employee who receives such a certificate shall submit a copy of it to the director of public safety. A licensee shall submit the copy of the requalification certificate at the same time that the licensee makes application for renewal of the licensee's class A, B, or C license. The director shall keep a record of all copies of requalification certificates the director receives under this division and shall establish a procedure for the updating of identification cards to provide evidence of compliance with the annual requalification requirement. The procedure for the updating of identification cards may provide for the issuance of a new card containing the evidence, the entry of a new notation containing the evidence on the existing card, the issuance of a separate card or paper containing the evidence, or any other procedure determined by the director to be reasonable. Each person who is issued a requalification certificate under this division promptly shall pay to the Ohio peace officer training commission established by section 109.71 of the Revised Code a fee the director determines, not to exceed fifteen dollars, which fee shall be transmitted to the treasurer of state for deposit in the peace officer private security fund established by section 109.78 of the Revised Code.

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

Section 2. That existing sections 9.68, 109.69, 109.731, 311.41, 311.42, 311.43, 1547.69, 2921.13, 2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 2923.124, 2923.125, 2923.126, 2923.127, 2923.128, 2923.129, 2923.1210, 2923.1211, 2923.1212, 2923.1213, 2923.16, 2953.37, and 4749.10 of the Revised Code are hereby repealed.

Section 3. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the following sections, presented in this act as composites of the sections as amended by the acts indicated, are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act:

Section 2923.1213 of the Revised Code as amended by both H.B. 234 and S.B. 43 of the 130th General Assembly.

Section 2953.37 of the Revised Code as amended by both H.B. 228 and H.B. 425 of the 132nd General Assembly.