

As Introduced

134th General Assembly

Regular Session

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H. B. No. 227

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, 1
311.42, 311.43, 1547.69, 2921.13, 2923.11, 2
2923.12, 2923.121, 2923.122, 2923.123, 2923.124, 3
2923.125, 2923.126, 2923.127, 2923.128, 4
2923.129, 2923.1210, 2923.1211, 2923.1212, 5
2923.1213, 2923.16, 2953.37, and 4749.10 and to 6
enact section 2923.111 of the Revised Code to 7
rename a concealed handgun license as a 8
concealed weapons license, to allow a concealed 9
weapons licensee to carry concealed all deadly 10
weapons not otherwise prohibited by law, to 11
expand state preemption of firearms regulation 12
to include all deadly weapons, to repeal a 13
notice requirement for licensees stopped for law 14
enforcement purposes, to authorize expungement 15
of related convictions, and to allow a person 16
age 21 or older to carry a concealed deadly 17
weapon without a license. 18

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

Section 1. That sections 9.68, 109.69, 109.731, 311.41, 19
311.42, 311.43, 1547.69, 2921.13, 2923.11, 2923.12, 2923.121, 20
2923.122, 2923.123, 2923.124, 2923.125, 2923.126, 2923.127, 21
2923.128, 2923.129, 2923.1210, 2923.1211, 2923.1212, 2923.1213, 22
2923.16, 2953.37, and 4749.10 be amended and section 2923.111 of 23
the Revised Code be enacted to read as follows: 24

Sec. 9.68. (A) The individual right to keep and bear arms, 25
being a fundamental individual right that predates the United 26
States Constitution and Ohio Constitution, and being a 27
constitutionally protected right in every part of Ohio, the 28
general assembly finds the need to provide uniform laws 29
throughout the state regulating the ownership, possession, 30
purchase, other acquisition, transport, storage, carrying, sale, 31
other transfer, manufacture, taxation, keeping, and reporting of 32
loss or theft of deadly weapons, including firearms, and their 33
components, accessories, attachments, and ~~their~~ ammunition. The 34
general assembly also finds and declares that it is proper for 35
law-abiding people to protect themselves, their families, and 36
others from intruders and attackers without fear of prosecution 37
or civil action for acting in defense of themselves or others. 38
Except as specifically provided by the United States 39
Constitution, Ohio Constitution, state law, or federal law, a 40
person, without further license, permission, restriction, delay, 41
or process, including by any ordinance, rule, regulation, 42
resolution, practice, or other action or any threat of citation, 43
prosecution, or other legal process, may own, possess, purchase, 44
acquire, transport, store, carry, sell, transfer, manufacture, 45
or keep any deadly weapon, including any firearm, part of a 46
firearm, and its components, accessories, attachments, and ~~its~~ 47
ammunition. Any such further license, permission, restriction, 48
delay, or process interferes with the fundamental individual 49

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

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

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

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

(C) As used in this section: 78

(1) The possession, transporting, or carrying of deadly weapons, including firearms, 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. 79
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(2) "Firearm" ~~has~~ and "deadly weapon" have the same meaning ~~meanings~~ as in section 2923.11 of the Revised Code. 85
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(3) "Reasonable expenses" include, but are not limited to, reasonable attorney's fees, court costs, expert witness fees, and compensation for loss of income. 87
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(D) This section does not apply to either of the following: 90
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(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; 92
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(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. 96
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Sec. 109.69. (A) (1) The attorney general shall negotiate and enter into a reciprocity agreement with any other license- 106
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issuing state under which a ~~concealed handgun~~ license that is 108
issued by the other state and that authorizes the carrying of 109
concealed handguns, firearms, or deadly weapons is recognized in 110
this state, except as provided in division (B) of this section, 111
if the attorney general determines that both of the following 112
apply: 113

(a) The eligibility requirements imposed by that license- 114
issuing state for that license are substantially comparable to 115
the eligibility requirements for a concealed ~~handgun weapons~~ 116
license issued under section 2923.125 of the Revised Code. 117

(b) That license-issuing state recognizes a concealed 118
~~handgun weapons~~ license issued under section 2923.125 of the 119
Revised Code. 120

(2) A reciprocity agreement entered into under division 121
(A)(1) of this section also may provide for the recognition in 122
this state of a ~~concealed handgun~~ license issued on a temporary 123
or emergency basis by the other license-issuing state that 124
authorizes the carrying of concealed handguns, firearms, or 125
deadly weapons, if the eligibility requirements imposed by that 126
license-issuing state for the temporary or emergency license are 127
substantially comparable to the eligibility requirements for a 128
concealed ~~handgun weapons~~ license issued under section 2923.125 129
or 2923.1213 of the Revised Code and if that license-issuing 130
state recognizes a concealed ~~handgun weapons~~ license issued 131
under section 2923.1213 of the Revised Code. 132

(3) The attorney general shall not negotiate any agreement 133
with any other license-issuing state under which a ~~concealed~~ 134
~~handgun~~ license that is issued by the other state and that 135
authorizes the carrying of concealed handguns, firearms, or 136
deadly weapons is recognized in this state other than as 137

provided in divisions (A) (1) and (2) of this section. 138

(B) (1) If, on or after ~~the effective date of this~~ 139
~~amendment~~ March 23, 2015, a person who is a resident of this 140
state has a valid ~~concealed handgun~~ license that was issued by 141
another license-issuing state and that authorizes the carrying 142
of concealed handguns, firearms, or deadly weapons and the other 143
state has entered into a reciprocity agreement with the attorney 144
general under division (A) (1) of this section or the attorney 145
general determines that the eligibility requirements imposed by 146
that license-issuing state for that license are substantially 147
comparable to the eligibility requirements for a concealed 148
~~handgun weapons~~ license issued under section 2923.125 of the 149
Revised Code, the license issued by the other license-issuing 150
state shall be recognized in this state, shall be accepted and 151
valid in this state, and grants the person the same right to 152
carry a concealed ~~handgun deadly weapon~~ in this state as a 153
person who was issued a concealed ~~handgun weapons~~ license under 154
section 2923.125 of the Revised Code prior to, on, or after the 155
effective date of this amendment. 156

(2) If, on or after ~~the effective date of this~~ 157
~~amendment~~ March 23, 2015, a person who is a resident of this 158
state has a valid ~~concealed handgun~~ license that was issued by 159
another license-issuing state and that authorizes the carrying 160
of concealed handguns, firearms, or deadly weapons and the other 161
state has not entered into a reciprocity agreement with the 162
attorney general under division (A) (1) of this section, the 163
license issued by the other license-issuing state shall be 164
recognized in this state, shall be accepted and valid in this 165
state, and grants the person the same right to carry a concealed 166
~~handgun deadly weapon~~ in this state as a person who was issued a 167
concealed ~~handgun weapons~~ license under section 2923.125 of the 168

Revised Code prior to, on, or after the effective date of this 169
amendment, for a period of six months after the person became a 170
resident of this state. After that six-month period, if the 171
person wishes to obtain a concealed ~~handgun~~ weapons license, the 172
person shall apply for a concealed ~~handgun~~ weapons license 173
pursuant to section 2923.125 of the Revised Code. 174

(3) If, on or after ~~the effective date of this~~ 175
~~amendment~~ March 23, 2015, a person who is not a resident of this 176
state has a valid ~~concealed handgun~~ license that was issued by 177
another license-issuing state and that authorizes the carrying 178
of concealed handguns, firearms, or deadly weapons, regardless 179
of whether the other license-issuing state has entered into a 180
reciprocity agreement with the attorney general under division 181
(A) (1) of this section, and if the person is temporarily in this 182
state, during the time that the person is temporarily in this 183
state the license issued by the other license-issuing state 184
shall be recognized in this state, shall be accepted and valid 185
in this state, and grants the person the same right to carry a 186
concealed ~~handgun~~ deadly weapon in this state as a person who 187
was issued a concealed ~~handgun~~ weapons license under section 188
2923.125 of the Revised Code prior to, on, or after the 189
effective date of this amendment. 190

(C) The attorney general shall publish each determination 191
described in division (B) (1) of this section that the attorney 192
general makes in the same manner that written agreements entered 193
into under division (A) (1) or (2) of this section are published. 194

(D) As used in this section: 195

(1) "Handgun," "firearm," "concealed ~~handgun~~ weapons 196
license," "deadly weapon," and "valid concealed ~~handgun~~ weapons 197
license" have the same meanings as in section 2923.11 of the 198

Revised Code. 199

(2) "License-issuing state" means a state other than this 200
state that, pursuant to law, provides for the issuance of a 201
license to carry a concealed handgun, to carry a concealed 202
firearm, or to carry a concealed deadly weapon. 203

Sec. 109.731. (A) (1) The attorney general shall prescribe, 204
and shall make available to sheriffs an application form that is 205
to be used under section 2923.125 of the Revised Code by a 206
person who applies for a concealed ~~handgun-weapons~~ license and 207
an application form that is to be used under section 2923.125 of 208
the Revised Code by a person who applies for the renewal of a 209
license of that nature. The attorney general shall design the 210
form to enable applicants to provide the information that is 211
required by law to be collected, and shall update the form as 212
necessary. Burdens or restrictions to obtaining a concealed 213
~~handgun-weapons~~ license that are not expressly prescribed in law 214
shall not be incorporated into the form. The attorney general 215
shall post a printable version of the form on the web site of 216
the attorney general and shall provide the address of the web 217
site to any person who requests the form. 218

(2) The Ohio peace officer training commission shall 219
prescribe, and shall make available to sheriffs, all of the 220
following: 221

(a) A form for the concealed ~~handgun-weapons~~ license that 222
is to be issued by sheriffs to persons who qualify for a 223
concealed ~~handgun-weapons~~ license under section 2923.125 of the 224
Revised Code and that conforms to the following requirements: 225

(i) It has space for the licensee's full name, residence 226
address, and date of birth and for a color photograph of the 227

licensee.	228
(ii) It has space for the date of issuance of the license,	229
its expiration date, its county of issuance, the name of the	230
sheriff who issues the license, and the unique combination of	231
letters and numbers that identify the county of issuance and the	232
license given to the licensee by the sheriff in accordance with	233
division (A) (2) (c) of this section.	234
(iii) It has space for the signature of the licensee and	235
the signature or a facsimile signature of the sheriff who issues	236
the license.	237
(iv) It does not require the licensee to include serial	238
numbers of handguns <u>firearms or other deadly weapons</u> , other	239
identification related to handguns <u>firearms or other deadly</u>	240
<u>weapons</u> , or similar data that is not pertinent or relevant to	241
obtaining the license and that could be used as a de facto means	242
of registration of handguns <u>firearms or other deadly weapons</u>	243
owned by the licensee.	244
(b) A series of three-letter county codes that identify	245
each county in this state;	246
(c) A procedure by which a sheriff shall give each	247
concealed handgun <u>weapons</u> license, replacement concealed handgun	248
<u>weapons</u> license, or renewal concealed handgun <u>weapons</u> license	249
and each concealed handgun <u>weapons</u> license on a temporary	250
emergency basis or replacement <u>concealed weapons</u> license on a	251
temporary emergency basis the sheriff issues under section	252
2923.125 or 2923.1213 of the Revised Code a unique combination	253
of letters and numbers that identifies the county in which the	254
license was issued and that uses the county code and a unique	255
number for each license the sheriff of that county issues;	256

(d) A form for a concealed ~~handgun~~weapons license on a 257
temporary emergency basis that is to be issued by sheriffs to 258
persons who qualify for such a license under section 2923.1213 259
of the Revised Code, which form shall conform to all the 260
requirements set forth in divisions (A)(2)(a)(i) to (iv) of this 261
section and shall additionally conspicuously specify that the 262
license is issued on a temporary emergency basis and the date of 263
its issuance. 264

(B)(1) The Ohio peace officer training commission, in 265
consultation with the attorney general, shall prepare a pamphlet 266
that does all of the following, in everyday language: 267

(a) Explains the ~~firearms~~deadly weapons laws of this 268
state, including the aspects of those laws with respect to 269
firearms; 270

(b) Instructs the reader in dispute resolution and 271
explains the laws of this state related to that matter; 272

(c) Provides information to the reader regarding all 273
aspects of the use of deadly force with a ~~firearm~~deadly weapon, 274
including, but not limited to, the steps that should be taken 275
before contemplating the use of, or using, deadly force with a 276
~~firearm~~deadly weapon, possible alternatives to using deadly 277
force with a ~~firearm~~deadly weapon, and the law governing the 278
use of deadly force with a ~~firearm~~deadly weapon. The 279
information provided as described in this division shall cover 280
all deadly weapons, including firearms. 281

(2) The attorney general shall consult with and assist the 282
commission in the preparation of the pamphlet described in 283
division (B)(1) of this section and, as necessary, shall 284
recommend to the commission changes in the pamphlet to reflect 285

changes in the law that are relevant to it. The attorney general 286
shall publish the pamphlet on the web site of the attorney 287
general and shall provide the address of the web site to any 288
person who requests the pamphlet. 289

(3) The attorney general shall create and maintain a 290
section on the attorney general's web site that provides 291
information on ~~firearms-deadly weapons~~ laws of this state, 292
including the aspects of those laws with respect to 293
firearms, that are specifically applicable to members of the 294
armed forces of the United States and a link to the pamphlet 295
described in division (B) (1) of this section. 296

(C) The Ohio peace officer training commission shall 297
maintain statistics with respect to the issuance, renewal, 298
suspension, revocation, and denial of concealed ~~handgun-weapons~~ 299
licenses under section 2923.125 of the Revised Code and the 300
suspension of processing of applications for those licenses, and 301
with respect to the issuance, suspension, revocation, and denial 302
of concealed ~~handgun-weapons~~ licenses on a temporary emergency 303
basis under section 2923.1213 of the Revised Code, as reported 304
by the sheriffs pursuant to division (C) of section 2923.129 of 305
the Revised Code. Not later than the first day of March in each 306
year, the commission shall submit a statistical report to the 307
governor, the president of the senate, and the speaker of the 308
house of representatives indicating the number of concealed 309
~~handgun-weapons~~ licenses that were issued, renewed, suspended, 310
revoked, and denied under section 2923.125 of the Revised Code 311
in the previous calendar year, the number of applications for 312
those licenses for which processing was suspended in accordance 313
with division (D) (3) of that section in the previous calendar 314
year, and the number of concealed ~~handgun-weapons~~ licenses on a 315
temporary emergency basis that were issued, suspended, revoked, 316

or denied under section 2923.1213 of the Revised Code in the 317
previous calendar year. Nothing in the statistics or the 318
statistical report shall identify, or enable the identification 319
of, any individual who was issued or denied a license, for whom 320
a license was renewed, whose license was suspended or revoked, 321
or for whom application processing was suspended. The statistics 322
and the statistical report are public records for the purpose of 323
section 149.43 of the Revised Code. The requirements of this 324
division apply regarding all concealed weapons licenses, 325
regardless of whether the issuance, renewal, suspension, 326
revocation, or denial in question occurred prior to, on, or 327
after the effective date of this amendment. 328

(D) As used in this section, "~~concealed handgun-weapons~~ 329
license," "deadly weapon," and "handgun" have the same meanings 330
as in section 2923.11 of the Revised Code. 331

Sec. 311.41. (A) (1) Upon receipt of an application for a 332
concealed ~~handgun-weapons~~ license under division (C) of section 333
2923.125 of the Revised Code, an application to renew a 334
concealed ~~handgun-weapons~~ license under division (F) of that 335
section, or an application for a concealed ~~handgun-weapons~~ 336
license on a temporary emergency basis under section 2923.1213 337
of the Revised Code, the sheriff shall conduct a criminal 338
records check and an incompetency check of the applicant to 339
determine whether the applicant fails to meet the criteria 340
described in division (D) (1) of section 2923.125 of the Revised 341
Code. As part of any such criminal records check, the sheriff 342
shall contact the national instant criminal background check 343
system to verify that the applicant is eligible lawfully to 344
receive or possess a firearm in the United States. The sheriff 345
shall conduct the criminal records check and the incompetency 346
records check required by this division through use of an 347

electronic fingerprint reading device or, if the sheriff does 348
not possess and does not have ready access to the use of an 349
electronic fingerprint reading device, by requesting the bureau 350
of criminal identification and investigation to conduct the 351
checks as described in this division. 352

In order to conduct the criminal records check and the 353
incompetency records check, the sheriff shall obtain the 354
fingerprints of at least four fingers of the applicant by using 355
an electronic fingerprint reading device for the purpose of 356
conducting the criminal records check and the incompetency 357
records check or, if the sheriff does not possess and does not 358
have ready access to the use of an electronic fingerprint 359
reading device, shall obtain from the applicant a completed 360
standard fingerprint impression sheet prescribed pursuant to 361
division (C) (2) of section 109.572 of the Revised Code. The 362
fingerprints so obtained, along with the applicant's social 363
security number, shall be used to conduct the criminal records 364
check and the incompetency records check. If the sheriff does 365
not use an electronic fingerprint reading device to obtain the 366
fingerprints and conduct the records checks, the sheriff shall 367
submit the completed standard fingerprint impression sheet of 368
the applicant, along with the applicant's social security 369
number, to the superintendent of the bureau of criminal 370
identification and investigation and shall request the bureau to 371
conduct the criminal records check and the incompetency records 372
check of the applicant and, if necessary, shall request the 373
superintendent of the bureau to obtain information from the 374
federal bureau of investigation as part of the criminal records 375
check for the applicant. If it is not possible to use an 376
electronic fingerprint reading device to conduct an incompetency 377
records check, the sheriff shall submit the completed standard 378

fingerprint impression sheet of the applicant, along with the 379
applicant's social security number, to the superintendent of the 380
bureau of criminal identification and investigation and shall 381
request the bureau to conduct the incompetency records check. 382
The sheriff shall not retain the applicant's fingerprints as 383
part of the application. 384

(2) Except as otherwise provided in this division, if at 385
any time the applicant decides not to continue with the 386
application process, the sheriff immediately shall cease any 387
investigation that is being conducted under division (A) (1) of 388
this section. The sheriff shall not cease that investigation if, 389
at the time of the applicant's decision not to continue with the 390
application process, the sheriff had determined from any of the 391
sheriff's investigations that the applicant then was engaged in 392
activity of a criminal nature. 393

(B) If a criminal records check and an incompetency 394
records check conducted under division (A) of this section do 395
not indicate that the applicant fails to meet the criteria 396
described in division (D) (1) of section 2923.125 of the Revised 397
Code, except as otherwise provided in this division, the sheriff 398
shall destroy or cause a designated employee to destroy all 399
records other than the application for a concealed ~~handgun-~~ 400
weapons license, the application to renew a concealed ~~handgun-~~ 401
weapons license, or the affidavit submitted regarding an 402
application for a concealed ~~handgun-~~weapons license on a 403
temporary emergency basis that were made in connection with the 404
criminal records check and incompetency records check within 405
twenty days after conducting the criminal records check and 406
incompetency records check. If an applicant appeals a denial of 407
an application as described in division (D) (2) of section 408
2923.125 of the Revised Code or challenges the results of a 409

criminal records check pursuant to section 2923.127 of the 410
Revised Code, records of fingerprints of the applicant shall not 411
be destroyed during the pendency of the appeal or the challenge 412
and review. When an applicant appeals a denial as described in 413
that division, the twenty-day period described in this division 414
commences regarding the fingerprints upon the determination of 415
the appeal. When required as a result of a challenge and review 416
performed pursuant to section 2923.127 of the Revised Code, the 417
source the sheriff used in conducting the criminal records check 418
shall destroy or the chief operating officer of the source shall 419
cause an employee of the source designated by the chief to 420
destroy all records other than the application for a concealed 421
~~handgun-weapons~~ license, the application to renew a concealed 422
~~handgun-weapons~~ license, or the affidavit submitted regarding an 423
application for a concealed ~~handgun-weapons~~ license on a 424
temporary emergency basis that were made in connection with the 425
criminal records check within twenty days after completion of 426
that challenge and review. 427

(C) If division (B) of this section applies to a 428
particular criminal records check or incompetency records check, 429
no sheriff, employee of a sheriff designated by the sheriff to 430
destroy records under that division, source the sheriff used in 431
conducting the criminal records check or incompetency records 432
check, or employee of the source designated by the chief 433
operating officer of the source to destroy records under that 434
division shall fail to destroy or cause to be destroyed within 435
the applicable twenty-day period specified in that division all 436
records other than the application for a concealed ~~handgun-~~ 437
~~weapons~~ license, the application to renew a concealed ~~handgun-~~ 438
~~weapons~~ license, or the affidavit submitted regarding an 439
application for a concealed ~~handgun-weapons~~ license on a 440

temporary emergency basis made in connection with the particular 441
criminal records check or incompetency records check. 442

(D) Divisions (B) and (C) of this section apply with 443
respect to all applications for a concealed weapons license, 444
regardless of whether the application was made prior to, on, or 445
after the effective date of this amendment. 446

(E) Whoever violates division (C) of this section is 447
guilty of failure to destroy records, a misdemeanor of the 448
second degree. 449

~~(E)~~ (F) As used in this section: 450

(1) "Concealed ~~handgun~~ weapons license," "deadly weapon," 451
and "handgun" have the same meanings as in section 2923.11 of 452
the Revised Code. 453

(2) "National instant criminal background check system" 454
means the system established by the United States attorney 455
general pursuant to section 103 of the "Brady Handgun Violence 456
Prevention Act," Pub. L. No. 103-159. 457

Sec. 311.42. (A) Each county shall establish in the county 458
treasury a sheriff's concealed ~~handgun~~ weapons license issuance 459
expense fund. The sheriff of that county shall deposit into that 460
fund all fees paid by applicants for the issuance or renewal of 461
a concealed ~~handgun~~ weapons license or duplicate concealed 462
~~handgun~~ weapons license under section 2923.125 of the Revised 463
Code ~~and all fees paid or by the a~~ person seeking a concealed 464
~~handgun~~ weapons license on a temporary emergency basis under 465
section 2923.1213 of the Revised Code. The county shall 466
distribute all fees deposited into the fund except forty dollars 467
of each fee paid by an applicant under division (B) of section 468
2923.125 of the Revised Code, fifteen dollars of each fee paid 469

under section 2923.1213 of the Revised Code, and thirty-five 470
dollars of each fee paid under division (F) of section 2923.125 471
of the Revised Code to the attorney general to be used to pay 472
the cost of background checks performed by the bureau of 473
criminal identification and investigation and the federal bureau 474
of investigation and to cover administrative costs associated 475
with issuing the license. This division applies with respect to 476
all applications for issuance or renewal of a concealed weapons 477
license, regardless of whether the application occurred prior 478
to, on, or after the effective date of this amendment. 479

(B) The sheriff, with the approval of the board of county 480
commissioners, may expend any county portion of the fees 481
deposited into the sheriff's concealed ~~handgun~~ weapons license 482
issuance expense fund for any of the following: 483

(1) Any costs incurred by the sheriff in connection with 484
performing any administrative functions related to the issuance 485
of concealed ~~handgun~~ weapons licenses under section 2923.125 or 486
2923.1213 of the Revised Code, including, but not limited to, 487
personnel expenses and any costs associated with a firearm 488
safety education program, or a firearm training or qualification 489
program that the sheriff chooses to fund; 490

(2) Ammunition and firearms to be used by the sheriff and 491
the sheriff's employees; 492

(3) Any costs incurred in constructing, maintaining, or 493
renovating a shooting range to be used by the sheriff or the 494
sheriff's employees, including costs incurred for equipment 495
associated with the shooting range. 496

(C) As used in this section, "concealed weapons license," 497
"deadly weapon," and "handgun" have the same meanings as in 498

<u>section 2923.11 of the Revised Code.</u>	499
Sec. 311.43. (A) As used in this section:	500
(1) "Certification" means the participation and assent of	501
the chief law enforcement officer necessary under federal law	502
for the approval of an application to make or transfer a	503
firearm.	504
(2) "Chief law enforcement officer" means any official the	505
bureau of alcohol, tobacco, firearms, and explosives, or any	506
successor agency, identifies by regulation or otherwise as	507
eligible to provide any required certification for the making or	508
transfer of a firearm.	509
(3) "Concealed handgun - <u>weapons license</u> " has the same	510
meaning as in section 2923.11 of the Revised Code.	511
(B) A resident of this state may submit to the sheriff of	512
the county in which the resident resides or to the sheriff of	513
any county adjacent to the county in which the resident resides	514
any federal form that requires a law enforcement certification	515
by a chief law enforcement officer.	516
(C) The sheriff shall accept and process the certification	517
in the same manner as an application for a concealed handgun -	518
<u>weapons license</u> is processed under section 2923.125 of the	519
Revised Code, including the requirement for a background check,	520
except as follows:	521
(1) If a resident of this state submits one or more	522
federal forms, the sheriff shall charge the resident no more	523
than the applicable fee described in division (B) (1) (a) of	524
section 2923.125 of the Revised Code, without regard to how many	525
federal forms are submitted at the same time.	526

(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. 555
556

(E) (1) The affirmative defenses authorized in divisions 557
(D) (1) and (2) of section 2923.12 of the Revised Code are 558
affirmative defenses to a charge under division (C) or (D) of 559
this section that involves a firearm other than a handgun if 560
division (H) (2) of this section does not apply to the person 561
charged. It is an affirmative defense to a charge under division 562
(C) or (D) of this section of transporting or having a firearm 563
of any type, including a handgun, in a vessel that the actor 564
transported or had the firearm in the vessel for any lawful 565
purpose and while the vessel was on the actor's own property, 566
provided that this affirmative defense is not available unless 567
the actor, prior to arriving at the vessel on the actor's own 568
property, did not transport or possess the firearm in the vessel 569
or in a motor vehicle in a manner prohibited by this section or 570
division (B) or (C) of section 2923.16 of the Revised Code while 571
the vessel was being operated on a waterway that was not on the 572
actor's own property or while the motor vehicle was being 573
operated on a street, highway, or other public or private 574
property used by the public for vehicular traffic. 575

(2) No person who is charged with a violation of division 576
(C) or (D) of this section shall be required to obtain a license 577
or temporary emergency license to carry a concealed ~~handgun~~ 578
weapon under section 2923.125 or 2923.1213 of the Revised Code 579
as a condition for the dismissal of the charge. 580

(F) Divisions (B), (C), and (D) of this section do not 581
apply to the possession or discharge of a United States coast 582
guard approved signaling device required to be carried aboard a 583
vessel under section 1547.251 of the Revised Code when the 584

signaling device is possessed or used for the purpose of giving 585
a visual distress signal. No person shall knowingly transport or 586
possess any signaling device of that nature in or on a vessel in 587
a loaded condition at any time other than immediately prior to 588
the discharge of the signaling device for the purpose of giving 589
a visual distress signal. 590

(G) No person shall operate or permit to be operated any 591
vessel on the waters in this state in violation of this section. 592

(H) (1) This section does not apply to any of the 593
following: 594

(a) An officer, agent, or employee of this or any other 595
state or of the United States, or to a law enforcement officer, 596
when authorized to carry or have loaded or accessible firearms 597
in a vessel and acting within the scope of the officer's, 598
agent's, or employee's duties; 599

(b) Any person who is employed in this state, who is 600
authorized to carry or have loaded or accessible firearms in a 601
vessel, and who is subject to and in compliance with the 602
requirements of section 109.801 of the Revised Code, unless the 603
appointing authority of the person has expressly specified that 604
the exemption provided in division (H) (1) (b) of this section 605
does not apply to the person; 606

(c) Any person legally engaged in hunting. 607

~~(2) Divisions~~ (a) Subject to division (H) (2) (b) of this 608
section, divisions (C) and (D) of this section do not apply to a 609
person who transports or possesses ~~a handgun~~ in a vessel a 610
firearm that is not a restricted deadly weapon and who, at the 611
time of that transportation or possession, ~~either is carrying~~ 612
has been issued a valid concealed handgun weapons license, is 613

deemed under division (C) of section 2923.111 of the Revised 614
Code to have been issued a concealed weapons license under 615
section 2923.125 of the Revised Code, or is an active duty 616
member of the armed forces of the United States and is carrying 617
a valid military identification card and documentation of 618
successful completion of firearms training that meets or exceeds 619
the training requirements described in division (G) (1) of 620
section 2923.125 of the Revised Code, ~~unless.~~ 621

(b) The exemptions specified in division (H) (2) (a) of this 622
section do not apply to a person if the person, at the time of 623
the transport or possession in question, knowingly is in a ~~an~~ 624
unauthorized place on the vessel described specified in division 625
(B) of section 2923.126 of the Revised Code or knowingly is 626
transporting or possessing the deadly weapon in any prohibited 627
manner listed in that division. 628

(I) If a law enforcement officer stops a vessel for a 629
violation of this section or any other law enforcement purpose, 630
if any person on the vessel surrenders a ~~firearm~~ deadly weapon 631
to the officer, either voluntarily or pursuant to a request or 632
demand of the officer, and if the officer does not charge the 633
person with a violation of this section or arrest the person for 634
any offense, the person is not otherwise prohibited by law from 635
possessing the ~~firearm~~ deadly weapon, and the ~~firearm~~ deadly 636
weapon is not contraband, the officer shall return the ~~firearm~~ 637
deadly weapon to the person at the termination of the stop. 638

(J) Division (L) of section 2923.16 of the Revised Code 639
applies with respect to division (A) (2) of this section, except 640
that all references in division (L) of section 2923.16 of the 641
Revised Code to "vehicle," to "this chapter," or to "division 642
(K) (5) (a) or (b) of this section" shall be construed for 643

purposes of this section to be, respectively, references to 644
"vessel," to "section 1547.69 of the Revised Code," and to 645
"divisions (K) (5) (a) and (b) of section 2923.16 of the Revised 646
Code as incorporated under the definition of firearm adopted 647
under division (A) (2) of this section." 648

Sec. 2921.13. (A) No person shall knowingly make a false 649
statement, or knowingly swear or affirm the truth of a false 650
statement previously made, when any of the following applies: 651

(1) The statement is made in any official proceeding. 652

(2) The statement is made with purpose to incriminate 653
another. 654

(3) The statement is made with purpose to mislead a public 655
official in performing the public official's official function. 656

(4) The statement is made with purpose to secure the 657
payment of unemployment compensation; Ohio works first; 658
prevention, retention, and contingency benefits and services; 659
disability financial assistance; retirement benefits or health 660
care coverage from a state retirement system; economic 661
development assistance, as defined in section 9.66 of the 662
Revised Code; or other benefits administered by a governmental 663
agency or paid out of a public treasury. 664

(5) The statement is made with purpose to secure the 665
issuance by a governmental agency of a license, permit, 666
authorization, certificate, registration, release, or provider 667
agreement. 668

(6) The statement is sworn or affirmed before a notary 669
public or another person empowered to administer oaths. 670

(7) The statement is in writing on or in connection with a 671

report or return that is required or authorized by law. 672

(8) The statement is in writing and is made with purpose 673
to induce another to extend credit to or employ the offender, to 674
confer any degree, diploma, certificate of attainment, award of 675
excellence, or honor on the offender, or to extend to or bestow 676
upon the offender any other valuable benefit or distinction, 677
when the person to whom the statement is directed relies upon it 678
to that person's detriment. 679

(9) The statement is made with purpose to commit or 680
facilitate the commission of a theft offense. 681

(10) The statement is knowingly made to a probate court in 682
connection with any action, proceeding, or other matter within 683
its jurisdiction, either orally or in a written document, 684
including, but not limited to, an application, petition, 685
complaint, or other pleading, or an inventory, account, or 686
report. 687

(11) The statement is made on an account, form, record, 688
stamp, label, or other writing that is required by law. 689

(12) The statement is made in connection with the purchase 690
of a firearm, as defined in section 2923.11 of the Revised Code, 691
and in conjunction with the furnishing to the seller of the 692
firearm of a fictitious or altered driver's or commercial 693
driver's license or permit, a fictitious or altered 694
identification card, or any other document that contains false 695
information about the purchaser's identity. 696

(13) The statement is made in a document or instrument of 697
writing that purports to be a judgment, lien, or claim of 698
indebtedness and is filed or recorded with the secretary of 699
state, a county recorder, or the clerk of a court of record. 700

(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 730
limitations for falsification, it is not necessary for the 731
prosecution to prove which statement was false but only that one 732
or the other was false. 733

(F) (1) Whoever violates division (A) (1), (2), (3), (4), 734
(5), (6), (7), (8), (10), (11), (13), or (15) of this section is 735
guilty of falsification. Except as otherwise provided in this 736
division, falsification is a misdemeanor of the first degree. 737

(2) Whoever violates division (A) (9) of this section is 738
guilty of falsification in a theft offense. Except as otherwise 739
provided in this division, falsification in a theft offense is a 740
misdemeanor of the first degree. If the value of the property or 741
services stolen is one thousand dollars or more and is less than 742
seven thousand five hundred dollars, falsification in a theft 743
offense is a felony of the fifth degree. If the value of the 744
property or services stolen is seven thousand five hundred 745
dollars or more and is less than one hundred fifty thousand 746
dollars, falsification in a theft offense is a felony of the 747
fourth degree. If the value of the property or services stolen 748
is one hundred fifty thousand dollars or more, falsification in 749
a theft offense is a felony of the third degree. 750

(3) Whoever violates division (A) (12) or (B) of this 751
section is guilty of falsification to purchase a firearm, a 752
felony of the fifth degree. 753

(4) Whoever violates division (A) (14) or (C) of this 754
section is guilty of falsification to obtain a concealed ~~handgun-~~ 755
weapons license, a felony of the fourth degree. 756

(5) Whoever violates division (A) of this section in 757
removal proceedings under section 319.26, 321.37, 507.13, or 758

733.78 of the Revised Code is guilty of falsification regarding 759
a removal proceeding, a felony of the third degree. 760

(G) A person who violates this section is liable in a 761
civil action to any person harmed by the violation for injury, 762
death, or loss to person or property incurred as a result of the 763
commission of the offense and for reasonable attorney's fees, 764
court costs, and other expenses incurred as a result of 765
prosecuting the civil action commenced under this division. A 766
civil action under this division is not the exclusive remedy of 767
a person who incurs injury, death, or loss to person or property 768
as a result of a violation of this section. 769

(H) As used in this section, "concealed weapons license" 770
has the same meaning as in section 2923.11 of the Revised Code. 771

Sec. 2923.11. As used in sections 2923.11 to 2923.24 of 772
the Revised Code: 773

(A) "Deadly weapon" means any instrument, device, or thing 774
capable of inflicting death, and designed or specially adapted 775
for use as a weapon, or possessed, carried, or used as a weapon. 776

(B) (1) "Firearm" means any deadly weapon capable of 777
expelling or propelling one or more projectiles by the action of 778
an explosive or combustible propellant. "Firearm" includes an 779
unloaded firearm, and any firearm that is inoperable but that 780
can readily be rendered operable. 781

(2) When determining whether a firearm is capable of 782
expelling or propelling one or more projectiles by the action of 783
an explosive or combustible propellant, the trier of fact may 784
rely upon circumstantial evidence, including, but not limited 785
to, the representations and actions of the individual exercising 786
control over the firearm. 787

(C) "Handgun" means any of the following:	788
(1) Any firearm that has a short stock and is designed to be held and fired by the use of a single hand;	789 790
(2) Any combination of parts from which a firearm of a type described in division (C) (1) of this section can be assembled.	791 792 793
(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.	794 795 796 797
(E) "Automatic firearm" means any firearm designed or specially adapted to fire a succession of cartridges with a single function of the trigger.	798 799 800
(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).	801 802 803 804 805 806 807 808 809 810
(G) "Zip-gun" means any of the following:	811
(1) Any firearm of crude and extemporized manufacture;	812
(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;	813 814 815

(3) Any industrial tool, ~~signalling~~signaling device, or 816
safety device, that is not designed as a firearm, but that as 817
designed is capable of use as such, when possessed, carried, or 818
used as a firearm. 819

(H) "Explosive device" means any device designed or 820
specially adapted to cause physical harm to persons or property 821
by means of an explosion, and consisting of an explosive 822
substance or agency and a means to detonate it. "Explosive 823
device" includes without limitation any bomb, any explosive 824
demolition device, any blasting cap or detonator containing an 825
explosive charge, and any pressure vessel that has been 826
knowingly tampered with or arranged so as to explode. 827

(I) "Incendiary device" means any firebomb, and any device 828
designed or specially adapted to cause physical harm to persons 829
or property by means of fire, and consisting of an incendiary 830
substance or agency and a means to ignite it. 831

(J) "Ballistic knife" means a knife with a detachable 832
blade that is propelled by a spring-operated mechanism. 833

(K) "Dangerous ordnance" means any of the following, 834
except as provided in division (L) of this section: 835

(1) Any automatic or sawed-off firearm, zip-gun, or 836
ballistic knife; 837

(2) Any explosive device or incendiary device; 838

(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, 839
cyclonite, TNT, picric acid, and other high explosives; amatol, 840
tritonite, tetrytol, pentolite, pecretol, cyclitol, and other 841
high explosive compositions; plastic explosives; dynamite, 842
blasting gelatin, gelatin dynamite, sensitized ammonium nitrate, 843
liquid-oxygen blasting explosives, blasting powder, and other 844

blasting agents; and any other explosive substance having 845
sufficient brisance or power to be particularly suitable for use 846
as a military explosive, or for use in mining, quarrying, 847
excavating, or demolitions; 848

(4) Any firearm, rocket launcher, mortar, artillery piece, 849
grenade, mine, bomb, torpedo, or similar weapon, designed and 850
manufactured for military purposes, and the ammunition for that 851
weapon; 852

(5) Any firearm muffler or suppressor; 853

(6) Any combination of parts that is intended by the owner 854
for use in converting any firearm or other device into a 855
dangerous ordnance. 856

(L) "Dangerous ordnance" does not include any of the 857
following: 858

(1) Any firearm, including a military weapon and the 859
ammunition for that weapon, and regardless of its actual age, 860
that employs a percussion cap or other obsolete ignition system, 861
or that is designed and safe for use only with black powder; 862

(2) Any pistol, rifle, or shotgun, designed or suitable 863
for sporting purposes, including a military weapon as issued or 864
as modified, and the ammunition for that weapon, unless the 865
firearm is an automatic or sawed-off firearm; 866

(3) Any cannon or other artillery piece that, regardless 867
of its actual age, is of a type in accepted use prior to 1887, 868
has no mechanical, hydraulic, pneumatic, or other system for 869
absorbing recoil and returning the tube into battery without 870
displacing the carriage, and is designed and safe for use only 871
with black powder; 872

(4) Black powder, priming quills, and percussion caps 873
possessed and lawfully used to fire a cannon of a type defined 874
in division (L) (3) of this section during displays, 875
celebrations, organized matches or shoots, and target practice, 876
and smokeless and black powder, primers, and percussion caps 877
possessed and lawfully used as a propellant or ignition device 878
in small-arms or small-arms ammunition; 879

(5) Dangerous ordnance that is inoperable or inert and 880
cannot readily be rendered operable or activated, and that is 881
kept as a trophy, souvenir, curio, or museum piece; 882

(6) Any device that is expressly excepted from the 883
definition of a destructive device pursuant to the "Gun Control 884
Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a) (4), as amended, 885
and regulations issued under that act; 886

(7) Any firearm with an overall length of at least twenty- 887
six inches that is approved for sale by the federal bureau of 888
alcohol, tobacco, firearms, and explosives under the "Gun 889
Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a) (3), but 890
that is found by the bureau not to be regulated under the 891
"National Firearms Act," 68A Stat. 725 (1934), 26 U.S.C. 892
5845(a). 893

(M) "Explosive" means any chemical compound, mixture, or 894
device, the primary or common purpose of which is to function by 895
explosion. "Explosive" includes all materials that have been 896
classified as division 1.1, division 1.2, division 1.3, or 897
division 1.4 explosives by the United States department of 898
transportation in its regulations and includes, but is not 899
limited to, dynamite, black powder, pellet powders, initiating 900
explosives, blasting caps, electric blasting caps, safety fuses, 901
fuse igniters, squibs, cordeau detonant fuses, instantaneous 902

fuses, and igniter cords and igniters. "Explosive" does not 903
include "fireworks," as defined in section 3743.01 of the 904
Revised Code, or any substance or material otherwise meeting the 905
definition of explosive set forth in this section that is 906
manufactured, sold, possessed, transported, stored, or used in 907
any activity described in section 3743.80 of the Revised Code, 908
provided the activity is conducted in accordance with all 909
applicable laws, rules, and regulations, including, but not 910
limited to, the provisions of section 3743.80 of the Revised 911
Code and the rules of the fire marshal adopted pursuant to 912
section 3737.82 of the Revised Code. 913

(N) (1) "Concealed ~~handgun weapons~~ license" or "license to 914
carry a concealed ~~handgun weapon~~" means, subject to division (N) 915
(2) of this section, ~~a~~ any of the following: 916

(a) A license or temporary emergency license to carry a 917
concealed handgun issued on or after the effective date of this 918
amendment under section 2923.125 or 2923.1213 of the Revised 919
Code or a that authorizes the person to whom it is issued to 920
carry a concealed deadly weapon other than a restricted deadly 921
weapon; 922

(b) A license or temporary emergency license to carry a 923
concealed handgun issued prior to the effective date of this 924
amendment under section 2923.125 or 2923.1213 of the Revised 925
Code as those sections existed prior to that date that, when 926
issued, authorized the person to whom it was issued to carry a 927
concealed handgun and that, on and after the effective date of 928
this amendment, authorizes the person to whom it was issued to 929
carry a concealed deadly weapon other than a restricted deadly 930
weapon; 931

(c) A license to carry a concealed handgun issued by 932

another state with which the attorney general has entered into a 933
reciprocity agreement under section 109.69 of the Revised Code 934
that authorizes the person to whom it is issued to carry a 935
concealed handgun, concealed firearm, or concealed deadly 936
weapon. 937

(2) A reference in any provision of the Revised Code to a 938
concealed ~~handgun-weapons~~ license issued under section 2923.125 939
of the Revised Code or a license to carry a concealed ~~handgun-~~ 940
~~weapon~~ issued under section 2923.125 of the Revised Code means 941
only a license of the type that is specified in that section or 942
a license of the type described in division (N)(1)(b) of this 943
section issued under section 2923.125 of the Revised Code as it 944
existed prior to the effective date of this amendment. ~~A~~ 945

~~A~~ reference in any provision of the Revised Code to a 946
concealed ~~handgun-weapons~~ license issued under section 2923.1213 947
of the Revised Code, a license to carry a concealed ~~handgun-~~ 948
~~weapon~~ issued under section 2923.1213 of the Revised Code, or a 949
license to carry a concealed ~~handgun-weapon~~ on a temporary 950
emergency basis means only a license of the type that is 951
specified in that section-2923.1213 of the Revised Code or a 952
license of the type described in division (N)(1)(b) of this 953
section issued under section 2923.1213 of the Revised Code as it 954
existed prior to the effective date of this amendment. ~~A~~ 955

~~A~~ reference in any provision of the Revised Code to a 956
~~concealed handgun~~ license issued by another state ~~or a license-~~ 957
~~to carry a concealed handgun issued by another state~~ that 958
authorizes the carrying of concealed handguns, firearms, or 959
deadly weapons means only a license issued by another state with 960
which the attorney general has entered into a reciprocity 961
agreement under section 109.69 of the Revised Code. 962

A reference in any provision of the Revised Code to a 963
person who is deemed under division (C) of section 2923.111 of 964
the Revised Code to have been issued a concealed weapons license 965
under section 2923.125 of the Revised Code means only a person 966
who is so deemed and does not include a person who has been 967
issued a license of a type described in division (N) (1) of this 968
section. 969

(O) "Valid concealed ~~handgun weapons~~ license" or "valid 970
license to carry a concealed ~~handgun weapon~~" means ~~a~~ any of the 971
following: 972

(1) A concealed ~~handgun weapons~~ license of the type 973
described in division (N) (1) (a) or (c) of this section that is 974
currently valid, that is not under a suspension under division 975
(A) (1) of section 2923.128 of the Revised Code, under section 976
2923.1213 of the Revised Code, or under a suspension provision 977
of the state other than this state in which the license was 978
issued, and that has not been revoked under division (B) (1) of 979
section 2923.128 of the Revised Code, under section 2923.1213 of 980
the Revised Code, or under a revocation provision of the state 981
other than this state in which the license was issued; 982

(2) A concealed weapons license of the type described in 983
division (N) (1) (b) of this section that is currently valid, that 984
is not under a suspension of any type described in division (O) 985
(1) of this section, and that has not been revoked in any manner 986
described in division (O) (1) of this section . 987

(P) "Misdemeanor punishable by imprisonment for a term 988
exceeding one year" does not include any of the following: 989

(1) Any federal or state offense pertaining to antitrust 990
violations, unfair trade practices, restraints of trade, or 991

other similar offenses relating to the regulation of business practices; 992
993

(2) Any misdemeanor offense punishable by a term of imprisonment of two years or less. 994
995

(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." 996
997
998
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1000

(R) "Active duty" has the same meaning as defined in 10 U.S.C. 101. 1001
1002

(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. 1003
1004
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(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. 1007
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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. 1011
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1019

Except as provided in divisions (B) and (C) of section 1020

2923.126 of the Revised Code and regardless of whether the 1021
person has been issued a concealed weapons license under section 1022
2923.125 or 2923.1213 of the Revised Code or by another state, a 1023
person who is twenty-one years of age or older and is not 1024
legally prohibited from possessing or receiving a firearm under 1025
any law of this state or the United States may carry a concealed 1026
deadly weapon that is not a restricted deadly weapon anywhere in 1027
this state. The person's right to carry a concealed deadly 1028
weapon that is not a restricted deadly weapon that is granted 1029
under this division is the same right as is granted to a person 1030
who has been issued a concealed weapons license under section 1031
2923.125 of the Revised Code, and the person described in this 1032
division is subject to the same restrictions as apply to a 1033
person who has been issued a concealed weapons license under 1034
section 2923.125 of the Revised Code. 1035

(B) The mere carrying or possession of a deadly weapon 1036
that is not a restricted deadly weapon pursuant to the right 1037
described in division (A) of this section, with or without a 1038
concealed weapons license issued under section 2923.125 or 1039
2923.1213 of the Revised Code or a concealed weapons license 1040
issued by another state, does not constitute grounds for any law 1041
enforcement officer or any agent of the state, a county, a 1042
municipal corporation, or a township to conduct any search, 1043
seizure, or detention, no matter how temporary in duration, of 1044
an otherwise law-abiding person. 1045

(C) (1) For purposes of sections 1547.69 and 2923.12 to 1046
2923.1213 of the Revised Code and any other provision of law 1047
that refers to a concealed weapons license or a concealed 1048
weapons licensee, except when the context clearly indicates 1049
otherwise, a person who is described in division (A) of this 1050
section and is carrying or has, concealed on the person's person 1051

or ready at hand, a deadly weapon that is not a restricted 1052
deadly weapon shall be deemed to have been issued a concealed 1053
weapons license under section 2923.125 of the Revised Code. 1054

(2) The concealed weapons license expiration provisions of 1055
section 2923.125 of the Revised Code and the concealed weapons 1056
license suspension and revocation provisions of section 2923.128 1057
of the Revised Code do not apply with respect to a person who is 1058
described in division (A) of this section unless the person has 1059
been issued a concealed weapons license. If a person is 1060
described in division (A) of this section and the person 1061
thereafter comes within any category of persons legally 1062
prohibited from possessing or receiving a firearm under any law 1063
of this state or the United States, both of the following apply 1064
automatically and immediately upon the person coming within that 1065
category: 1066

(a) Division (A) of this section and the authority and 1067
right to carry a concealed deadly weapon that are described in 1068
that division do not apply to the person. 1069

(b) Division (C)(1) of this section does not apply to the 1070
person, and the person no longer is deemed to have been issued a 1071
concealed weapons license under section 2923.125 of the Revised 1072
Code as described in that division. 1073

Sec. 2923.12. (A) No person shall knowingly carry or have, 1074
concealed on the person's person or concealed ready at hand, any 1075
of the following: 1076

(1) A deadly weapon other than a handgun; 1077

(2) A handgun other than a dangerous ordnance; 1078

(3) A dangerous ordnance. 1079

(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)~~ (2) 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 1110
enforcement officer leaves, unless the person removes, attempts 1111
to remove, grasps, holds, or has contact with the loaded ~~handgun~~ 1112
firearm pursuant to and in accordance with directions given by 1113
the law enforcement officer; 1114

~~(4)~~ (3) If the person is stopped for a law enforcement 1115
purpose ~~and is carrying a concealed handgun~~, knowingly disregard 1116
or fail to comply with any lawful order of any law enforcement 1117
officer given while the person is stopped, including, but not 1118
limited to, a specific order to the person to keep the person's 1119
hands in plain sight. 1120

(C) (1) This section does not apply to any of the 1121
following: 1122

(a) An officer, agent, or employee of this or any other 1123
state or the United States, or to a law enforcement officer, who 1124
is authorized to carry concealed weapons or dangerous ordnance 1125
or is authorized to carry ~~handguns~~ firearms or other deadly 1126
weapons and is acting within the scope of the officer's, 1127
agent's, or employee's duties; 1128

(b) Any person who is employed in this state, who is 1129
authorized to carry concealed weapons or dangerous ordnance or 1130
is authorized to carry ~~handguns~~ firearms or other deadly 1131
weapons, and who is subject to and in compliance with the 1132
requirements of section 109.801 of the Revised Code, unless the 1133
appointing authority of the person has expressly specified that 1134
the exemption provided in division (C) (1) (b) of this section 1135
does not apply to the person; 1136

(c) A person's transportation or storage of a ~~firearm~~ 1137
deadly weapon, other than a firearm described in divisions (G) 1138

to (M) of section 2923.11 of the Revised Code, in a motor 1139
vehicle for any lawful purpose if the ~~firearm~~ deadly weapon is 1140
not on the actor's person; 1141

(d) A person's storage or possession of a ~~firearm~~ deadly 1142
weapon, other than a firearm described in divisions (G) to (M) 1143
of section 2923.11 of the Revised Code, in the actor's own home 1144
for any lawful purpose. 1145

(2) ~~Division (a)~~ Subject to division (C) (2) (b) of this 1146
section, divisions (A) (2) (A) (1) and (2) of this section does do 1147
not apply to any person who with respect to the carrying or 1148
possession of any deadly weapon that is not a restricted deadly 1149
weapon if, at the time of the alleged carrying or possession of 1150
a handgun the deadly weapon, either is carrying the person has 1151
been issued a valid concealed handgun weapons license, is deemed 1152
under division (C) of section 2923.111 of the Revised Code to 1153
have been issued a concealed weapons license under section 1154
2923.125 of the Revised Code, or is an active duty member of the 1155
armed forces of the United States and is carrying a valid 1156
military identification card and documentation of successful 1157
completion of firearms training that meets or exceeds the 1158
training requirements described in division (G) (1) of section 1159
2923.125 of the Revised Code, ~~unless~~ . 1160

(b) The exemptions specified in division (C) (2) (a) of this 1161
section do not apply to a person if the person, at the time of 1162
the carrying or possession in question, knowingly is in a an 1163
authorized place described specified in division (B) of section 1164
2923.126 of the Revised Code or knowingly is transporting or 1165
possessing the deadly weapon in any prohibited manner listed in 1166
that division. 1167

(D) It is an affirmative defense to a charge under 1168

division (A) (1) of this section of carrying or having control of 1169
a deadly weapon other than a handgun and other than a dangerous 1170
ordnance that neither division (C) (1) nor (2) of this section 1171
applies, that the actor was not otherwise prohibited by law from 1172
having the weapon, and that any of the following applies: 1173

(1) The weapon was carried or kept ready at hand by the 1174
actor for defensive purposes while the actor was engaged in or 1175
was going to or from the actor's lawful business or occupation, 1176
which business or occupation was of a character or was 1177
necessarily carried on in a manner or at a time or place as to 1178
render the actor particularly susceptible to criminal attack, 1179
such as would justify a prudent person in going armed. 1180

(2) The weapon was carried or kept ready at hand by the 1181
actor for defensive purposes while the actor was engaged in a 1182
lawful activity and had reasonable cause to fear a criminal 1183
attack upon the actor, a member of the actor's family, or the 1184
actor's home, such as would justify a prudent person in going 1185
armed. 1186

(3) The weapon was carried or kept ready at hand by the 1187
actor for any lawful purpose and while in the actor's own home. 1188

(E) (1) No person who is charged with a violation of this 1189
section shall be required to obtain a concealed ~~handgun~~ weapons 1190
license as a condition for the dismissal of the charge. 1191

(2) If a person is convicted of, was convicted of, pleads 1192
guilty to, or has pleaded guilty to a violation of division (B) 1193
(1) of this section as it existed prior to the effective date of 1194
this amendment, the person may file an application under section 1195
2953.37 of the Revised Code requesting the expungement of the 1196
record of conviction. 1197

(F) (1) Whoever violates this section is guilty of carrying 1198
concealed weapons. Except as otherwise provided in this division 1199
or divisions ~~(F) (2), (6),~~ (F) (4) and ~~(7) (5)~~ of this section, 1200
carrying concealed weapons in violation of division (A) of this 1201
section is a misdemeanor of the first degree. Except as 1202
otherwise provided in this division or divisions ~~(F) (2), (6),~~ 1203
(F) (4) and ~~(7) (5)~~ of this section, if the offender previously 1204
has been convicted of a violation of this section or of any 1205
offense of violence, if the weapon involved is a firearm that is 1206
either loaded or for which the offender has ammunition ready at 1207
hand, or if the weapon involved is dangerous ordnance, carrying 1208
concealed weapons in violation of division (A) of this section 1209
is a felony of the fourth degree. Except as otherwise provided 1210
in ~~divisions (F) (2) and (6)~~ division (F) (4) of this section, if 1211
the offense is committed aboard an aircraft, or with purpose to 1212
carry a concealed weapon aboard an aircraft, regardless of the 1213
weapon involved, carrying concealed weapons in violation of 1214
division (A) of this section is a felony of the third degree. 1215

~~(2) Except as provided in division (F) (6) of this section,~~ 1216
~~if a person being arrested for a violation of division (A) (2) of~~ 1217
~~this section promptly produces a valid concealed handgun~~ 1218
~~license, and if at the time of the violation the person was not~~ 1219
~~knowingly in a place described in division (B) of section~~ 1220
~~2923.126 of the Revised Code, the officer shall not arrest the~~ 1221
~~person for a violation of that division. If the person is not~~ 1222
~~able to promptly produce any concealed handgun license and if~~ 1223
~~the person is not in a place described in that section, the~~ 1224
~~officer may arrest the person for a violation of that division,~~ 1225
~~and the offender shall be punished as follows:~~ 1226

~~(a) The offender shall be guilty of a minor misdemeanor if~~ 1227
~~both of the following apply:~~ 1228

~~(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.~~ 1229
1230
1231
1232

~~(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.~~ 1233
1234
1235

~~(b) The offender shall be guilty of a misdemeanor and shall be fined five hundred dollars if all of the following apply:~~ 1236
1237
1238

~~(i) The offender previously had been issued a concealed handgun license, and that license expired within the two years immediately preceding the arrest.~~ 1239
1240
1241

~~(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.~~ 1242
1243
1244
1245
1246
1247

~~(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.~~ 1248
1249
1250

~~(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.~~ 1251
1252
1253

~~(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~~ 1254
1255
1256
1257

~~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)~~ (3) 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 1288
meets or exceeds the training requirements described in division 1289
(G) (1) of section 2923.125 of the Revised Code, and if at the 1290
time of the violation the person was not knowingly in ~~a~~an 1291
unauthorized place described specified in division (B) of 1292
section 2923.126 of the Revised Code or knowingly carrying or 1293
having the deadly weapon in any prohibited manner listed in that 1294
division, the officer shall not arrest the person for a 1295
violation of ~~that~~division (A) (1) or (2) of this section. If the 1296
person is not able to promptly produce a valid military 1297
identification card and documentation of successful completion 1298
of firearms training that meets or exceeds the training 1299
requirements described in division (G) (1) of section 2923.125 of 1300
the Revised Code and if the person at the time of the violation 1301
is not knowingly in a~~an~~ unauthorized place described specified 1302
in division (B) of section 2923.126 of the Revised Code or 1303
knowingly carrying or having the deadly weapon in any prohibited 1304
manner listed in that division, the officer shall issue a 1305
citation and the offender shall be assessed a civil penalty of 1306
not more than five hundred dollars. The citation shall be 1307
automatically dismissed and the civil penalty shall not be 1308
assessed if both of the following apply: 1309

(a) Within ten days after the issuance of the citation, 1310
the offender presents a valid military identification card and 1311
documentation of successful completion of firearms training that 1312
meets or exceeds the training requirements described in division 1313
(G) (1) of section 2923.125 of the Revised Code, which were both 1314
valid at the time of the issuance of the citation to the law 1315
enforcement agency that employs the citing officer. 1316

(b) At the time of the citation, the offender was not 1317
knowingly in ~~a~~any unauthorized place described specified in 1318

division (B) of section 2923.126 of the Revised Code or 1319
knowingly carrying or having the deadly weapon in any prohibited 1320
manner listed in that division. 1321

~~(7)~~ (5) If a person being arrested for a violation of 1322
division ~~(A) (2)~~ (A) (1) or (2) of this section based on carrying 1323
a concealed deadly weapon that is not a restricted deadly weapon 1324
is knowingly in ~~a~~ any unauthorized place described in division 1325
(B) (5) of section 2923.126 of the Revised Code and is not 1326
authorized to carry a ~~handgun~~ deadly weapon or have a ~~handgun~~ 1327
deadly weapon concealed on the person's person or concealed 1328
ready at hand under that division, the penalty shall be as 1329
follows: 1330

(a) Except as otherwise provided in ~~this division, if the~~ 1331
~~person produces a valid concealed handgun license within ten~~ 1332
~~days after the arrest and has not previously been convicted or~~ 1333
~~pleaded guilty to a violation of division (A) (2) of this section~~ 1334
(F) (5) (b), (c), or (d) of this section, the person is guilty of 1335
a minor misdemeanor; 1336

(b) Except as otherwise provided in ~~this division~~ (F) (5) 1337
(c) or (d) of this section, if the person has previously been 1338
convicted of or pleaded guilty to a violation of division ~~(A) (2)~~ 1339
(A) (1) or (2) of this section, the person is guilty of a 1340
misdemeanor of the fourth degree; 1341

(c) Except as otherwise provided in ~~this division~~ (F) (5) 1342
(c) or (d) of this section, if the person has previously been 1343
convicted of or pleaded guilty to two violations of division ~~(A)~~ 1344
~~(2)~~ (A) (1) or (2) of this section, the person is guilty of a 1345
misdemeanor of the third degree; 1346

(d) ~~Except as otherwise provided in this division, if~~ If 1347

the person has previously been convicted of or pleaded guilty to 1348
three or more violations of division ~~(A) (2)~~ (A) (1) or (2) of 1349
this section, or convicted of or pleaded guilty to any offense 1350
of violence, if the deadly weapon involved is a firearm that is 1351
either loaded or for which the offender has ammunition ready at 1352
hand, or if the deadly weapon involved is a dangerous ordnance, 1353
the person is guilty of a misdemeanor of the second degree. 1354

(G) If a law enforcement officer stops a person to 1355
question the person regarding a possible violation of this 1356
section, for a traffic stop, or for any other law enforcement 1357
purpose, if the person surrenders a ~~firearm~~ deadly weapon to the 1358
officer, either voluntarily or pursuant to a request or demand 1359
of the officer, and if the officer does not charge the person 1360
with a violation of this section or arrest the person for any 1361
offense, the person is not otherwise prohibited by law from 1362
possessing the ~~firearm~~ deadly weapon, and the ~~firearm~~ deadly 1363
weapon is not contraband, the officer shall return the ~~firearm~~ 1364
deadly weapon to the person at the termination of the stop. If a 1365
court orders a law enforcement officer to return a ~~firearm~~ 1366
deadly weapon to a person pursuant to the requirement set forth 1367
in this division, division (B) of section 2923.163 of the 1368
Revised Code applies. 1369

(H) For purposes of this section, "deadly weapon" or 1370
"weapon" does not include any knife, razor, or cutting 1371
instrument if the instrument was not used as a weapon. 1372

Sec. 2923.121. (A) No person shall possess a firearm in 1373
any room in which any person is consuming beer or intoxicating 1374
liquor in a premises for which a D permit has been issued under 1375
Chapter 4303. of the Revised Code or in an open air arena for 1376
which a permit of that nature has been issued. 1377

(B) (1) This section does not apply to any of the 1378
following: 1379

(a) An officer, agent, or employee of this or any other 1380
state or the United States, or a law enforcement officer, who is 1381
authorized to carry firearms and is acting within the scope of 1382
the officer's, agent's, or employee's duties; 1383

(b) A law enforcement officer or investigator who is 1384
authorized to carry firearms but is not acting within the scope 1385
of the officer's or investigator's duties, as long as all of the 1386
following apply: 1387

(i) The officer or investigator is carrying validating 1388
identification. 1389

(ii) If the firearm the officer or investigator possesses 1390
is a firearm issued or approved by the law enforcement agency 1391
served by the officer or by the bureau of criminal 1392
identification and investigation with respect to an 1393
investigator, the agency or bureau does not have a restrictive 1394
firearms carrying policy. 1395

(iii) The officer or investigator is not consuming beer or 1396
intoxicating liquor and is not under the influence of alcohol or 1397
a drug of abuse. 1398

(c) Any room used for the accommodation of guests of a 1399
hotel, as defined in section 4301.01 of the Revised Code; 1400

(d) The principal holder of a D permit issued for a 1401
premises or an open air arena under Chapter 4303. of the Revised 1402
Code while in the premises or open air arena for which the 1403
permit was issued if the principal holder of the D permit also 1404
~~possesses~~ has been issued a valid concealed handgun weapons 1405
license or is deemed under division (C) of section 2923.111 of 1406

the Revised Code to have been issued a concealed weapons license 1407
under section 2923.125 of the Revised Code and as long as the 1408
firearm is not a restricted firearm and the principal holder is 1409
not consuming beer or intoxicating liquor or under the influence 1410
of alcohol or a drug of abuse, or any agent or employee of that 1411
holder who also is a peace officer, as defined in section 1412
2151.3515 of the Revised Code, who is off duty, and who 1413
otherwise is authorized to carry firearms while in the course of 1414
the officer's official duties and while in the premises or open 1415
air arena for which the permit was issued and as long as the 1416
firearm is not a restricted firearm and the agent or employee of 1417
that holder is not consuming beer or intoxicating liquor or 1418
under the influence of alcohol or a drug of abuse. 1419

(e) Any person who ~~is carrying~~ has been issued a valid 1420
concealed ~~handgun weapons~~ license, any person who is deemed 1421
under division (C) of section 2923.111 of the Revised Code to 1422
have been issued a concealed weapons license under section 1423
2923.125 of the Revised Code, or any person who is an active 1424
duty member of the armed forces of the United States and is 1425
carrying a valid military identification card and documentation 1426
of successful completion of firearms training that meets or 1427
exceeds the training requirements described in division (G)(1) 1428
of section 2923.125 of the Revised Code, as long as the firearm 1429
is not a restricted firearm and the person is not consuming beer 1430
or intoxicating liquor or under the influence of alcohol or a 1431
drug of abuse. 1432

(2) This section does not prohibit any person who is a 1433
member of a veteran's organization, as defined in section 1434
2915.01 of the Revised Code, from possessing a rifle in any room 1435
in any premises owned, leased, or otherwise under the control of 1436
the veteran's organization, if the rifle is not loaded with live 1437

ammunition and if the person otherwise is not prohibited by law 1438
from having the rifle. 1439

(3) This section does not apply to any person possessing 1440
or displaying firearms in any room used to exhibit unloaded 1441
firearms for sale or trade in a soldiers' memorial established 1442
pursuant to Chapter 345. of the Revised Code, in a convention 1443
center, or in any other public meeting place, if the person is 1444
an exhibitor, trader, purchaser, or seller of firearms and is 1445
not otherwise prohibited by law from possessing, trading, 1446
purchasing, or selling the firearms. 1447

(C) It is an affirmative defense to a charge under this 1448
section of illegal possession of a firearm in a liquor permit 1449
premises ~~that involves~~ involving the possession of a firearm 1450
other than a handgun, that neither division (B) (1) (d) nor (e) of
this section applies, that the actor was not otherwise 1451
prohibited by law from having the firearm, and that any of the 1452
following apply: 1453
1454

(1) The firearm was carried or kept ready at hand by the 1455
actor for defensive purposes, while the actor was engaged in or 1456
was going to or from the actor's lawful business or occupation, 1457
which business or occupation was of such character or was 1458
necessarily carried on in such manner or at such a time or place 1459
as to render the actor particularly susceptible to criminal 1460
attack, such as would justify a prudent person in going armed. 1461

(2) The firearm was carried or kept ready at hand by the 1462
actor for defensive purposes, while the actor was engaged in a 1463
lawful activity, and had reasonable cause to fear a criminal 1464
attack upon the actor or a member of the actor's family, or upon 1465
the actor's home, such as would justify a prudent person in 1466
going armed. 1467

(D) No person who is charged with a violation of this 1468
section shall be required to obtain a concealed ~~handgun~~-weapons 1469
license as a condition for the dismissal of the charge. 1470

(E) Whoever violates this section is guilty of illegal 1471
possession of a firearm in a liquor permit premises. Except as 1472
otherwise provided in this division, illegal possession of a 1473
firearm in a liquor permit premises is a felony of the fifth 1474
degree. If the offender commits the violation of this section by 1475
knowingly carrying or having the firearm concealed on the 1476
offender's person or concealed ready at hand, illegal possession 1477
of a firearm in a liquor permit premises is a felony of the 1478
third degree. 1479

(F) As used in this section: 1480

(1) "Beer" and "intoxicating liquor" have the same 1481
meanings as in section 4301.01 of the Revised Code. 1482

(2) "Investigator" has the same meaning as in section 1483
109.541 of the Revised Code. 1484

(3) "Restrictive firearms carrying policy" means a 1485
specific policy of a law enforcement agency or the bureau of 1486
criminal identification and investigation that prohibits all 1487
officers of the agency or all investigators of the bureau, while 1488
not acting within the scope of the officer's or investigator's 1489
duties, from doing either of the following: 1490

(a) Carrying a firearm issued or approved by the agency or 1491
bureau in any room, premises, or arena described in division (A) 1492
of this section; 1493

(b) Carrying a firearm issued or approved by the agency or 1494
bureau in premises described in division (A) of section 1495
2923.1214 of the Revised Code. 1496

(4) "Law enforcement officer" has the same meaning as in section 9.69 of the Revised Code.	1497 1498
(5) "Validating identification" means one of the following:	1499 1500
(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;	1501 1502 1503 1504
(b) Photographic identification issued by the bureau of criminal identification and investigation that identifies an individual as an investigator of the bureau.	1505 1506 1507
Sec. 2923.122. (A) No person shall knowingly convey, or attempt to convey, a deadly weapon or dangerous ordnance into a school safety zone.	1508 1509 1510
(B) No person shall knowingly possess a deadly weapon or dangerous ordnance in a school safety zone.	1511 1512
(C) No person shall knowingly possess an object in a school safety zone if both of the following apply:	1513 1514
(1) The object is indistinguishable from a firearm, whether or not the object is capable of being fired.	1515 1516
(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.	1517 1518 1519 1520
(D) (1) This section does not apply to any of the following:	1521 1522
(a) An officer, agent, or employee of this or any other	1523

state or the United States who is authorized to carry deadly 1524
weapons or dangerous ordnance and is acting within the scope of 1525
the officer's, agent's, or employee's duties, a law enforcement 1526
officer who is authorized to carry deadly weapons or dangerous 1527
ordnance, a security officer employed by a board of education or 1528
governing body of a school during the time that the security 1529
officer is on duty pursuant to that contract of employment, or 1530
any other person who has written authorization from the board of 1531
education or governing body of a school to convey deadly weapons 1532
or dangerous ordnance into a school safety zone or to possess a 1533
deadly weapon or dangerous ordnance in a school safety zone and 1534
who conveys or possesses the deadly weapon or dangerous ordnance 1535
in accordance with that authorization; 1536

(b) Any person who is employed in this state, who is 1537
authorized to carry deadly weapons or dangerous ordnance, and 1538
who is subject to and in compliance with the requirements of 1539
section 109.801 of the Revised Code, unless the appointing 1540
authority of the person has expressly specified that the 1541
exemption provided in division (D) (1) (b) of this section does 1542
not apply to the person. 1543

(2) Division (C) of this section does not apply to 1544
premises upon which home schooling is conducted. Division (C) of 1545
this section also does not apply to a school administrator, 1546
teacher, or employee who possesses an object that is 1547
indistinguishable from a firearm for legitimate school purposes 1548
during the course of employment, a student who uses an object 1549
that is indistinguishable from a firearm under the direction of 1550
a school administrator, teacher, or employee, or any other 1551
person who with the express prior approval of a school 1552
administrator possesses an object that is indistinguishable from 1553
a firearm for a legitimate purpose, including the use of the 1554

object in a ceremonial activity, a play, reenactment, or other 1555
dramatic presentation, school safety training, or a ROTC 1556
activity or another similar use of the object. 1557

(3) This section does not apply to a person who conveys or 1558
attempts to convey a ~~handgun~~deadly weapon that is not a 1559
restricted deadly weapon into, or possesses a ~~handgun~~deadly 1560
weapon that is not a restricted deadly weapon in, a school 1561
safety zone if, ~~at~~ both of the following apply: 1562

(a) At the time of that conveyance, attempted conveyance, 1563
or possession of the ~~handgun~~ deadly weapon that is not a 1564
restricted deadly weapon, all the person has been issued a valid 1565
concealed weapons license, the person is deemed under division 1566
(C) of section 2923.111 of the Revised Code to have been issued 1567
a concealed weapons license under section 2923.125 of the 1568
Revised Code, or the person is an active duty member of the 1569
armed forces of the United States and is carrying a valid 1570
military identification card and documentation of successful 1571
completion of firearms training that meets or exceeds the 1572
training requirements described in division (G)(1) of section 1573
2923.125 of the Revised Code. 1574

(b) Either of the following ~~apply~~ applies: 1575

~~(a)(i) The person does not enter into a school building or~~ 1576
~~onto school premises and is not at a school activity.~~ 1577

~~(b) The person is carrying a valid concealed handgun~~ 1578
~~license or the person is an active duty member of the armed~~ 1579
~~forces of the United States and is carrying a valid military~~ 1580
~~identification card and documentation of successful completion~~ 1581
~~of firearms training that meets or exceeds the training~~ 1582
~~requirements described in division (G)(1) of section 2923.125 of~~ 1583

~~the Revised Code.~~ 1584

~~(e) The, the person is in the school safety zone in accordance with 18 U.S.C. 922(q) (2) (B).~~ 1585
1586

~~(d) The, and the person is not knowingly in a-an~~ 1587
~~unauthorized place described-specified in division (B) (1) or (B)~~ 1588
~~(3) to (8) of section 2923.126 of the Revised Code and is not~~ 1589
~~knowingly conveying, attempting to convey, or possessing the~~ 1590
~~deadly weapon in any prohibited manner specified in any of those~~ 1591
~~divisions.~~ 1592

~~(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:~~ 1593
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1595
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~~(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.~~ 1598
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~~(b)(ii) The person leaves the handgun-deadly weapon in a motor vehicle.~~ 1605
1606

~~(c) The handgun, the deadly weapon does not leave the motor vehicle.~~ 1607
1608

~~(d) If, and, if the person exits the motor vehicle, the person locks the motor vehicle.~~ 1609
1610

(E) (1) Whoever violates division (A) or (B) of this 1611

section is guilty of illegal conveyance or possession of a 1612
deadly weapon or dangerous ordnance in a school safety zone. 1613
Except as otherwise provided in this division, illegal 1614
conveyance or possession of a deadly weapon or dangerous 1615
ordnance in a school safety zone is a felony of the fifth 1616
degree. If the offender previously has been convicted of a 1617
violation of this section, illegal conveyance or possession of a 1618
deadly weapon or dangerous ordnance in a school safety zone is a 1619
felony of the fourth degree. 1620

(2) Whoever violates division (C) of this section is 1621
guilty of illegal possession of an object indistinguishable from 1622
a firearm in a school safety zone. Except as otherwise provided 1623
in this division, illegal possession of an object 1624
indistinguishable from a firearm in a school safety zone is a 1625
misdemeanor of the first degree. If the offender previously has 1626
been convicted of a violation of this section, illegal 1627
possession of an object indistinguishable from a firearm in a 1628
school safety zone is a felony of the fifth degree. 1629

(F) (1) In addition to any other penalty imposed upon a 1630
person who is convicted of or pleads guilty to a violation of 1631
this section and subject to division (F) (2) of this section, if 1632
the offender has not attained nineteen years of age, regardless 1633
of whether the offender is attending or is enrolled in a school 1634
operated by a board of education or for which the state board of 1635
education prescribes minimum standards under section 3301.07 of 1636
the Revised Code, the court shall impose upon the offender a 1637
class four suspension of the offender's probationary driver's 1638
license, restricted license, driver's license, commercial 1639
driver's license, temporary instruction permit, or probationary 1640
commercial driver's license that then is in effect from the 1641
range specified in division (A) (4) of section 4510.02 of the 1642

Revised Code and shall deny the offender the issuance of any 1643
permit or license of that type during the period of the 1644
suspension. 1645

If the offender is not a resident of this state, the court 1646
shall impose a class four suspension of the nonresident 1647
operating privilege of the offender from the range specified in 1648
division (A) (4) of section 4510.02 of the Revised Code. 1649

(2) If the offender shows good cause why the court should 1650
not suspend one of the types of licenses, permits, or privileges 1651
specified in division (F) (1) of this section or deny the 1652
issuance of one of the temporary instruction permits specified 1653
in that division, the court in its discretion may choose not to 1654
impose the suspension, revocation, or denial required in that 1655
division, but the court, in its discretion, instead may require 1656
the offender to perform community service for a number of hours 1657
determined by the court. 1658

(G) As used in this section, "object that is 1659
indistinguishable from a firearm" means an object made, 1660
constructed, or altered so that, to a reasonable person without 1661
specialized training in firearms, the object appears to be a 1662
firearm. 1663

Sec. 2923.123. (A) No person shall knowingly convey or 1664
attempt to convey a deadly weapon or dangerous ordnance into a 1665
courthouse or into another building or structure in which a 1666
courtroom is located. 1667

(B) No person shall knowingly possess or have under the 1668
person's control a deadly weapon or dangerous ordnance in a 1669
courthouse or in another building or structure in which a 1670
courtroom is located. 1671

- (C) This section does not apply to any of the following: 1672
- (1) Except as provided in division (E) of this section, a 1673
judge of a court of record of this state or a magistrate; 1674
- (2) A peace officer, officer of a law enforcement agency, 1675
or person who is in either of the following categories: 1676
- (a) Except as provided in division (E) of this section, a 1677
peace officer, or an officer of a law enforcement agency of 1678
another state, a political subdivision of another state, or the 1679
United States, who is authorized to carry a deadly weapon or 1680
dangerous ordnance, who possesses or has under that individual's 1681
control a deadly weapon or dangerous ordnance as a requirement 1682
of that individual's duties, and who is acting within the scope 1683
of that individual's duties at the time of that possession or 1684
control; 1685
- (b) Except as provided in division (E) of this section, a 1686
person who is employed in this state, who is authorized to carry 1687
a deadly weapon or dangerous ordnance, who possesses or has 1688
under that individual's control a deadly weapon or dangerous 1689
ordnance as a requirement of that person's duties, and who is 1690
subject to and in compliance with the requirements of section 1691
109.801 of the Revised Code, unless the appointing authority of 1692
the person has expressly specified that the exemption provided 1693
in division (C) (2) (b) of this section does not apply to the 1694
person. 1695
- (3) A person who conveys, attempts to convey, possesses, 1696
or has under the person's control a deadly weapon or dangerous 1697
ordnance that is to be used as evidence in a pending criminal or 1698
civil action or proceeding; 1699
- (4) Except as provided in division (E) of this section, a 1700

bailiff or deputy bailiff of a court of record of this state who 1701
is authorized to carry a firearm pursuant to section 109.77 of 1702
the Revised Code, who possesses or has under that individual's 1703
control a firearm as a requirement of that individual's duties, 1704
and who is acting within the scope of that individual's duties 1705
at the time of that possession or control; 1706

(5) Except as provided in division (E) of this section, a 1707
prosecutor, or a secret service officer appointed by a county 1708
prosecuting attorney, who is authorized to carry a deadly weapon 1709
or dangerous ordnance in the performance of the individual's 1710
duties, who possesses or has under that individual's control a 1711
deadly weapon or dangerous ordnance as a requirement of that 1712
individual's duties, and who is acting within the scope of that 1713
individual's duties at the time of that possession or control; 1714

(6) (a) Except as provided in division (E) of this section, 1715
a person who conveys or attempts to convey a ~~handgun~~ deadly 1716
weapon that is not a restricted deadly weapon into a courthouse 1717
or into another building or structure in which a courtroom is 1718
located, or who ~~possesses or has under the person's control a~~ 1719
deadly weapon that is not a restricted deadly weapon in a 1720
courthouse or such a building or structure, if both of the 1721
following apply with respect to the person: 1722

(i) The person, at the time of the conveyance ~~or,~~ attempt, 1723
~~either is carrying possession, or control, has been issued a~~ 1724
valid concealed ~~handgun~~ weapons license, is deemed under 1725
division (C) of section 2923.111 of the Revised Code to have 1726
been issued a concealed weapons license under section 2923.125 1727
of the Revised Code, or is an active duty member of the armed 1728
forces of the United States and is carrying a valid military 1729
identification card and documentation of successful completion 1730

of firearms training that meets or exceeds the training 1731
requirements described in division (G) (1) of section 2923.125 of 1732
the Revised Code, ~~and who~~. 1733

(ii) The person transfers possession of the handgun deadly 1734
weapon that is not a restricted deadly weapon to the officer or 1735
officer's designee who has charge of the courthouse or building. 1736

(b) The officer described in division (C) (6) (a) (ii) of 1737
this section shall secure the handgun deadly weapon that is not 1738
a restricted deadly weapon until the licensee person in question 1739
is prepared to leave the premises. The exemption described in 1740
~~this~~ division (C) (6) (a) of this section applies only if the 1741
officer who has charge of the courthouse or building provides 1742
services of the nature described in ~~this~~ division (C) (6) (a) (ii) 1743
of this section. An officer who has charge of the courthouse or 1744
building is not required to offer services of the nature 1745
described in ~~this~~ division (C) (6) (a) (ii) of this section. 1746

(D) (1) Whoever violates division (A) of this section is 1747
guilty of illegal conveyance of a deadly weapon or dangerous 1748
ordnance into a courthouse. Except as otherwise provided in this 1749
division, illegal conveyance of a deadly weapon or dangerous 1750
ordnance into a courthouse is a felony of the fifth degree. If 1751
the offender previously has been convicted of a violation of 1752
division (A) or (B) of this section, illegal conveyance of a 1753
deadly weapon or dangerous ordnance into a courthouse is a 1754
felony of the fourth degree. 1755

(2) Whoever violates division (B) of this section is 1756
guilty of illegal possession or control of a deadly weapon or 1757
dangerous ordnance in a courthouse. Except as otherwise provided 1758
in this division, illegal possession or control of a deadly 1759
weapon or dangerous ordnance in a courthouse is a felony of the 1760

fifth degree. If the offender previously has been convicted of a 1761
violation of division (A) or (B) of this section, illegal 1762
possession or control of a deadly weapon or dangerous ordnance 1763
in a courthouse is a felony of the fourth degree. 1764

(E) The exemptions described in divisions (C) (1), (2) (a), 1765
(2) (b), (4), (5), and (6) of this section do not apply to any 1766
judge, magistrate, peace officer, officer of a law enforcement 1767
agency, bailiff, deputy bailiff, prosecutor, secret service 1768
officer, or other person described in any of those divisions if 1769
a rule of superintendence or another type of rule adopted by the 1770
supreme court pursuant to Article IV, Ohio Constitution, or an 1771
applicable local rule of court prohibits all persons from 1772
conveying or attempting to convey a deadly weapon or dangerous 1773
ordnance into a courthouse or into another building or structure 1774
in which a courtroom is located or from possessing or having 1775
under one's control a deadly weapon or dangerous ordnance in a 1776
courthouse or in another building or structure in which a 1777
courtroom is located. 1778

(F) As used in this section: 1779

(1) "Magistrate" means an individual who is appointed by a 1780
court of record of this state and who has the powers and may 1781
perform the functions specified in Civil Rule 53, Criminal Rule 1782
19, or Juvenile Rule 40. 1783

(2) "Peace officer" and "prosecutor" have the same 1784
meanings as in section 2935.01 of the Revised Code. 1785

Sec. 2923.124. As used in sections 2923.124 to 2923.1213 1786
of the Revised Code: 1787

(A) "Application form" means the application form 1788
prescribed pursuant to division (A) (1) of section 109.731 of the 1789

Revised Code and includes a copy of that form. 1790

(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. 1791
1792
1793

(C) "Detention facility" has the same meaning as in section 2921.01 of the Revised Code. 1794
1795

(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 . 1796
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(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. 1808
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(F) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code. 1812
1813

(G) "State correctional institution" has the same meaning as in section 2967.01 of the Revised Code. 1814
1815

(H) "Civil protection order" means a protection order issued, or consent agreement approved, under section 2903.214 or 3113.31 of the Revised Code. 1816
1817
1818

(I) "Temporary protection order" means a protection order 1819
issued under section 2903.213 or 2919.26 of the Revised Code. 1820

(J) "Protection order issued by a court of another state" 1821
has the same meaning as in section 2919.27 of the Revised Code. 1822

(K) "Child day-care center," "type A family day-care home" 1823
and "type B family day-care home" have the same meanings as in 1824
section 5104.01 of the Revised Code. 1825

(L) "Foreign air transportation," "interstate air 1826
transportation," and "intrastate air transportation" have the 1827
same meanings as in 49 U.S.C. 40102, as now or hereafter 1828
amended. 1829

(M) "Commercial motor vehicle" has the same meaning as in 1830
division (A) of section 4506.25 of the Revised Code. 1831

(N) "Motor carrier enforcement unit" has the same meaning 1832
as in section 2923.16 of the Revised Code. 1833

Sec. 2923.125. It is the intent of the general assembly 1834
that Ohio concealed ~~handgun-weapons~~ license law be compliant 1835
with the national instant criminal background check system, that 1836
the bureau of alcohol, tobacco, firearms, and explosives is able 1837
to determine that Ohio law is compliant with the national 1838
instant criminal background check system, and that no person 1839
shall be eligible to receive a concealed ~~handgun-weapons~~ license 1840
~~permit~~ under section 2923.125 or 2923.1213 of the Revised Code 1841
unless the person is eligible lawfully to receive or possess a 1842
firearm in the United States. 1843

(A) This section applies with respect to the application 1844
for and issuance by this state of concealed ~~handgun-weapons~~ 1845
licenses other than concealed ~~handgun-weapons~~ licenses on a 1846
temporary emergency basis that are issued under section 1847

2923.1213 of the Revised Code. Upon the request of a person who 1848
wishes to obtain a concealed ~~handgun-weapons~~ license with 1849
respect to which this section applies or to renew a concealed 1850
~~handgun-weapons~~ license with respect to which this section 1851
applies, a sheriff, as provided in division (I) of this section, 1852
shall provide to the person free of charge an application form 1853
and the web site address at which a printable version of the 1854
application form that can be downloaded and the pamphlet 1855
described in division (B) of section 109.731 of the Revised Code 1856
may be found. A sheriff shall accept a completed application 1857
form and the fee, items, materials, and information specified in 1858
divisions (B) (1) to (5) of this section at the times and in the 1859
manners described in division (I) of this section. 1860

(B) An applicant for a concealed ~~handgun-weapons~~ license 1861
who is a resident of this state shall submit a completed 1862
application form and all of the material and information 1863
described in divisions (B) (1) to (6) of this section to the 1864
sheriff of the county in which the applicant resides or to the 1865
sheriff of any county adjacent to the county in which the 1866
applicant resides. An applicant for a license who resides in 1867
another state shall submit a completed application form and all 1868
of the material and information described in divisions (B) (1) to 1869
(7) of this section to the sheriff of the county in which the 1870
applicant is employed or to the sheriff of any county adjacent 1871
to the county in which the applicant is employed: 1872

(1) (a) A nonrefundable license fee as described in either 1873
of the following: 1874

(i) For an applicant who has been a resident of this state 1875
for five or more years, a fee of sixty-seven dollars; 1876

(ii) For an applicant who has been a resident of this 1877

state for less than five years or who is not a resident of this 1878
state, but who is employed in this state, a fee of sixty-seven 1879
dollars plus the actual cost of having a background check 1880
performed by the federal bureau of investigation. 1881

(b) No sheriff shall require an applicant to pay for the 1882
cost of a background check performed by the bureau of criminal 1883
identification and investigation. 1884

(c) A sheriff shall waive the payment of the license fee 1885
described in division (B) (1) (a) of this section in connection 1886
with an initial or renewal application for a license that is 1887
submitted by an applicant who is an active or reserve member of 1888
the armed forces of the United States or has retired from or was 1889
honorably discharged from military service in the active or 1890
reserve armed forces of the United States, a retired peace 1891
officer, a retired person described in division (B) (1) (b) of 1892
section 109.77 of the Revised Code, or a retired federal law 1893
enforcement officer who, prior to retirement, was authorized 1894
under federal law to carry a firearm in the course of duty, 1895
unless the retired peace officer, person, or federal law 1896
enforcement officer retired as the result of a mental 1897
disability. 1898

(d) The sheriff shall deposit all fees paid by an 1899
applicant under division (B) (1) (a) of this section into the 1900
sheriff's concealed ~~handgun~~ weapons license issuance fund 1901
established pursuant to section 311.42 of the Revised Code. The 1902
county shall distribute the fees in accordance with section 1903
311.42 of the Revised Code. 1904

(2) A color photograph of the applicant that was taken 1905
within thirty days prior to the date of the application; 1906

(3) One or more of the following competency 1907
certifications, each of which shall reflect that, regarding a 1908
certification described in division (B) (3) (a), (b), (c), (e), or 1909
(f) of this section, within the three years immediately 1910
preceding the application the applicant has performed that to 1911
which the competency certification relates and that, regarding a 1912
certification described in division (B) (3) (d) of this section, 1913
the applicant currently is an active or reserve member of the 1914
armed forces of the United States, the applicant has retired 1915
from or was honorably discharged from military service in the 1916
active or reserve armed forces of the United States, or within 1917
the ten years immediately preceding the application the 1918
retirement of the peace officer, person described in division 1919
(B) (1) (b) of section 109.77 of the Revised Code, or federal law 1920
enforcement officer to which the competency certification 1921
relates occurred: 1922

(a) An original or photocopy of a certificate of 1923
completion of a firearms safety, training, or requalification or 1924
firearms safety instructor course, class, or program that was 1925
offered by or under the auspices of a national gun advocacy 1926
organization and that complies with the requirements set forth 1927
in division (G) of this section; 1928

(b) An original or photocopy of a certificate of 1929
completion of a firearms safety, training, or requalification or 1930
firearms safety instructor course, class, or program that 1931
satisfies all of the following criteria: 1932

(i) It was open to members of the general public. 1933

(ii) It utilized qualified instructors who were certified 1934
by a national gun advocacy organization, the executive director 1935
of the Ohio peace officer training commission pursuant to 1936

section 109.75 or 109.78 of the Revised Code, or a governmental official or entity of another state. 1937
1938

(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. 1939
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(iv) It complies with the requirements set forth in division (G) of this section. 1946
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(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; 1948
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(d) A document that evidences both of the following: 1960

(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 1961
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federal law enforcement officer described in division (B) (1) of 1966
this section or a retired person described in division (B) (1) (b) 1967
of section 109.77 of the Revised Code and division (B) (1) of 1968
this section; 1969

(ii) That, through participation in the military service 1970
or through the former employment described in division (B) (3) (d) 1971
(i) of this section, the applicant acquired experience with 1972
handling ~~handguns or other~~ firearms, and the experience so 1973
acquired was equivalent to training that the applicant could 1974
have acquired in a course, class, or program described in 1975
division (B) (3) (a), (b), or (c) of this section. 1976

(e) A certificate or another similar document that 1977
evidences satisfactory completion of a firearms training, 1978
safety, or requalification or firearms safety instructor course, 1979
class, or program that is not otherwise described in division 1980
(B) (3) (a), (b), (c), or (d) of this section, that was conducted 1981
by an instructor who was certified by an official or entity of 1982
the government of this or another state or the United States or 1983
by a national gun advocacy organization, and that complies with 1984
the requirements set forth in division (G) of this section; 1985

(f) An affidavit that attests to the applicant's 1986
satisfactory completion of a course, class, or program described 1987
in division (B) (3) (a), (b), (c), or (e) of this section and that 1988
is subscribed by the applicant's instructor or an authorized 1989
representative of the entity that offered the course, class, or 1990
program or under whose auspices the course, class, or program 1991
was offered; 1992

(g) A document that evidences that the applicant has 1993
successfully completed the Ohio peace officer training program 1994
described in section 109.79 of the Revised Code. 1995

(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

documentation, and, if not waived, the license fee, the sheriff 2025
shall make available through the law enforcement automated data 2026
system in accordance with division (H) of this section the 2027
information described in that division and, upon making the 2028
information available through the system, shall issue to the 2029
applicant a concealed ~~handgun-weapons~~ license that shall expire 2030
as described in division (D) (2) (a) of this section if all of the 2031
following apply: 2032

(a) The applicant is legally living in the United States. 2033
For purposes of division (D) (1) (a) of this section, if a person 2034
is absent from the United States in compliance with military or 2035
naval orders as an active or reserve member of the armed forces 2036
of the United States and if prior to leaving the United States 2037
the person was legally living in the United States, the person, 2038
solely by reason of that absence, shall not be considered to 2039
have lost the person's status as living in the United States. 2040

(b) The applicant is at least twenty-one years of age. 2041

(c) The applicant is not a fugitive from justice. 2042

(d) The applicant is not under indictment for or otherwise 2043
charged with a felony; an offense under Chapter 2925., 3719., or 2044
4729. of the Revised Code that involves the illegal possession, 2045
use, sale, administration, or distribution of or trafficking in 2046
a drug of abuse; a misdemeanor offense of violence; or a 2047
violation of section 2903.14 or 2923.1211 of the Revised Code. 2048

(e) Except as otherwise provided in division (D) (4) or (5) 2049
of this section, the applicant has not been convicted of or 2050
pleaded guilty to a felony or an offense under Chapter 2925., 2051
3719., or 4729. of the Revised Code that involves the illegal 2052
possession, use, sale, administration, or distribution of or 2053

trafficking in a drug of abuse; has not been adjudicated a 2054
delinquent child for committing an act that if committed by an 2055
adult would be a felony or would be an offense under Chapter 2056
2925., 3719., or 4729. of the Revised Code that involves the 2057
illegal possession, use, sale, administration, or distribution 2058
of or trafficking in a drug of abuse; has not been convicted of, 2059
pleaded guilty to, or adjudicated a delinquent child for 2060
committing a violation of section 2903.13 of the Revised Code 2061
when the victim of the violation is a peace officer, regardless 2062
of whether the applicant was sentenced under division (C) (4) of 2063
that section; and has not been convicted of, pleaded guilty to, 2064
or adjudicated a delinquent child for committing any other 2065
offense that is not previously described in this division that 2066
is a misdemeanor punishable by imprisonment for a term exceeding 2067
one year. 2068

(f) Except as otherwise provided in division (D) (4) or (5) 2069
of this section, the applicant, within three years of the date 2070
of the application, has not been convicted of or pleaded guilty 2071
to a misdemeanor offense of violence other than a misdemeanor 2072
violation of section 2921.33 of the Revised Code or a violation 2073
of section 2903.13 of the Revised Code when the victim of the 2074
violation is a peace officer, or a misdemeanor violation of 2075
section 2923.1211 of the Revised Code; and has not been 2076
adjudicated a delinquent child for committing an act that if 2077
committed by an adult would be a misdemeanor offense of violence 2078
other than a misdemeanor violation of section 2921.33 of the 2079
Revised Code or a violation of section 2903.13 of the Revised 2080
Code when the victim of the violation is a peace officer or for 2081
committing an act that if committed by an adult would be a 2082
misdemeanor violation of section 2923.1211 of the Revised Code. 2083

(g) Except as otherwise provided in division (D) (1) (e) of 2084

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~~ firearm 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 2114
pamphlet prepared by the Ohio peace officer training commission 2115
pursuant to section 109.731 of the Revised Code. 2116

(m) The applicant currently is not subject to a suspension 2117
imposed under division (A) (2) of section 2923.128 of the Revised 2118
Code of a concealed ~~handgun-weapons~~ license that previously was 2119
issued to the applicant under this section or section 2923.1213 2120
of the Revised Code or a similar suspension imposed by another 2121
state regarding a concealed ~~handgun-weapons~~ license issued by 2122
that state. 2123

(n) If the applicant resides in another state, the 2124
applicant is employed in this state. 2125

(o) The applicant certifies that the applicant is not an 2126
unlawful user of or addicted to any controlled substance as 2127
defined in 21 U.S.C. 802. 2128

(p) If the applicant is not a United States citizen, the 2129
applicant is an alien and has not been admitted to the United 2130
States under a nonimmigrant visa, as defined in the "Immigration 2131
and Nationality Act," 8 U.S.C. 1101(a) (26). 2132

(q) The applicant has not been discharged from the armed 2133
forces of the United States under dishonorable conditions. 2134

(r) The applicant certifies that the applicant has not 2135
renounced the applicant's United States citizenship, if 2136
applicable. 2137

(s) The applicant has not been convicted of, pleaded 2138
guilty to, or been adjudicated a delinquent child for committing 2139
a violation of section 2919.25 of the Revised Code or a similar 2140
violation in another state. 2141

(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 2204
adjudication in making a determination under division (D) (1) or 2205
(F) of this section or, in relation to an application for a 2206
concealed ~~handgun-weapons~~ license on a temporary emergency basis 2207
submitted under section 2923.1213 of the Revised Code, in making 2208
a determination under division (B) (2) of that section. 2209

(5) If an applicant has been convicted of or pleaded 2210
guilty to a minor misdemeanor offense or has been adjudicated a 2211
delinquent child for committing an act or violation that is a 2212
minor misdemeanor offense, the sheriff with whom the application 2213
was submitted shall not consider the conviction, guilty plea, or 2214
adjudication in making a determination under division (D) (1) or 2215
(F) of this section or, in relation to an application for a 2216
concealed ~~handgun-weapons~~ license on a temporary basis submitted 2217
under section 2923.1213 of the Revised Code, in making a 2218
determination under division (B) (2) of that section. 2219

(E) If a concealed ~~handgun-weapons~~ license issued under 2220
this section is lost or is destroyed, the licensee may obtain 2221
from the sheriff who issued that license a duplicate license 2222
upon the payment of a fee of fifteen dollars and the submission 2223
of an affidavit attesting to the loss or destruction of the 2224
license. The sheriff, in accordance with the procedures 2225
prescribed in section 109.731 of the Revised Code, shall place 2226
on the replacement license a combination of identifying numbers 2227
different from the combination on the license that is being 2228
replaced. 2229

(F) (1) (a) Except as provided in division (F) (1) (b) of this 2230
section, a licensee who wishes to renew a concealed ~~handgun-~~ 2231
weapons license issued under this section prior to, on, or after 2232
the effective date of this amendment may do so at any time 2233

before the expiration date of the license or at any time after 2234
the expiration date of the license by filing with the sheriff of 2235
the county in which the applicant resides or with the sheriff of 2236
an adjacent county, or in the case of an applicant who resides 2237
in another state with the sheriff of the county that issued the 2238
applicant's previous concealed ~~handgun~~ weapons license an 2239
application for renewal of the license obtained pursuant to 2240
division (D) of this section, a certification by the applicant 2241
that, subsequent to the issuance of the license, the applicant 2242
has reread the pamphlet prepared by the Ohio peace officer 2243
training commission pursuant to section 109.731 of the Revised 2244
Code that reviews deadly weapons (including firearms), dispute 2245
resolution, and use of deadly force matters, and a nonrefundable 2246
license renewal fee in an amount determined pursuant to division 2247
(F) (4) of this section unless the fee is waived. 2248

(b) A person on active duty in the armed forces of the 2249
United States or in service with the peace corps, volunteers in 2250
service to America, or the foreign service of the United States 2251
is exempt from the license requirements of this section for the 2252
period of the person's active duty or service and for six months 2253
thereafter, provided the person was a licensee under this 2254
section at the time the person commenced the person's active 2255
duty or service or had obtained a license while on active duty 2256
or service. The spouse or a dependent of any such person on 2257
active duty or in service also is exempt from the license 2258
requirements of this section for the period of the person's 2259
active duty or service and for six months thereafter, provided 2260
the spouse or dependent was a licensee under this section at the 2261
time the person commenced the active duty or service or had 2262
obtained a license while the person was on active duty or 2263
service, and provided further that the person's active duty or 2264

service resulted in the spouse or dependent relocating outside 2265
of this state during the period of the active duty or service. 2266
This division does not prevent such a person or the person's 2267
spouse or dependent from making an application for the renewal 2268
of a concealed ~~handgun~~ weapons license during the period of the 2269
person's active duty or service. 2270

(2) A sheriff shall accept a completed renewal 2271
application, the license renewal fee, and the information 2272
specified in division (F) (1) of this section at the times and in 2273
the manners described in division (I) of this section. Upon 2274
receipt of a completed renewal application, of certification 2275
that the applicant has reread the specified pamphlet prepared by 2276
the Ohio peace officer training commission, and of a license 2277
renewal fee unless the fee is waived, a sheriff, in the manner 2278
specified in section 311.41 of the Revised Code shall conduct or 2279
cause to be conducted the criminal records check and the 2280
incompetency records check described in section 311.41 of the 2281
Revised Code. The sheriff shall renew the license if the sheriff 2282
determines that the applicant continues to satisfy the 2283
requirements described in division (D) (1) of this section, 2284
except that the applicant is not required to meet the 2285
requirements of division (D) (1) (1) of this section. A renewed 2286
license shall expire five years after the date of issuance, 2287
regardless of whether the renewal occurred prior to, on, or
after the effective date of this amendment. A renewed license is 2288
subject to division (E) of this section and sections 2923.126 2289
and 2923.128 of the Revised Code. A sheriff shall comply with 2290
divisions (D) (2) and (3) of this section when the circumstances 2291
described in those divisions apply to a requested license 2292
renewal. If a sheriff denies the renewal of a concealed ~~handgun~~ 2293
weapons license, the applicant may appeal the denial, or 2294
2295

challenge the criminal record check results that were the basis 2296
of the denial if applicable, in the same manner as specified in 2297
division (D)(2)(b) of this section and in section 2923.127 of 2298
the Revised Code, regarding the denial of a license under this 2299
section. 2300

(3) A renewal application submitted pursuant to division 2301
(F) of this section shall only require the licensee to list on 2302
the application form information and matters occurring since the 2303
date of the licensee's last application for a license pursuant 2304
to division (B) or (F) of this section. A sheriff conducting the 2305
criminal records check and the incompetency records check 2306
described in section 311.41 of the Revised Code shall conduct 2307
the check only from the date of the licensee's last application 2308
for a license pursuant to division (B) or (F) of this section 2309
through the date of the renewal application submitted pursuant 2310
to division (F) of this section. 2311

(4) An applicant for a renewal concealed ~~handgun~~ weapons 2312
license under this section shall submit to the sheriff of the 2313
county in which the applicant resides or to the sheriff of any 2314
county adjacent to the county in which the applicant resides, or 2315
in the case of an applicant who resides in another state to the 2316
sheriff of the county that issued the applicant's previous 2317
concealed ~~handgun~~ weapons license, a nonrefundable license fee 2318
as described in either of the following: 2319

(a) For an applicant who has been a resident of this state 2320
for five or more years, a fee of fifty dollars; 2321

(b) For an applicant who has been a resident of this state 2322
for less than five years or who is not a resident of this state 2323
but who is employed in this state, a fee of fifty dollars plus 2324
the actual cost of having a background check performed by the 2325

federal bureau of investigation. 2326

(5) The concealed ~~handgun-weapons~~ license of a licensee 2327
who is no longer a resident of this state or no longer employed 2328
in this state, as applicable, is valid until the date of 2329
expiration on the license, regardless of whether the license was 2330
issued prior to, on, or after the effective date of this 2331
amendment, and the licensee is prohibited from renewing the 2332
concealed ~~handgun-weapons~~ license. 2333

(G) (1) Each course, class, or program described in 2334
division (B) (3) (a), (b), (c), or (e) of this section shall 2335
provide to each person who takes the course, class, or program 2336
the web site address at which the pamphlet prepared by the Ohio 2337
peace officer training commission pursuant to section 109.731 of 2338
the Revised Code that reviews deadly weapons (including 2339
firearms), dispute resolution, and use of deadly force matters 2340
may be found. Each such course, class, or program described in 2341
one of those divisions shall include at least eight hours of 2342
training in the safe handling and use of a firearm that shall 2343
include training, provided as described in division (G) (3) of 2344
this section, on all of the following: 2345

(a) The ability to name, explain, and demonstrate the 2346
rules for safe handling of a ~~handgun-firearm~~ and proper storage 2347
practices for ~~handguns-firearms~~ and ammunition; 2348

(b) The ability to demonstrate and explain how to handle 2349
ammunition in a safe manner; 2350

(c) The ability to demonstrate the knowledge, skills, and 2351
attitude necessary to shoot a ~~handgun-firearm~~ in a safe manner; 2352

(d) Gun handling training; 2353

(e) A minimum of two hours of in-person training that 2354

consists of range time and live-fire training. 2355

(2) To satisfactorily complete the course, class, or 2356
program described in division (B) (3) (a), (b), (c), or (e) of 2357
this section, the applicant shall pass a competency examination 2358
that shall include both of the following: 2359

(a) A written section, provided as described in division 2360
(G) (3) of this section, on the ability to name and explain the 2361
rules for the safe handling of a ~~handgun~~-firearm and proper 2362
storage practices for ~~handguns~~-firearms and ammunition; 2363

(b) An in-person physical demonstration of competence in 2364
the use of a ~~handgun~~-firearm and in the rules for safe handling 2365
and storage of a ~~handgun~~-firearm and a physical demonstration of 2366
the attitude necessary to shoot a ~~handgun~~-firearm in a safe 2367
manner. 2368

(3) (a) Except as otherwise provided in this division, the 2369
training specified in division (G) (1) (a) of this section shall 2370
be provided to the person receiving the training in person by an 2371
instructor. If the training specified in division (G) (1) (a) of 2372
this section is provided by a course, class, or program 2373
described in division (B) (3) (a) of this section, or it is 2374
provided by a course, class, or program described in division 2375
(B) (3) (b), (c), or (e) of this section and the instructor is a 2376
qualified instructor certified by a national gun advocacy 2377
organization, the training so specified, other than the training 2378
that requires the person receiving the training to demonstrate 2379
handling abilities, may be provided online or as a combination 2380
of in-person and online training, as long as the online training 2381
includes an interactive component that regularly engages the 2382
person. 2383

(b) Except as otherwise provided in this division, the 2384
written section of the competency examination specified in 2385
division (G) (2) (a) of this section shall be administered to the 2386
person taking the competency examination in person by an 2387
instructor. If the training specified in division (G) (1) (a) of 2388
this section is provided to the person receiving the training by 2389
a course, class, or program described in division (B) (3) (a) of 2390
this section, or it is provided by a course, class, or program 2391
described in division (B) (3) (b), (c), or (e) of this section and 2392
the instructor is a qualified instructor certified by a national 2393
gun advocacy organization, the written section of the competency 2394
examination specified in division (G) (2) (a) of this section may 2395
be administered online, as long as the online training includes 2396
an interactive component that regularly engages the person. 2397

(4) The competency certification described in division (B) 2398
(3) (a), (b), (c), or (e) of this section shall be dated and 2399
shall attest that the course, class, or program the applicant 2400
successfully completed met the requirements described in 2401
division (G) (1) of this section and that the applicant passed 2402
the competency examination described in division (G) (2) of this 2403
section. 2404

(H) Upon deciding to issue a concealed ~~handgun~~ weapons 2405
license, deciding to issue a replacement concealed ~~handgun~~ 2406
weapons license, or deciding to renew a concealed ~~handgun~~ 2407
weapons license pursuant to this section, and before actually 2408
issuing or renewing the license, the sheriff shall make 2409
available through the law enforcement automated data system all 2410
information contained on the license. If the license 2411
subsequently is suspended under division (A) (1) or (2) of 2412
section 2923.128 of the Revised Code, revoked pursuant to 2413
division (B) (1) of section 2923.128 of the Revised Code, or lost 2414

or destroyed, the sheriff also shall make available through the 2415
law enforcement automated data system a notation of that fact. 2416
The superintendent of the state highway patrol shall ensure that 2417
the law enforcement automated data system is so configured as to 2418
permit the transmission through the system of the information 2419
specified in this division. 2420

(I) (1) A sheriff shall accept a completed application form 2421
or renewal application, and the fee, items, materials, and 2422
information specified in divisions (B) (1) to (5) or division (F) 2423
of this section, whichever is applicable, and shall provide an 2424
application form or renewal application to any person during at 2425
least fifteen hours a week and shall provide the web site 2426
address at which a printable version of the application form 2427
that can be downloaded and the pamphlet described in division 2428
(B) of section 109.731 of the Revised Code may be found at any 2429
time, upon request. The sheriff shall post notice of the hours 2430
during which the sheriff is available to accept or provide the 2431
information described in this division. 2432

(2) A sheriff shall transmit a notice to the attorney 2433
general, in a manner determined by the attorney general, every 2434
time a license is issued that waived payment under division (B) 2435
(1) (c) of this section for an applicant who is an active or 2436
reserve member of the armed forces of the United States or has 2437
retired from or was honorably discharged from military service 2438
in the active or reserve armed forces of the United States. The 2439
attorney general shall monitor and inform sheriffs issuing 2440
licenses under this section when the amount of license fee 2441
payments waived and transmitted to the attorney general reach 2442
one million five hundred thousand dollars each year. Once a 2443
sheriff is informed that the payments waived reached one million 2444
five hundred thousand dollars in any year, a sheriff shall no 2445

longer waive payment of a license fee for an applicant who is an 2446
active or reserve member of the armed forces of the United 2447
States or has retired from or was honorably discharged from 2448
military service in the active or reserve armed forces of the 2449
United States for the remainder of that year. 2450

Sec. 2923.126. (A) A concealed ~~handgun~~ weapons license 2451
~~that is~~ issued under section 2923.125 of the Revised Code prior 2452
to, on, or after the effective date of this amendment shall 2453
expire five years after the date of issuance. A licensee who has 2454
been issued a license under that section shall be granted a 2455
grace period of thirty days after the licensee's license expires 2456
during which the licensee's license remains valid. Except as 2457
provided in divisions (B) and (C) of this section, a licensee 2458
who has been issued a concealed ~~handgun~~ weapons license under 2459
section 2923.125 or 2923.1213 of the Revised Code prior to, on, 2460
or after the effective date of this amendment may carry a 2461
concealed ~~handgun~~ deadly weapon that is not a restricted deadly 2462
weapon anywhere in this state ~~if the licensee also carries a~~ 2463
~~valid license when the licensee is in actual possession of a~~ 2464
~~concealed handgun.~~ The A licensee who has been issued a 2465
concealed weapons license under section 2923.125 or 2923.1213 of 2466
the Revised Code shall give notice of any change in the 2467
licensee's residence address to the sheriff who issued the 2468
license within forty-five days after that change. A concealed 2469
weapons license that a sheriff issued as a concealed handgun 2470
license prior to the effective date of this amendment and that 2471
has not expired prior to the effective date of this amendment 2472
has the same validity as a concealed weapons license issued on 2473
or after that date and shall be treated for purposes of this 2474
section, sections 2923.127 to 2923.1212 of the Revised Code, and 2475
other Revised Code provisions as if it were a license issued on 2476

or after that date.

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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~~ firearm 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~~

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~~currently possesses or has a loaded handgun.~~ 2508

If a licensee is stopped for a law enforcement purpose and 2509
if the licensee is carrying a concealed ~~handgun~~ deadly weapon 2510
that is not a restricted deadly weapon at the time the officer 2511
approaches, ~~the licensee shall promptly inform any law~~ 2512
~~enforcement officer who approaches the licensee while stopped~~ 2513
~~that the licensee has been issued a concealed handgun license~~ 2514
~~and that the licensee currently is carrying a concealed handgun;~~ 2515
the licensee shall not knowingly disregard or fail to comply 2516
with lawful orders of a law enforcement officer given while the 2517
licensee is stopped, or knowingly fail to keep the licensee's 2518
hands in plain sight after any law enforcement officer begins 2519
approaching the licensee while stopped and before the officer 2520
leaves, unless directed otherwise by a law enforcement officer; 2521
and, if the deadly weapon is a loaded firearm, the licensee 2522
shall not knowingly remove, attempt to remove, grasp, or hold 2523
the loaded ~~handgun~~ firearm or knowingly have contact with the 2524
loaded ~~handgun~~ firearm by touching it with the licensee's hands 2525
or fingers, in any manner in violation of division (B) of 2526
section 2923.12 of the Revised Code, after any law enforcement 2527
officer begins approaching the licensee while stopped and before 2528
the officer leaves. 2529

(B) ~~A valid~~ The right to carry a concealed deadly weapon 2530
that is granted under division (A) of this section to a licensee 2531
who has been issued a concealed ~~handgun~~ weapons license, or that 2532
is granted under division (A) of section 2923.111 of the Revised 2533
Code to a licensee who is deemed under division (C) of that 2534
section to have been issued a concealed weapons license under 2535
section 2923.125 of the Revised Code, does not authorize the 2536
licensee to carry any restricted deadly weapon, does not 2537
authorize the licensee to carry a deadly weapon or a concealed 2538

~~handgun-deadly weapon~~ in any manner prohibited under division 2539
(B) of section 2923.12 of the Revised Code or in any manner 2540
prohibited under section 1547.69, 2921.36, 2923.12, 2923.121, 2541
2923.122, 2923.123, 2923.13, 2923.131, 2923.15, or 2923.16 of 2542
the Revised Code. ~~A valid license,~~ and does not authorize the 2543
licensee to carry a concealed ~~handgun-deadly weapon~~ into any of 2544
the following places: 2545

(1) A police station, sheriff's office, or state highway 2546
patrol station, premises controlled by the bureau of criminal 2547
identification and investigation; a state correctional 2548
institution, jail, workhouse, or other detention facility; any 2549
area of an airport passenger terminal that is beyond a passenger 2550
or property screening checkpoint or to which access is 2551
restricted through security measures by the airport authority or 2552
a public agency; or an institution that is maintained, operated, 2553
managed, and governed pursuant to division (A) of section 2554
5119.14 of the Revised Code or division (A) (1) of section 2555
5123.03 of the Revised Code; 2556

(2) A school safety zone if the licensee's carrying the 2557
concealed ~~handgun-deadly weapon~~ is in violation of section 2558
2923.122 of the Revised Code; 2559

(3) A courthouse or another building or structure in which 2560
a courtroom is located if the licensee's carrying the concealed 2561
~~handgun-deadly weapon~~ is in violation of section 2923.123 of the 2562
Revised Code; 2563

(4) Any premises or open air arena for which a D permit 2564
has been issued under Chapter 4303. of the Revised Code if the 2565
licensee's carrying the concealed ~~handgun-deadly weapon~~ is in 2566
violation of section 2923.121 of the Revised Code; 2567

(5) Any premises owned or leased by any public or private 2568
college, university, or other institution of higher education, 2569
unless the ~~handgun~~deadly weapon is in a locked motor vehicle 2570
~~or,~~ the licensee is in the immediate process of placing the 2571
~~handgun~~deadly weapon in a locked motor vehicle, or ~~unless~~ the 2572
licensee is carrying the concealed ~~handgun~~deadly weapon 2573
pursuant to a written policy, rule, or other authorization that 2574
is adopted by the institution's board of trustees or other 2575
governing body and that authorizes specific individuals or 2576
classes of individuals to carry a concealed ~~handgun~~deadly 2577
weapon on the premises; 2578

(6) Any church, synagogue, mosque, or other place of 2579
worship, unless the church, synagogue, mosque, or other place of 2580
worship posts or permits otherwise; 2581

(7) Any building that is a government facility of this 2582
state or a political subdivision of this state and that is not a 2583
building that is used primarily as a shelter, restroom, parking 2584
facility for motor vehicles, or rest facility and is not a 2585
courthouse or other building or structure in which a courtroom 2586
is located that is subject to division (B) (3) of this section, 2587
unless the governing body with authority over the building has 2588
enacted a statute, ordinance, or policy that permits a licensee 2589
to carry a concealed ~~handgun~~deadly weapon into the building; 2590

(8) A place in which federal law prohibits the carrying of 2591
~~handguns~~deadly weapons. 2592

(C) (1) Nothing in this section or section 2923.111 of the 2593
Revised Code shall negate or restrict a rule, policy, or 2594
practice of a private employer that is not a private college, 2595
university, or other institution of higher education concerning 2596
or prohibiting the presence of ~~firearms~~deadly weapons on the 2597

private employer's premises or property, including motor 2598
vehicles owned by the private employer. Nothing in this section 2599
or section 2923.111 of the Revised Code shall require a private 2600
employer of that nature to adopt a rule, policy, or practice 2601
concerning or prohibiting the presence of ~~firearms~~ deadly 2602
weapons on the private employer's premises or property, 2603
including motor vehicles owned by the private employer. 2604

(2) (a) A private employer shall be immune from liability 2605
in a civil action for any injury, death, or loss to person or 2606
property that allegedly was caused by or related to a licensee 2607
bringing a ~~handgun~~ deadly weapon onto the premises or property 2608
of the private employer, including motor vehicles owned by the 2609
private employer, unless the private employer acted with 2610
malicious purpose. A private employer is immune from liability 2611
in a civil action for any injury, death, or loss to person or 2612
property that allegedly was caused by or related to the private 2613
employer's decision to permit a licensee to bring, or prohibit a 2614
licensee from bringing, a ~~handgun~~ deadly weapon onto the 2615
premises or property of the private employer. 2616

(b) A political subdivision shall be immune from liability 2617
in a civil action, to the extent and in the manner provided in 2618
Chapter 2744. of the Revised Code, for any injury, death, or 2619
loss to person or property that allegedly was caused by or 2620
related to a licensee bringing a ~~handgun~~ deadly weapon onto any 2621
premises or property owned, leased, or otherwise under the 2622
control of the political subdivision. As used in this division, 2623
"political subdivision" has the same meaning as in section 2624
2744.01 of the Revised Code. 2625

(c) An institution of higher education shall be immune 2626
from liability in a civil action for any injury, death, or loss 2627

to person or property that allegedly was caused by or related to 2628
a licensee bringing a ~~handgun~~ deadly weapon onto the premises of 2629
the institution, including motor vehicles owned by the 2630
institution, unless the institution acted with malicious 2631
purpose. An institution of higher education is immune from 2632
liability in a civil action for any injury, death, or loss to 2633
person or property that allegedly was caused by or related to 2634
the institution's decision to permit a licensee or class of 2635
licensees to bring a ~~handgun~~ deadly weapon onto the premises of 2636
the institution. 2637

(d) A nonprofit corporation shall be immune from liability 2638
in a civil action for any injury, death, or loss to person or 2639
property that allegedly was caused by or related to a licensee 2640
bringing a ~~handgun~~ deadly weapon onto the premises of the 2641
nonprofit corporation, including any motor vehicle owned by the 2642
nonprofit corporation, or to any event organized by the 2643
nonprofit corporation, unless the nonprofit corporation acted 2644
with malicious purpose. A nonprofit corporation is immune from 2645
liability in a civil action for any injury, death, or loss to 2646
person or property that allegedly was caused by or related to 2647
the nonprofit corporation's decision to permit a licensee to 2648
bring a ~~handgun~~ deadly weapon onto the premises of the nonprofit 2649
corporation or to any event organized by the nonprofit 2650
corporation. 2651

(3) (a) Except as provided in division (C) (3) (b) of this 2652
section and section 2923.1214 of the Revised Code, the owner or 2653
person in control of private land or premises, and a private 2654
person or entity leasing land or premises owned by the state, 2655
the United States, or a political subdivision of the state or 2656
the United States, may post a sign in a conspicuous location on 2657
that land or on those premises prohibiting persons from carrying 2658

~~firearms-deadly weapons~~ or concealed ~~firearms-deadly weapons~~ on 2659
or onto that land or those premises. Except as otherwise 2660
provided in this division, a person who knowingly violates a 2661
posted prohibition of that nature is guilty of criminal trespass 2662
in violation of division (A) (4) of section 2911.21 of the 2663
Revised Code and is guilty of a misdemeanor of the fourth 2664
degree. If a person knowingly violates a posted prohibition of 2665
that nature and the posted land or premises primarily was a 2666
parking lot or other parking facility, the person is not guilty 2667
of criminal trespass under section 2911.21 of the Revised Code 2668
or under any other criminal law of this state or criminal law, 2669
ordinance, or resolution of a political subdivision of this 2670
state, and instead is subject only to a civil cause of action 2671
for trespass based on the violation. 2672

If a person knowingly violates a posted prohibition of the 2673
nature described in this division and the posted land or 2674
premises is a child day-care center, type A family day-care 2675
home, or type B family day-care home, unless the person is a 2676
licensee who resides in a type A family day-care home or type B 2677
family day-care home, the person is guilty of aggravated 2678
trespass in violation of section 2911.211 of the Revised Code. 2679
Except as otherwise provided in this division, the offender is 2680
guilty of a misdemeanor of the first degree. If the ~~person-~~ 2681
offender previously has been convicted of a violation of this 2682
division or of any offense of violence, if the deadly weapon 2683
involved is a firearm that is either loaded or for which the 2684
offender has ammunition ready at hand, or if the deadly weapon 2685
involved is dangerous ordnance, the offender is guilty of a 2686
felony of the fourth degree. 2687

(b) A landlord may not prohibit or restrict a tenant who 2688
is a licensee and who on or after September 9, 2008, enters into 2689

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 2720
under that section. 2721

(E) (1) A peace officer has the same right to carry a 2722
concealed ~~handgun~~ deadly weapon that is not a restricted deadly 2723
weapon in this state as a person who was issued a concealed 2724
~~handgun~~ weapons license under section 2923.125 of the Revised 2725
Code, provided that the officer when carrying a concealed 2726
~~handgun~~ deadly weapon under authority of this division is 2727
carrying validating identification. For purposes of reciprocity 2728
with other states, a peace officer shall be considered to be a 2729
licensee in this state who has been issued such a license under 2730
that section. 2731

(2) An active duty member of the armed forces of the 2732
United States who is carrying a valid military identification 2733
card and documentation of successful completion of firearms 2734
training that meets or exceeds the training requirements 2735
described in division (G) (1) of section 2923.125 of the Revised 2736
Code has the same right to carry a concealed ~~handgun~~ deadly 2737
weapon that is not a restricted deadly weapon in this state as a 2738
person who was issued a concealed ~~handgun~~ weapons license under 2739
section 2923.125 of the Revised Code and is subject to the same 2740
restrictions as specified in this section. 2741

(3) A tactical medical professional who is qualified to 2742
carry firearms while on duty under section 109.771 of the 2743
Revised Code has the same right to carry a concealed ~~handgun~~ 2744
deadly weapon that is not a restricted deadly weapon in this 2745
state as a person who was issued a concealed ~~handgun~~ weapons 2746
license under section 2923.125 of the Revised Code. 2747

(F) (1) A qualified retired peace officer who possesses a 2748
retired peace officer identification card issued pursuant to 2749

division (F) (2) of this section and a valid firearms 2750
requalification certification issued pursuant to division (F) (3) 2751
of this section has the same right to carry a concealed ~~handgun~~ 2752
deadly weapon that is not a restricted deadly weapon in this 2753
state as a person who was issued a concealed ~~handgun~~ weapons 2754
license under section 2923.125 of the Revised Code and is 2755
subject to the same restrictions that apply to a person who 2756
carries a license issued under that section. For purposes of 2757
reciprocity with other states, a qualified retired peace officer 2758
who possesses a retired peace officer identification card issued 2759
pursuant to division (F) (2) of this section and a valid firearms 2760
requalification certification issued pursuant to division (F) (3) 2761
of this section shall be considered to be a licensee in this 2762
state who has been issued a concealed weapons license under 2763
section 2923.125 of the Revised Code. 2764

(2) (a) Each public agency of this state or of a political 2765
subdivision of this state that is served by one or more peace 2766
officers shall issue a retired peace officer identification card 2767
to any person who retired from service as a peace officer with 2768
that agency, if the issuance is in accordance with the agency's 2769
policies and procedures and if the person, with respect to the 2770
person's service with that agency, satisfies all of the 2771
following: 2772

(i) The person retired in good standing from service as a 2773
peace officer with the public agency, and the retirement was not 2774
for reasons of mental instability. 2775

(ii) Before retiring from service as a peace officer with 2776
that agency, the person was authorized to engage in or supervise 2777
the prevention, detection, investigation, or prosecution of, or 2778
the incarceration of any person for, any violation of law and 2779

the person had statutory powers of arrest. 2780

(iii) At the time of the person's retirement as a peace 2781
officer with that agency, the person was trained and qualified 2782
to carry firearms in the performance of the peace officer's 2783
duties. 2784

(iv) Before retiring from service as a peace officer with 2785
that agency, the person was regularly employed as a peace 2786
officer for an aggregate of fifteen years or more, or, in the 2787
alternative, the person retired from service as a peace officer 2788
with that agency, after completing any applicable probationary 2789
period of that service, due to a service-connected disability, 2790
as determined by the agency. 2791

(b) A retired peace officer identification card issued to 2792
a person under division (F)(2)(a) of this section shall identify 2793
the person by name, contain a photograph of the person, identify 2794
the public agency of this state or of the political subdivision 2795
of this state from which the person retired as a peace officer 2796
and that is issuing the identification card, and specify that 2797
the person retired in good standing from service as a peace 2798
officer with the issuing public agency and satisfies the 2799
criteria set forth in divisions (F)(2)(a)(i) to (iv) of this 2800
section. In addition to the required content specified in this 2801
division, a retired peace officer identification card issued to 2802
a person under division (F)(2)(a) of this section may include 2803
the firearms requalification certification described in division 2804
(F)(3) of this section, and if the identification card includes 2805
that certification, the identification card shall serve as the 2806
firearms requalification certification for the retired peace 2807
officer. If the issuing public agency issues credentials to 2808
active law enforcement officers who serve the agency, the agency 2809

may comply with division (F) (2) (a) of this section by issuing 2810
the same credentials to persons who retired from service as a 2811
peace officer with the agency and who satisfy the criteria set 2812
forth in divisions (F) (2) (a) (i) to (iv) of this section, 2813
provided that the credentials so issued to retired peace 2814
officers are stamped with the word "RETIRED." 2815

(c) A public agency of this state or of a political 2816
subdivision of this state may charge persons who retired from 2817
service as a peace officer with the agency a reasonable fee for 2818
issuing to the person a retired peace officer identification 2819
card pursuant to division (F) (2) (a) of this section. 2820

(3) If a person retired from service as a peace officer 2821
with a public agency of this state or of a political subdivision 2822
of this state and the person satisfies the criteria set forth in 2823
divisions (F) (2) (a) (i) to (iv) of this section, the public 2824
agency may provide the retired peace officer with the 2825
opportunity to attend a firearms requalification program that is 2826
approved for purposes of firearms requalification required under 2827
section 109.801 of the Revised Code. The retired peace officer 2828
may be required to pay the cost of the course. 2829

If a retired peace officer who satisfies the criteria set 2830
forth in divisions (F) (2) (a) (i) to (iv) of this section attends 2831
a firearms requalification program that is approved for purposes 2832
of firearms requalification required under section 109.801 of 2833
the Revised Code, the retired peace officer's successful 2834
completion of the firearms requalification program requalifies 2835
the retired peace officer for purposes of division (F) of this 2836
section for five years from the date on which the program was 2837
successfully completed, and the requalification is valid during 2838
that five-year period. If a retired peace officer who satisfies 2839

the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 2840
section satisfactorily completes such a firearms requalification 2841
program, the retired peace officer shall be issued a firearms 2842
requalification certification that identifies the retired peace 2843
officer by name, identifies the entity that taught the program, 2844
specifies that the retired peace officer successfully completed 2845
the program, specifies the date on which the course was 2846
successfully completed, and specifies that the requalification 2847
is valid for five years from that date of successful completion. 2848
The firearms requalification certification for a retired peace 2849
officer may be included in the retired peace officer 2850
identification card issued to the retired peace officer under 2851
division (F) (2) of this section. 2852

A retired peace officer who attends a firearms 2853
requalification program that is approved for purposes of 2854
firearms requalification required under section 109.801 of the 2855
Revised Code may be required to pay the cost of the program. 2856

(G) As used in this section: 2857

(1) "Qualified retired peace officer" means a person who 2858
satisfies all of the following: 2859

(a) The person satisfies the criteria set forth in 2860
divisions (F) (2) (a) (i) to (v) of this section. 2861

(b) The person is not under the influence of alcohol or 2862
another intoxicating or hallucinatory drug or substance. 2863

(c) The person is not prohibited by federal law from 2864
receiving firearms. 2865

(2) "Retired peace officer identification card" means an 2866
identification card that is issued pursuant to division (F) (2) 2867
of this section to a person who is a retired peace officer. 2868

(3) "Government facility of this state or a political subdivision of this state" means any of the following:	2869 2870
(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;	2871 2872 2873 2874 2875 2876
(b) The office of a deputy registrar serving pursuant to Chapter 4503. of the Revised Code that is used to perform deputy registrar functions.	2877 2878 2879
(4) "Governing body" has the same meaning as in section 154.01 of the Revised Code.	2880 2881
(5) "Tactical medical professional" has the same meaning as in section 109.71 of the Revised Code.	2882 2883
(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.	2884 2885 2886 2887
(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.	2888 2889 2890 2891
Sec. 2923.127. (A) If a sheriff denies an application for a concealed handgun - <u>weapons</u> license under section 2923.125 of the Revised Code, denies the renewal of a concealed handgun - <u>weapons</u> license under that section, or denies an application for a concealed handgun - <u>weapons</u> license on a temporary emergency basis under section 2923.1213 of the Revised Code as a result of	2892 2893 2894 2895 2896 2897

the criminal records check conducted pursuant to section 311.41 2898
of the Revised Code and if the applicant believes the denial was 2899
based on incorrect information reported by the source the 2900
sheriff used in conducting the criminal records check, the 2901
applicant may challenge the criminal records check results using 2902
whichever of the following is applicable: 2903

(1) If the bureau of criminal identification and 2904
investigation performed the criminal records check, by using the 2905
bureau's existing challenge and review procedures; 2906

(2) If division (A) (1) of this section does not apply, by 2907
using the existing challenge and review procedure of the sheriff 2908
who denied the application or, if the sheriff does not have a 2909
challenge and review procedure, by using the challenge and 2910
review procedure prescribed by the bureau of criminal 2911
identification and investigation pursuant to division (B) of 2912
this section. 2913

(B) The bureau of criminal identification and 2914
investigation shall prescribe a challenge and review procedure 2915
for applicants to use to challenge criminal records checks under 2916
division (A) (2) of this section in counties in which the sheriff 2917
with whom an application of a type described in division (A) of 2918
this section was filed or submitted does not have an existing 2919
challenge and review procedure. 2920

Sec. 2923.128. (A) (1) (a) If a licensee holding a valid 2921
concealed ~~handgun~~ weapons license is arrested for or otherwise 2922
charged with an offense described in division (D) (1) (d) of 2923
section 2923.125 of the Revised Code or with a violation of 2924
section 2923.15 of the Revised Code or becomes subject to a 2925
temporary protection order or to a protection order issued by a 2926
court of another state that is substantially equivalent to a 2927

temporary protection order, the sheriff who issued the license 2928
shall suspend it and shall comply with division (A) (3) of this 2929
section upon becoming aware of the arrest, charge, or protection 2930
order. Upon suspending the license, the sheriff also shall 2931
comply with division (H) of section 2923.125 of the Revised 2932
Code. 2933

(b) A suspension under division (A) (1) (a) of this section 2934
shall be considered as beginning on the date that the licensee 2935
is arrested for or otherwise charged with an offense described 2936
in that division or on the date the appropriate court issued the 2937
protection order described in that division, irrespective of 2938
when the sheriff notifies the licensee under division (A) (3) of 2939
this section. The suspension shall end on the date on which the 2940
charges are dismissed or the licensee is found not guilty of the 2941
offense described in division (A) (1) (a) of this section or, 2942
subject to division (B) of this section, on the date the 2943
appropriate court terminates the protection order described in 2944
that division. If the suspension so ends, the sheriff shall 2945
return the license or temporary emergency license to the 2946
licensee. 2947

(2) (a) If a licensee holding a valid concealed ~~handgun~~ 2948
weapons license is convicted of or pleads guilty to a 2949
misdemeanor violation of division (B) (1) ~~, (2),~~ or ~~(4) (3)~~ of 2950
section 2923.12 of the Revised Code or of division (E) (1) ~~, (2),~~ 2951
~~(3),~~ or ~~(5) (3)~~ of section 2923.16 of the Revised Code, ~~except as~~ 2952
~~provided in division (A) (2) (c) of this section and subject to~~ 2953
~~division (C) of this section,~~ the sheriff who issued the license 2954
shall suspend it and shall comply with division (A) (3) of this 2955
section upon becoming aware of the conviction or guilty plea. 2956
Upon suspending the license, the sheriff also shall comply with 2957
division (H) of section 2923.125 of the Revised Code. 2958

(b) A suspension under division (A) (2) (a) of this section 2959
shall be considered as beginning on the date that the licensee 2960
is convicted of or pleads guilty to the offense described in 2961
that division, irrespective of when the sheriff notifies the 2962
licensee under division (A) (3) of this section. If the 2963
suspension is imposed for a misdemeanor violation of division 2964
(B) (1) ~~or (2)~~ of section 2923.12 of the Revised Code or of 2965
division (E) (1), ~~(2), or (3)~~ of section 2923.16 of the Revised 2966
Code, it shall end on the date that is one year after the date 2967
that the licensee is convicted of or pleads guilty to that 2968
violation. If the suspension is imposed for a misdemeanor 2969
violation of division (B) ~~(4)~~ (3) of section 2923.12 of the 2970
Revised Code or of division (E) ~~(5)~~ (3) of section 2923.16 of the 2971
Revised Code, it shall end on the date that is two years after 2972
the date that the licensee is convicted of or pleads guilty to 2973
that violation. If the licensee's license was issued under 2974
section 2923.125 of the Revised Code and the license remains 2975
valid after the suspension ends as described in this division, 2976
when the suspension ends, the sheriff shall return the license 2977
to the licensee. If the licensee's license was issued under 2978
section 2923.125 of the Revised Code and the license expires 2979
before the suspension ends as described in this division, or if 2980
the licensee's license was issued under section 2923.1213 of the 2981
Revised Code, the licensee is not eligible to apply for a new 2982
license under section 2923.125 or 2923.1213 of the Revised Code 2983
or to renew the license under section 2923.125 of the Revised 2984
Code until after the suspension ends as described in this 2985
division. 2986

~~(c) The license of a licensee who is convicted of or 2987
pleads guilty to a violation of division (B) (1) of section 2988
2923.12 or division (E) (1) or (2) of section 2923.16 of the 2989~~

~~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 3020
eligibility requirements of division (D) (1) (c), (d), (e), (f), 3021
(g), or (h) of section 2923.125 of the Revised Code. 3022

(c) Subject to division (C) of this section, on or after 3023
the date on which the license was issued, the licensee is 3024
convicted of or pleads guilty to a violation of section 2923.15 3025
of the Revised Code or an offense described in division (D) (1) 3026
(e), (f), (g), or (h) of section 2923.125 of the Revised Code. 3027

(d) On or after the date on which the license was issued, 3028
the licensee becomes subject to a civil protection order or to a 3029
protection order issued by a court of another state that is 3030
substantially equivalent to a civil protection order. 3031

(e) The licensee knowingly carries a concealed ~~handgun~~ 3032
deadly weapon into a place that the licensee knows is an 3033
unauthorized place specified in division (B) of section 2923.126 3034
of the Revised Code, knowingly carries a concealed deadly weapon 3035
in any prohibited manner listed in that division, or knowingly 3036
carries under alleged authority as a licensee a concealed 3037
restricted deadly weapon. 3038

(f) On or after the date on which the license was issued, 3039
the licensee is adjudicated as a mental defective or is 3040
committed to a mental institution. 3041

(g) At the time of the issuance of the license, the 3042
licensee did not meet the residency requirements described in 3043
division (D) (1) of section 2923.125 of the Revised Code and 3044
currently does not meet the residency requirements described in 3045
that division. 3046

(h) Regarding a license issued under section 2923.125 of 3047
the Revised Code, the competency certificate the licensee 3048

submitted was forged or otherwise was fraudulent. 3049

(2) Upon becoming aware of any circumstance listed in 3050
division (B) (1) of this section that applies to a particular 3051
licensee who was issued a concealed ~~handgun~~ weapons license, 3052
subject to division (C) of this section, the sheriff who issued 3053
the license to the licensee shall notify the licensee, by 3054
certified mail, return receipt requested, at the licensee's last 3055
known residence address that the license is subject to 3056
revocation and that the licensee may come to the sheriff's 3057
office and contest the sheriff's proposed revocation within 3058
fourteen days of the date on which the notice was mailed. After 3059
the fourteen-day period and after consideration of any 3060
information that the licensee provides during that period, if 3061
the sheriff determines on the basis of the information of which 3062
the sheriff is aware that the licensee is described in division 3063
(B) (1) of this section and no longer satisfies the requirements 3064
described in division (D) (1) of section 2923.125 of the Revised 3065
Code that are applicable to the licensee's type of license, the 3066
sheriff shall revoke the license, notify the licensee of that 3067
fact, and require the licensee to surrender the license. Upon 3068
revoking the license, the sheriff also shall comply with 3069
division (H) of section 2923.125 of the Revised Code. 3070

(C) If a sheriff who issues a concealed ~~handgun~~ weapons 3071
license to a licensee becomes aware that at the time of the 3072
issuance of the license the licensee had been convicted of or 3073
pleaded guilty to an offense identified in division (D) (1) (e), 3074
(f), or (h) of section 2923.125 of the Revised Code or had been 3075
adjudicated a delinquent child for committing an act or 3076
violation identified in any of those divisions or becomes aware 3077
that on or after the date on which the license was issued the 3078
licensee has been convicted of or pleaded guilty to an offense 3079

identified in division (A) (2) (a) or (B) (1) (c) of this section, 3080
the sheriff shall not consider that conviction, guilty plea, or 3081
adjudication as having occurred for purposes of divisions (A) 3082
(2), (A) (3), (B) (1), and (B) (2) of this section if a court has 3083
ordered the sealing or expungement of the records of that 3084
conviction, guilty plea, or adjudication pursuant to sections 3085
2151.355 to 2151.358 or sections 2953.31 to 2953.36 of the 3086
Revised Code or the licensee has been relieved under operation 3087
of law or legal process from the disability imposed pursuant to 3088
section 2923.13 of the Revised Code relative to that conviction, 3089
guilty plea, or adjudication. 3090

(D) As used in this section, "motor carrier enforcement 3091
unit" has the same meaning as in section 2923.16 of the Revised 3092
Code. 3093

Sec. 2923.129. (A) (1) If a sheriff, the superintendent of 3094
the bureau of criminal identification and investigation, the 3095
employees of the bureau, the Ohio peace officer training 3096
commission, or the employees of the commission make a good faith 3097
effort in performing the duties imposed upon the sheriff, the 3098
superintendent, the bureau's employees, the commission, or the 3099
commission's employees by sections 109.731, 311.41, and 2923.124 3100
to 2923.1213 of the Revised Code, in addition to the personal 3101
immunity provided by section 9.86 of the Revised Code or 3102
division (A) (6) of section 2744.03 of the Revised Code and the 3103
governmental immunity of sections 2744.02 and 2744.03 of the 3104
Revised Code and in addition to any other immunity possessed by 3105
the bureau, the commission, and their employees, the sheriff, 3106
the sheriff's office, the county in which the sheriff has 3107
jurisdiction, the bureau, the superintendent of the bureau, the 3108
bureau's employees, the commission, and the commission's 3109
employees are immune from liability in a civil action for 3110

injury, death, or loss to person or property that allegedly was 3111
caused by or related to any of the following: 3112

(a) The issuance, renewal, suspension, or revocation of a 3113
concealed ~~handgun-weapons~~ license; 3114

(b) The failure to issue, renew, suspend, or revoke a 3115
concealed ~~handgun-weapons~~ license; 3116

(c) Any action or misconduct with a ~~handgun-deadly weapon~~ 3117
committed by a licensee. 3118

(2) Any action of a sheriff relating to the issuance, 3119
renewal, suspension, or revocation of a concealed ~~handgun-~~ 3120
weapons license shall be considered to be a governmental 3121
function for purposes of Chapter 2744. of the Revised Code. 3122

(3) An entity that or instructor who provides a competency 3123
certification of a type described in division (B) (3) of section 3124
2923.125 of the Revised Code is immune from civil liability that 3125
might otherwise be incurred or imposed for any death or any 3126
injury or loss to person or property that is caused by or 3127
related to a person to whom the entity or instructor has issued 3128
the competency certificate if all of the following apply: 3129

(a) The alleged liability of the entity or instructor 3130
relates to the training provided in the course, class, or 3131
program covered by the competency certificate. 3132

(b) The entity or instructor makes a good faith effort in 3133
determining whether the person has satisfactorily completed the 3134
course, class, or program and makes a good faith effort in 3135
assessing the person in the competency examination conducted 3136
pursuant to division (G) (2) of section 2923.125 of the Revised 3137
Code. 3138

(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 3169
records. No person shall release or otherwise disseminate 3170
records that are confidential under this division unless 3171
required to do so pursuant to a court order. 3172

(C) Each sheriff shall report to the Ohio peace officer 3173
training commission the number of concealed ~~handgun-weapons~~ 3174
licenses that the sheriff issued, renewed, suspended, revoked, 3175
or denied under section 2923.125 of the Revised Code during the 3176
previous quarter of the calendar year, the number of 3177
applications for those licenses for which processing was 3178
suspended in accordance with division (D)(3) of section 2923.125 3179
of the Revised Code during the previous quarter of the calendar 3180
year, and the number of concealed ~~handgun-weapons~~ licenses on a 3181
temporary emergency basis that the sheriff issued, suspended, 3182
revoked, or denied under section 2923.1213 of the Revised Code 3183
during the previous quarter of the calendar year. The sheriff 3184
shall not include in the report the name or any other 3185
identifying information of an applicant or licensee. The sheriff 3186
shall report that information in a manner that permits the 3187
commission to maintain the statistics described in division (C) 3188
of section 109.731 of the Revised Code and to timely prepare the 3189
statistical report described in that division. The information 3190
that is received by the commission under this division is a 3191
public record kept by the commission for the purposes of section 3192
149.43 of the Revised Code. 3193

(D) Law enforcement agencies may use the information a 3194
sheriff makes available through the use of the law enforcement 3195
automated data system pursuant to division (H) of section 3196
2923.125 or division (B)(2) or (D) of section 2923.1213 of the 3197
Revised Code for law enforcement purposes only. The information 3198
is confidential and is not a public record. Except as provided 3199

in section 5503.101 of the Revised Code, a person who releases 3200
or otherwise disseminates this information obtained through the 3201
law enforcement automated data system in a manner not described 3202
in this division is guilty of a violation of section 2913.04 of 3203
the Revised Code. 3204

(E) Whoever violates division (B) of this section is 3205
guilty of illegal release of confidential concealed ~~handgun-~~ 3206
weapons license records, a felony of the fifth degree. In 3207
addition to any penalties imposed under Chapter 2929. of the 3208
Revised Code for a violation of division (B) of this section or 3209
a violation of section 2913.04 of the Revised Code described in 3210
division (D) of this section, if the offender is a sheriff, an 3211
employee of a sheriff, or any other public officer or employee, 3212
and if the violation was willful and deliberate, the offender 3213
shall be subject to a civil fine of one thousand dollars. Any 3214
person who is harmed by a violation of division (B) or (C) of 3215
this section or a violation of section 2913.04 of the Revised 3216
Code described in division (D) of this section has a private 3217
cause of action against the offender for any injury, death, or 3218
loss to person or property that is a proximate result of the 3219
violation and may recover court costs and attorney's fees 3220
related to the action. 3221

Sec. 2923.1210. (A) A business entity, property owner, or 3222
public or private employer may not establish, maintain, or 3223
enforce a policy or rule that prohibits or has the effect of 3224
prohibiting a person who has been issued a valid concealed 3225
~~handgun-~~weapons license, or a person who is deemed under 3226
division (C) of section 2923.111 of the Revised Code to have 3227
been issued a concealed weapons license under section 2923.125 3228
of the Revised Code, from transporting or storing a ~~firearm-~~ 3229
deadly weapon or ammunition for a deadly weapon that is a 3230

firearm when both of the following conditions are met: 3231

(1) Each ~~firearm~~ deadly weapon and, if there is 3232
ammunition, all of the ammunition remains inside the person's 3233
privately owned motor vehicle while the person is physically 3234
present inside the motor vehicle, or each ~~firearm~~ deadly weapon 3235
and, if there is ammunition, all of the ammunition is locked 3236
within the trunk, glove box, or other enclosed compartment or 3237
container within or on the person's privately owned motor 3238
vehicle; 3239

(2) The vehicle is in a location where it is otherwise 3240
permitted to be. 3241

(B) A business entity, property owner, or public or 3242
private employer that violates division (A) of this section may 3243
be found liable in a civil action for injunctive relief brought 3244
by any individual injured by the violation. The court may grant 3245
any injunctive relief it finds appropriate. 3246

(C) No business entity, property owner, or public or 3247
private employer shall be held liable in any civil action for 3248
damages, injuries, or death resulting from or arising out of 3249
another person's actions involving a ~~firearm~~ deadly weapon or 3250
ammunition for a deadly weapon that is a firearm transported or 3251
stored pursuant to division (A) of this section including the 3252
theft of a ~~firearm~~ deadly weapon from an employee's or invitee's 3253
automobile, unless the business entity, property owner, or 3254
public or private employer intentionally solicited or procured 3255
the other person's injurious actions. 3256

Sec. 2923.1211. (A) No person shall alter a concealed 3257
~~handgun~~ weapons license or create a fictitious document that 3258
purports to be a license of that nature. 3259

(B) No person, except in the performance of official 3260
duties, shall possess a concealed ~~handgun-weapons~~ license that 3261
was issued and that has been revoked or suspended. 3262

(C) Whoever violates division (A) of this section is 3263
guilty of falsification of a concealed ~~handgun-weapons~~ license, 3264
a felony of the fifth degree. Whoever violates division (B) of 3265
this section is guilty of possessing a revoked or suspended 3266
concealed ~~handgun-weapons~~ license, a misdemeanor of the third 3267
degree. 3268

Sec. 2923.1212. ~~Each~~ (A) Except as provided in division 3269
(B) of this section, each person, board, or entity that owns or 3270
controls any place or premises identified in division (B) of 3271
section 2923.126 of the Revised Code as a place into which a 3272
valid license does not authorize the licensee to carry a 3273
concealed ~~handgun~~ deadly weapon, or a designee of such a person, 3274
board, or entity, shall post in one or more conspicuous 3275
locations in the premises a sign that contains a statement in 3276
substantially the following form: "Unless otherwise authorized 3277
by law, pursuant to the Ohio Revised Code, no person shall 3278
knowingly possess, have under the person's control, convey, or 3279
attempt to convey a deadly weapon or dangerous ordnance onto 3280
these premises." 3281

(B) If a person, board, or entity that owns or controls 3282
any place or premises identified in division (B) (6) or (7) of 3283
section 2923.126 of the Revised Code as a place that may permit 3284
the licensee to carry a concealed deadly weapon, or a designee 3285
of such a person, board, or entity, does not post a sign as 3286
provided in division (A) of this section, it shall be presumed 3287
that the person, board, or entity that owns or controls the 3288
place or premises permits the licensee to carry a concealed 3289

deadly weapon on the premises. 3290

Sec. 2923.1213. (A) As used in this section: 3291

(1) "Evidence of imminent danger" means any of the 3292
following: 3293

(a) A statement sworn by the person seeking to carry a 3294
concealed ~~handgun~~ deadly weapon other than a restricted deadly 3295
weapon that is made under threat of perjury and that states that 3296
the person has reasonable cause to fear a criminal attack upon 3297
the person or a member of the person's family, such as would 3298
justify a prudent person in going armed; 3299

(b) A written document prepared by a governmental entity 3300
or public official describing the facts that give the person 3301
seeking to carry a concealed ~~handgun~~ deadly weapon other than a 3302
restricted deadly weapon reasonable cause to fear a criminal 3303
attack upon the person or a member of the person's family, such 3304
as would justify a prudent person in going armed. Written 3305
documents of this nature include, but are not limited to, any 3306
temporary protection order, civil protection order, protection 3307
order issued by another state, or other court order, any court 3308
report, and any report filed with or made by a law enforcement 3309
agency or prosecutor. 3310

(2) "Prosecutor" has the same meaning as in section 3311
2935.01 of the Revised Code. 3312

(B) (1) A person seeking a concealed ~~handgun~~ weapons 3313
license on a temporary emergency basis shall submit to the 3314
sheriff of the county in which the person resides or, if the 3315
person usually resides in another state, to the sheriff of the 3316
county in which the person is temporarily staying, all of the 3317
following: 3318

(a) Evidence of imminent danger to the person or a member 3319
of the person's family; 3320

(b) A sworn affidavit that contains all of the information 3321
required to be on the license and attesting that the person is 3322
legally living in the United States; is at least twenty-one 3323
years of age; is not a fugitive from justice; is not under 3324
indictment for or otherwise charged with an offense identified 3325
in division (D) (1) (d) of section 2923.125 of the Revised Code; 3326
has not been convicted of or pleaded guilty to an offense, and 3327
has not been adjudicated a delinquent child for committing an 3328
act, identified in division (D) (1) (e) of that section and to 3329
which division (B) (3) of this section does not apply; within 3330
three years of the date of the submission, has not been 3331
convicted of or pleaded guilty to an offense, and has not been 3332
adjudicated a delinquent child for committing an act, identified 3333
in division (D) (1) (f) of that section and to which division (B) 3334
(3) of this section does not apply; within five years of the 3335
date of the submission, has not been convicted of, pleaded 3336
guilty, or adjudicated a delinquent child for committing two or 3337
more violations identified in division (D) (1) (g) of that 3338
section; within ten years of the date of the submission, has not 3339
been convicted of, pleaded guilty, or been adjudicated a 3340
delinquent child for committing a violation identified in 3341
division (D) (1) (h) of that section and to which division (B) (3) 3342
of this section does not apply; has not been adjudicated as a 3343
mental defective, has not been committed to any mental 3344
institution, is not under adjudication of mental incompetence, 3345
has not been found by a court to be a mentally ill person 3346
subject to court order, and is not an involuntary patient other 3347
than one who is a patient only for purposes of observation, as 3348
described in division (D) (1) (i) of that section; is not 3349

currently subject to a civil protection order, a temporary 3350
protection order, or a protection order issued by a court of 3351
another state, as described in division (D) (1) (j) of that 3352
section; is not currently subject to a suspension imposed under 3353
division (A) (2) of section 2923.128 of the Revised Code of a 3354
concealed ~~handgun-weapons~~ license that previously was issued to 3355
the person or a similar suspension imposed by another state 3356
regarding a concealed ~~handgun-weapons~~ license issued by that 3357
state; is not an unlawful user of or addicted to any controlled 3358
substance as defined in 21 U.S.C. 802; if applicable, is an 3359
alien and has not been admitted to the United States under a 3360
nonimmigrant visa, as defined in the "Immigration and 3361
Nationality Act," 8 U.S.C. 1101(a) (26); has not been discharged 3362
from the armed forces of the United States under dishonorable 3363
conditions; if applicable, has not renounced the applicant's 3364
United States citizenship; and has not been convicted of, 3365
pleaded guilty to, or been adjudicated a delinquent child for 3366
committing a violation identified in division (D) (1) (s) of 3367
section 2923.125 of the Revised Code; 3368

(c) A nonrefundable temporary emergency license fee as 3369
described in either of the following: 3370

(i) For an applicant who has been a resident of this state 3371
for five or more years, a fee of fifteen dollars plus the actual 3372
cost of having a background check performed by the bureau of 3373
criminal identification and investigation pursuant to section 3374
311.41 of the Revised Code; 3375

(ii) For an applicant who has been a resident of this 3376
state for less than five years or who is not a resident of this 3377
state, but is temporarily staying in this state, a fee of 3378
fifteen dollars plus the actual cost of having background checks 3379

performed by the federal bureau of investigation and the bureau 3380
of criminal identification and investigation pursuant to section 3381
311.41 of the Revised Code. 3382

(d) A set of fingerprints of the applicant provided as 3383
described in section 311.41 of the Revised Code through use of 3384
an electronic fingerprint reading device or, if the sheriff to 3385
whom the application is submitted does not possess and does not 3386
have ready access to the use of an electronic fingerprint 3387
reading device, on a standard impression sheet prescribed 3388
pursuant to division (C) (2) of section 109.572 of the Revised 3389
Code. If the fingerprints are provided on a standard impression 3390
sheet, the person also shall provide the person's social 3391
security number to the sheriff. 3392

(2) A sheriff shall accept the evidence of imminent 3393
danger, the sworn affidavit, the fee, and the set of 3394
fingerprints required under division (B) (1) of this section at 3395
the times and in the manners described in division (I) of this 3396
section. Upon receipt of the evidence of imminent danger, the 3397
sworn affidavit, the fee, and the set of fingerprints required 3398
under division (B) (1) of this section, the sheriff, in the 3399
manner specified in section 311.41 of the Revised Code, 3400
immediately shall conduct or cause to be conducted the criminal 3401
records check and the incompetency records check described in 3402
section 311.41 of the Revised Code. Immediately upon receipt of 3403
the results of the records checks, the sheriff shall review the 3404
information and shall determine whether the criteria set forth 3405
in divisions (D) (1) (a) to (j) and (m) to (s) of section 2923.125 3406
of the Revised Code apply regarding the person. If the sheriff 3407
determines that all of the criteria set forth in divisions (D) 3408
(1) (a) to (j) and (m) to (s) of section 2923.125 of the Revised 3409
Code apply regarding the person, the sheriff shall immediately 3410

make available through the law enforcement automated data system 3411
all information that will be contained on the temporary 3412
emergency license for the person if one is issued, and the 3413
superintendent of the state highway patrol shall ensure that the 3414
system is so configured as to permit the transmission through 3415
the system of that information. Upon making that information 3416
available through the law enforcement automated data system, the 3417
sheriff shall immediately issue to the person a concealed 3418
~~handgun-weapons~~ license on a temporary emergency basis. 3419

If the sheriff denies the issuance of a license on a 3420
temporary emergency basis to the person, the sheriff shall 3421
specify the grounds for the denial in a written notice to the 3422
person. The person may appeal the denial, or challenge criminal 3423
records check results that were the basis of the denial if 3424
applicable, in the same manners specified in division (D) (2) of 3425
section 2923.125 and in section 2923.127 of the Revised Code, 3426
regarding the denial of an application for a concealed ~~handgun-~~ 3427
weapons license under that section. 3428

The license on a temporary emergency basis issued under 3429
this division shall be in the form, and shall include all of the 3430
information, described in divisions (A) (2) (a) and (d) of section 3431
109.731 of the Revised Code, and also shall include a unique 3432
combination of identifying letters and numbers in accordance 3433
with division (A) (2) (c) of that section. 3434

The license on a temporary emergency basis issued under 3435
this division is valid for ninety days and may not be renewed. A 3436
person who has been issued a license on a temporary emergency 3437
basis under this division shall not be issued another license on 3438
a temporary emergency basis unless at least four years has 3439
expired since the issuance of the prior license on a temporary 3440

emergency basis. 3441

(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. 3442
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(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. 3460
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The sheriff shall deposit all fees paid by an applicant 3470

under division (B) (1) (c) of this section into the sheriff's 3471
concealed ~~handgun-weapons~~ license issuance fund established 3472
pursuant to section 311.42 of the Revised Code. 3473

(C) A person who holds a concealed ~~handgun-weapons~~ license 3474
on a temporary emergency basis, regardless of whether the 3475
license was issued prior to, on, or after the effective date of 3476
this amendment, has the same right to carry a concealed ~~handgun-~~ 3477
~~deadly weapon that is not a restricted deadly weapon~~ as a person 3478
who was issued a concealed ~~handgun-weapons~~ license under section 3479
2923.125 of the Revised Code, ~~and any exceptions to the~~ 3480
~~prohibitions contained in section 1547.69 and sections 2923.12-~~ 3481
~~to 2923.16 of the Revised Code for a licensee under section-~~ 3482
~~2923.125 of the Revised Code apply to a licensee under this-~~ 3483
~~section.~~ The person is subject to the same restrictions, and to 3484
all other procedures, duties, and sanctions, that apply to a 3485
person who carries a license issued under section 2923.125 of 3486
the Revised Code, other than the license renewal procedures set 3487
forth in that section. A concealed weapons license on a 3488
temporary emergency basis that a sheriff issued as a concealed 3489
handgun license on a temporary emergency basis prior to the 3490
effective date of this amendment and that had not expired prior 3491
to the effective date of this amendment has the same validity as 3492
a concealed weapons license on a temporary emergency basis 3493
issued on or after that date and shall be treated for purposes 3494
of this section, sections 2923.127 to 2923.1212 of the Revised 3495
Code, and other Revised Code provisions as if it were a license 3496
issued on or after that date. 3497

(D) A sheriff who issues a concealed ~~handgun-weapons~~ 3498
license on a temporary emergency basis under this section shall 3499
not require a person seeking to carry a concealed ~~handgun-deadly~~ 3500
~~weapon that is not a restricted deadly weapon~~ in accordance with 3501

this section to submit a competency certificate as a 3502
prerequisite for issuing the license and shall comply with 3503
division (H) of section 2923.125 of the Revised Code in regards 3504
to the license. The sheriff shall suspend or revoke the license 3505
in accordance with section 2923.128 of the Revised Code. In 3506
addition to the suspension or revocation procedures set forth in 3507
section 2923.128 of the Revised Code, the sheriff may revoke the 3508
license upon receiving information, verifiable by public 3509
documents, that the person is not eligible to possess a firearm 3510
or deadly weapon under either the laws of this state or of the 3511
United States or that the person committed perjury in obtaining 3512
the license; if the sheriff revokes a license under this 3513
additional authority, the sheriff shall notify the person, by 3514
certified mail, return receipt requested, at the person's last 3515
known residence address that the license has been revoked and 3516
that the person is required to surrender the license at the 3517
sheriff's office within ten days of the date on which the notice 3518
was mailed. Division (H) of section 2923.125 of the Revised Code 3519
applies regarding any suspension or revocation of a concealed 3520
~~handgun-weapons~~ license on a temporary emergency basis. 3521

(E) A sheriff who issues a concealed ~~handgun-weapons~~ 3522
license on a temporary emergency basis under this section shall 3523
retain, for the entire period during which the license is in 3524
effect, the evidence of imminent danger that the person 3525
submitted to the sheriff and that was the basis for the license, 3526
or a copy of that evidence, as appropriate. 3527

(F) If a concealed ~~handgun-weapons~~ license on a temporary 3528
emergency basis issued under this section is lost or is 3529
destroyed, the licensee may obtain from the sheriff who issued 3530
that license a duplicate license upon the payment of a fee of 3531
fifteen dollars and the submission of an affidavit attesting to 3532

the loss or destruction of the license. The sheriff, in 3533
accordance with the procedures prescribed in section 109.731 of 3534
the Revised Code, shall place on the replacement license a 3535
combination of identifying numbers different from the 3536
combination on the license that is being replaced. 3537

(G) The attorney general shall prescribe, and shall make 3538
available to sheriffs, a standard form to be used under division 3539
(B) of this section by a person who applies for a concealed 3540
~~handgun-weapons~~ license on a temporary emergency basis on the 3541
basis of imminent danger of a type described in division (A)(1) 3542
(a) of this section. The attorney general shall design the form 3543
to enable applicants to provide the information that is required 3544
by law to be collected, and shall update the form as necessary. 3545
Burdens or restrictions to obtaining a concealed ~~handgun-weapons~~ 3546
license that are not expressly prescribed in law shall not be 3547
incorporated into the form. The attorney general shall post a 3548
printable version of the form on the web site of the attorney 3549
general and shall provide the address of the web site to any 3550
person who requests the form. 3551

(H) A sheriff who receives any fees paid by a person under 3552
this section shall deposit all fees so paid into the sheriff's 3553
concealed ~~handgun-weapons~~ license issuance expense fund 3554
established under section 311.42 of the Revised Code. 3555

(I) A sheriff shall accept evidence of imminent danger, a 3556
sworn affidavit, the fee, and the set of fingerprints specified 3557
in division (B)(1) of this section at any time during normal 3558
business hours. In no case shall a sheriff require an 3559
appointment, or designate a specific period of time, for the 3560
submission or acceptance of evidence of imminent danger, a sworn 3561
affidavit, the fee, and the set of fingerprints specified in 3562

division (B) (1) of this section, or for the provision to any 3563
person of a standard form to be used for a person to apply for a 3564
concealed ~~handgun~~ weapons license on a temporary emergency 3565
basis. 3566

Sec. 2923.16. (A) No person shall knowingly discharge a 3567
firearm while in or on a motor vehicle. 3568

(B) No person shall knowingly transport or have a loaded 3569
firearm in a motor vehicle in such a manner that the firearm is 3570
accessible to the operator or any passenger without leaving the 3571
vehicle. 3572

(C) No person shall knowingly transport or have a firearm 3573
in a motor vehicle, unless the person may lawfully possess that 3574
firearm under applicable law of this state or the United States, 3575
the firearm is unloaded, and the firearm is carried in one of 3576
the following ways: 3577

(1) In a closed package, box, or case; 3578

(2) In a compartment that can be reached only by leaving 3579
the vehicle; 3580

(3) In plain sight and secured in a rack or holder made 3581
for the purpose; 3582

(4) If the firearm is at least twenty-four inches in 3583
overall length as measured from the muzzle to the part of the 3584
stock furthest from the muzzle and if the barrel is at least 3585
eighteen inches in length, either in plain sight with the action 3586
open or the weapon stripped, or, if the firearm is of a type on 3587
which the action will not stay open or which cannot easily be 3588
stripped, in plain sight. 3589

(D) No person shall knowingly transport or have a loaded 3590

~~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;~~ 3621
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~~(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;~~ 3627
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~~(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;~~ 3633
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~~(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;~~ 3640
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~~(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~~ 3647
3648
3649
3650

sight. 3651

(F) (1) Divisions (A), (B), (C), and (E) of this section do 3652
not apply to any of the following: 3653

(a) An officer, agent, or employee of this or any other 3654
state or the United States, or a law enforcement officer, when 3655
authorized to carry or have loaded or accessible firearms in 3656
motor vehicles and acting within the scope of the officer's, 3657
agent's, or employee's duties; 3658

(b) Any person who is employed in this state, who is 3659
authorized to carry or have loaded or accessible firearms in 3660
motor vehicles, and who is subject to and in compliance with the 3661
requirements of section 109.801 of the Revised Code, unless the 3662
appointing authority of the person has expressly specified that 3663
the exemption provided in division (F) (1) (b) of this section 3664
does not apply to the person. 3665

(2) Division (A) of this section does not apply to a 3666
person if all of the following circumstances apply: 3667

(a) The person discharges a firearm from a motor vehicle 3668
at a coyote or groundhog, the discharge is not during the deer 3669
gun hunting season as set by the chief of the division of 3670
wildlife of the department of natural resources, and the 3671
discharge at the coyote or groundhog, but for the operation of 3672
this section, is lawful. 3673

(b) The motor vehicle from which the person discharges the 3674
firearm is on real property that is located in an unincorporated 3675
area of a township and that either is zoned for agriculture or 3676
is used for agriculture. 3677

(c) The person owns the real property described in 3678
division (F) (2) (b) of this section, is the spouse or a child of 3679

another person who owns that real property, is a tenant of 3680
another person who owns that real property, or is the spouse or 3681
a child of a tenant of another person who owns that real 3682
property. 3683

(d) The person does not discharge the firearm in any of 3684
the following manners: 3685

(i) While under the influence of alcohol, a drug of abuse, 3686
or alcohol and a drug of abuse; 3687

(ii) In the direction of a street, highway, or other 3688
public or private property used by the public for vehicular 3689
traffic or parking; 3690

(iii) At or into an occupied structure that is a permanent 3691
or temporary habitation; 3692

(iv) In the commission of any violation of law, including, 3693
but not limited to, a felony that includes, as an essential 3694
element, purposely or knowingly causing or attempting to cause 3695
the death of or physical harm to another and that was committed 3696
by discharging a firearm from a motor vehicle. 3697

(3) Division (A) of this section does not apply to a 3698
person if all of the following apply: 3699

(a) The person possesses a valid all-purpose vehicle 3700
permit issued under section 1533.103 of the Revised Code by the 3701
chief of the division of wildlife. 3702

(b) The person discharges a firearm at a wild quadruped or 3703
game bird as defined in section 1531.01 of the Revised Code 3704
during the open hunting season for the applicable wild quadruped 3705
or game bird. 3706

(c) The person discharges a firearm from a stationary all- 3707

purpose vehicle as defined in section 1531.01 of the Revised 3708
Code from private or publicly owned lands or from a motor 3709
vehicle that is parked on a road that is owned or administered 3710
by the division of wildlife. 3711

(d) The person does not discharge the firearm in any of 3712
the following manners: 3713

(i) While under the influence of alcohol, a drug of abuse, 3714
or alcohol and a drug of abuse; 3715

(ii) In the direction of a street, a highway, or other 3716
public or private property that is used by the public for 3717
vehicular traffic or parking; 3718

(iii) At or into an occupied structure that is a permanent 3719
or temporary habitation; 3720

(iv) In the commission of any violation of law, including, 3721
but not limited to, a felony that includes, as an essential 3722
element, purposely or knowingly causing or attempting to cause 3723
the death of or physical harm to another and that was committed 3724
by discharging a firearm from a motor vehicle. 3725

(4) Divisions (B) and (C) of this section do not apply to 3726
a person if all of the following circumstances apply: 3727

(a) At the time of the alleged violation of either of 3728
those divisions, the person is the operator of or a passenger in 3729
a motor vehicle. 3730

(b) The motor vehicle is on real property that is located 3731
in an unincorporated area of a township and that either is zoned 3732
for agriculture or is used for agriculture. 3733

(c) The person owns the real property described in 3734
division (D) (4) (b) of this section, is the spouse or a child of 3735

another person who owns that real property, is a tenant of 3736
another person who owns that real property, or is the spouse or 3737
a child of a tenant of another person who owns that real 3738
property. 3739

(d) The person, prior to arriving at the real property 3740
described in division (D) (4) (b) of this section, did not 3741
transport or possess a firearm in the motor vehicle in a manner 3742
prohibited by division (B) or (C) of this section while the 3743
motor vehicle was being operated on a street, highway, or other 3744
public or private property used by the public for vehicular 3745
traffic or parking. 3746

(5) Divisions (B) and (C) of this section do not apply to 3747
a person who transports or possesses a ~~handgun~~firearm that is 3748
not a restricted firearm in a motor vehicle if, at the time of 3749
that transportation or possession, both of the following apply: 3750

(a) The person transporting or possessing the ~~handgun is~~ 3751
~~either carrying~~firearm has been issued a valid concealed 3752
~~handgun weapons license, is deemed under division (C) of section~~ 3753
2923.111 of the Revised Code to have been issued a concealed 3754
weapons license under section 2923.125 of the Revised Code, or 3755
is an active duty member of the armed forces of the United 3756
States and is carrying a valid military identification card and 3757
documentation of successful completion of firearms training that 3758
meets or exceeds the training requirements described in division 3759
(G) (1) of section 2923.125 of the Revised Code. 3760

(b) The person transporting or possessing the ~~handgun~~ 3761
firearm is not knowingly in ~~a~~an unauthorized place described 3762
specified in division (B) of section 2923.126 of the Revised 3763
Code and is not knowingly transporting or possessing the firearm 3764
in any prohibited manner listed in that division. 3765

(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 3795
division (B) or (C) of this section of improperly handling 3796
firearms in a motor vehicle that the actor transported or had 3797
the firearm in the motor vehicle for any lawful purpose and 3798
while the motor vehicle was on the actor's own property, 3799
provided that this affirmative defense is not available unless 3800
the person, immediately prior to arriving at the actor's own 3801
property, did not transport or possess the firearm in a motor 3802
vehicle in a manner prohibited by division (B) or (C) of this 3803
section while the motor vehicle was being operated on a street, 3804
highway, or other public or private property used by the public 3805
for vehicular traffic. 3806

(H) (1) No person who is charged with a violation of 3807
division (B), (C), or (D) of this section shall be required to 3808
obtain a concealed ~~handgun~~ weapons license as a condition for 3809
the dismissal of the charge. 3810

(2) (a) If a person is convicted of, was convicted of, 3811
pleads guilty to, or has pleaded guilty to a violation of 3812
division (E) of this section as it existed prior to September 3813
30, 2011, and ~~if~~ the conduct that was the basis of the violation 3814
no longer would be a violation of division (E) of this section 3815
on or after September 30, 2011, or if a person is convicted of, 3816
was convicted of, pleads guilty to, or has pleaded guilty to a 3817
violation of division (E) (1) or (2) of this section as it 3818
existed prior to the effective date of this amendment, the 3819
person may file an application under section 2953.37 of the 3820
Revised Code requesting the expungement of the record of 3821
conviction. 3822

If a person is convicted of, was convicted of, pleads 3823
guilty to, or has pleaded guilty to a violation of division (B) 3824

or (C) of this section as the division existed prior to 3825
September 30, 2011, and if the conduct that was the basis of the 3826
violation no longer would be a violation of division (B) or (C) 3827
of this section on or after September 30, 2011, due to the 3828
application of division (F)(5) of this section as it exists on 3829
and after September 30, 2011, the person may file an application 3830
under section 2953.37 of the Revised Code requesting the 3831
expungement of the record of conviction. 3832

(b) The attorney general shall develop a public media 3833
advisory that summarizes the expungement procedure established 3834
under section 2953.37 of the Revised Code and the offenders 3835
identified in division (H)(2)(a) of this section and those 3836
identified in division (E)(2) of section 2923.12 of the Revised 3837
Code who are authorized to apply for the expungement. Within 3838
thirty days after September 30, 2011, with respect to violations 3839
of division (B), (C), or (E) of this section as they existed 3840
prior to that date, and within thirty days after the effective 3841
date of this amendment with respect to a violation of division 3842
(E)(1) or (2) of this section or division (B)(1) of section 3843
2923.12 of the Revised Code as they existed prior to the 3844
effective date of this amendment, the attorney general shall 3845
provide a copy of the advisory to each daily newspaper published 3846
in this state and each television station that broadcasts in 3847
this state. The attorney general may provide the advisory in a 3848
tangible form, an electronic form, or in both tangible and 3849
electronic forms. 3850

(I) Whoever violates this section is guilty of improperly 3851
handling firearms in a motor vehicle. Violation of division (A) 3852
of this section is a felony of the fourth degree. Violation of 3853
division (C) of this section is a misdemeanor of the fourth 3854
degree. A violation of division (D) of this section is a felony 3855

of the fifth degree or, if the loaded ~~handgun~~ firearm is 3856
concealed on the person's person, a felony of the fourth degree. 3857
~~Except as otherwise provided in this division, a violation of~~ 3858
~~division (E) (1) or (2) of this section is a misdemeanor of the~~ 3859
~~first degree, and, in addition to any other penalty or sanction~~ 3860
~~imposed for the violation, the offender's concealed handgun~~ 3861
~~license shall be suspended pursuant to division (A) (2) of~~ 3862
~~section 2923.128 of the Revised Code. If at the time of the stop~~ 3863
~~of the offender for a traffic stop, for another law enforcement~~ 3864
~~purpose, or for a purpose defined in section 5503.34 of the~~ 3865
~~Revised Code that was the basis of the violation any law~~ 3866
~~enforcement officer involved with the stop or the employee of~~ 3867
~~the motor carrier enforcement unit who made the stop had actual~~ 3868
~~knowledge of the offender's status as a licensee, a violation of~~ 3869
~~division (E) (1) or (2) of this section is a minor misdemeanor,~~ 3870
~~and the offender's concealed handgun license shall not be~~ 3871
~~suspended pursuant to division (A) (2) of section 2923.128 of the~~ 3872
~~Revised Code. A violation of division (E) ~~(4)~~ (2) of this section~~ 3873
is a felony of the fifth degree. A violation of division (E) ~~(3)~~ 3874
(1) or ~~(5)~~ (3) of this section is a misdemeanor of the first 3875
degree or, if the offender previously has been convicted of or 3876
pleaded guilty to a violation of division (E) ~~(3)~~ (1) or ~~(5)~~ (3) of 3877
this section, a felony of the fifth degree. In addition to any 3878
other penalty or sanction imposed for a misdemeanor violation of 3879
division (E) ~~(3)~~ (1) or ~~(5)~~ (3) of this section, if the offender 3880
has been issued a concealed weapons license, the offender's 3881
~~concealed handgun~~ license shall be suspended pursuant to 3882
division (A) (2) of section 2923.128 of the Revised Code. A 3883
violation of division (B) of this section is a felony of the 3884
fourth degree. 3885

(J) If a law enforcement officer stops a motor vehicle for 3886

a traffic stop or any other purpose, if any person in the motor 3887
vehicle surrenders a ~~firearm~~ deadly weapon to the officer, 3888
either voluntarily or pursuant to a request or demand of the 3889
officer, and if the officer does not charge the person with a 3890
violation of this section or arrest the person for any offense, 3891
the person is not otherwise prohibited by law from possessing 3892
the ~~firearm~~ deadly weapon, and the ~~firearm~~ deadly weapon is not 3893
contraband, the officer shall return the ~~firearm~~ deadly weapon 3894
to the person at the termination of the stop. If a court orders 3895
a law enforcement officer to return a ~~firearm~~ deadly weapon to a 3896
person pursuant to the requirement set forth in this division, 3897
division (B) of section 2923.163 of the Revised Code applies. 3898

(K) As used in this section: 3899

(1) "Motor vehicle," "street," and "highway" have the same 3900
meanings as in section 4511.01 of the Revised Code. 3901

(2) "Occupied structure" has the same meaning as in 3902
section 2909.01 of the Revised Code. 3903

(3) "Agriculture" has the same meaning as in section 3904
519.01 of the Revised Code. 3905

(4) "Tenant" has the same meaning as in section 1531.01 of 3906
the Revised Code. 3907

(5) (a) "Unloaded" means, with respect to a firearm other 3908
than a firearm described in division (K) (6) of this section, 3909
that no ammunition is in the firearm in question, no magazine or 3910
speed loader containing ammunition is inserted into the firearm 3911
in question, and one of the following applies: 3912

(i) There is no ammunition in a magazine or speed loader 3913
that is in the vehicle in question and that may be used with the 3914
firearm in question. 3915

(ii) Any magazine or speed loader that contains ammunition 3916
and that may be used with the firearm in question is stored in a 3917
compartment within the vehicle in question that cannot be 3918
accessed without leaving the vehicle or is stored in a container 3919
that provides complete and separate enclosure. 3920

(b) For the purposes of division (K) (5) (a) (ii) of this 3921
section, a "container that provides complete and separate 3922
enclosure" includes, but is not limited to, any of the 3923
following: 3924

(i) A package, box, or case with multiple compartments, as 3925
long as the loaded magazine or speed loader and the firearm in 3926
question either are in separate compartments within the package, 3927
box, or case, or, if they are in the same compartment, the 3928
magazine or speed loader is contained within a separate 3929
enclosure in that compartment that does not contain the firearm 3930
and that closes using a snap, button, buckle, zipper, hook and 3931
loop closing mechanism, or other fastener that must be opened to 3932
access the contents or the firearm is contained within a 3933
separate enclosure of that nature in that compartment that does 3934
not contain the magazine or speed loader; 3935

(ii) A pocket or other enclosure on the person of the 3936
person in question that closes using a snap, button, buckle, 3937
zipper, hook and loop closing mechanism, or other fastener that 3938
must be opened to access the contents. 3939

(c) For the purposes of divisions (K) (5) (a) and (b) of 3940
this section, ammunition held in stripper-clips or in en-bloc 3941
clips is not considered ammunition that is loaded into a 3942
magazine or speed loader. 3943

(6) "Unloaded" means, with respect to a firearm employing 3944

a percussion cap, flintlock, or other obsolete ignition system, 3945
when the weapon is uncapped or when the priming charge is 3946
removed from the pan. 3947

(7) "Commercial motor vehicle" has the same meaning as in 3948
division (A) of section 4506.25 of the Revised Code. 3949

(8) "Motor carrier enforcement unit" means the motor 3950
carrier enforcement unit in the department of public safety, 3951
division of state highway patrol, that is created by section 3952
5503.34 of the Revised Code. 3953

(L) Divisions (K) (5) (a) and (b) of this section do not 3954
affect the authority of a person who ~~is carrying~~ has been issued 3955
a valid concealed ~~handgun weapons~~ license or who is deemed under 3956
division (C) of section 2923.111 of the Revised Code to have 3957
been issued a concealed weapons license under section 2923.125 3958
of the Revised Code to have one or more magazines or speed 3959
loaders containing ammunition anywhere in a vehicle, without 3960
being transported as described in those divisions, as long as no 3961
ammunition is in a firearm, other than a handgun, in the vehicle 3962
other than as permitted under any other provision of this 3963
chapter. A person who ~~is carrying~~ has been issued a valid 3964
concealed ~~handgun weapons~~ license or who is deemed under 3965
division (C) of section 2923.111 of the Revised Code to have 3966
been issued a concealed weapons license under section 2923.125 3967
of the Revised Code may have one or more magazines or speed 3968
loaders containing ammunition anywhere in a vehicle without 3969
further restriction, as long as no ammunition is in a firearm, 3970
other than a handgun, in the vehicle other than as permitted 3971
under any provision of this chapter. 3972

Sec. 2953.37. (A) As used in this section: 3973

(1) "Expunge" means to destroy, delete, and erase a record 3974
as appropriate for the record's physical or electronic form or 3975
characteristic so that the record is permanently irretrievable. 3976

(2) "Official records" has the same meaning as in section 3977
2953.51 of the Revised Code. 3978

(3) "Prosecutor" has the same meaning as in section 3979
2953.31 of the Revised Code. 3980

(4) "Record of conviction" means the record related to a 3981
conviction of or plea of guilty to an offense. 3982

(B) Any person who is convicted of, was convicted of, 3983
pleads guilty to, or has pleaded guilty to a violation of 3984
division (B), (C), or (E) of section 2923.16 of the Revised Code 3985
as the division existed prior to September 30, 2011, or a 3986
violation of division (E) (1) or (2) of section 2923.16 of the 3987
Revised Code as the division existed prior to the effective date 3988
of this amendment, and who is authorized by division (H) (2) (a) 3989
of that section to file an application under this section for 3990
the expungement of the conviction record may apply to the 3991
sentencing court for the expungement of the record of 3992
conviction. Any person who is convicted of, was convicted of, 3993
pleads guilty to, or has pleaded guilty to a violation of 3994
division (B) (1) of section 2923.12 of the Revised Code as it 3995
existed prior to the effective date of this amendment and who is 3996
authorized by division (E) (2) of that section may apply to the 3997
sentencing court for the expungement of the record of 3998
conviction. The person may file the application at any time on 3999
or after September 30, 2011, with respect to violations of 4000
division (B), (C), or (E) of section 2923.16 of the Revised Code 4001
as they existed prior to that date, or at any time on or after 4002
the effective date of this amendment with respect to a violation 4003

of division (B) (1) of section 2923.12 or of division (E) (1) or 4004
(2) of section 2923.16 of the Revised Code as the particular 4005
division existed prior to the effective date of this amendment . 4006

The application shall do all of the following: 4007

(1) Identify the applicant, the offense for which the 4008
expungement is sought, the date of the conviction of or plea of 4009
guilty to that offense, and the court in which the conviction 4010
occurred or the plea of guilty was entered; 4011

(2) Include evidence that the offense was a violation of 4012
division (B), (C), or (E) of section 2923.16 of the Revised Code 4013
as the division existed prior to September 30, 2011, or was a 4014
violation of division (B) (1) of section 2923.12 or of division 4015
(E) (1) or (2) of section 2923.16 of the Revised Code as the 4016
particular division existed prior to the effective date of this 4017
amendment, and that the applicant is authorized by division (H) 4018
(2) (a) of ~~that~~ section 2923.16 or division (E) (2) of section 4019
2923.12 of the Revised Code, whichever is applicable, to file an 4020
application under this section; 4021

(3) Include a request for expungement of the record of 4022
conviction of that offense under this section. 4023

(C) Upon the filing of an application under division (B) 4024
of this section and the payment of the fee described in division 4025
(D) (3) of this section if applicable, the court shall set a date 4026
for a hearing and shall notify the prosecutor for the case of 4027
the hearing on the application. The prosecutor may object to the 4028
granting of the application by filing an objection with the 4029
court prior to the date set for the hearing. The prosecutor 4030
shall specify in the objection the reasons for believing a 4031
denial of the application is justified. The court shall direct 4032
its regular probation officer, a state probation officer, or the 4033

department of probation of the county in which the applicant 4034
resides to make inquiries and written reports as the court 4035
requires concerning the applicant. The court shall hold the 4036
hearing scheduled under this division. 4037

(D) (1) At the hearing held under division (C) of this 4038
section, the court shall do each of the following: 4039

(a) Determine whether the applicant has been convicted of 4040
or pleaded guilty to a violation of division (E) of section 4041
2923.16 of the Revised Code as the division existed prior to 4042
September 30, 2011, and whether the conduct that was the basis 4043
of the violation no longer would be a violation of that division 4044
on or after September 30, 2011; 4045

(b) Determine whether the applicant has been convicted of 4046
or pleaded guilty to a violation of division (B) or (C) of 4047
section 2923.16 of the Revised Code as the division existed 4048
prior to September 30, 2011, and whether the conduct that was 4049
the basis of the violation no longer would be a violation of 4050
that division on or after September 30, 2011, due to the 4051
application of division (F) (5) of that section as it exists on 4052
and after September 30, 2011; 4053

(c) Determine whether the applicant has been convicted of 4054
or pleaded guilty to a violation of division (B) (1) of section 4055
2923.12 of the Revised Code or of division (E) (1) or (2) of 4056
section 2923.16 of the Revised Code as the particular division 4057
existed prior to the effective date of this amendment; 4058

(d) If the prosecutor has filed an objection in accordance 4059
with division (C) of this section, consider the reasons against 4060
granting the application specified by the prosecutor in the 4061
objection; 4062

~~(d)~~(e) Weigh the interests of the applicant in having the 4063
records pertaining to the applicant's conviction or guilty plea 4064
expunged against the legitimate needs, if any, of the government 4065
to maintain those records. 4066

(2) (a) The court may order the expungement of all official 4067
records pertaining to the case and the deletion of all index 4068
references to the case and, if it does order the expungement, 4069
shall send notice of the order to each public office or agency 4070
that the court has reason to believe may have an official record 4071
pertaining to the case if the court, after complying with 4072
division (D) (1) of this section, determines both of the 4073
following: 4074

(i) That the applicant has been convicted of or pleaded 4075
guilty to a violation of division (E) of section 2923.16 of the 4076
Revised Code as it existed prior to September 30, 2011, and the 4077
conduct that was the basis of the violation no longer would be a 4078
violation of that division on or after September 30, 2011;~~or;~~ 4079
that the applicant has been convicted of or pleaded guilty to a 4080
violation of division (B) or (C) of section 2923.16 of the 4081
Revised Code as the division existed prior to September 30, 4082
2011, and the conduct that was the basis of the violation no 4083
longer would be a violation of that division on or after 4084
September 30, 2011, due to the application of division (F) (5) of 4085
that section as it exists on and after September 30, 2011;or 4086
that the applicant has been convicted of or pleaded guilty to a 4087
violation of division (B) (1) of section 2923.12 of the Revised 4088
Code or of division (E) (1) or (2) of section 2923.16 of the 4089
Revised Code as the particular division existed prior to the 4090
effective date of this amendment; 4091

(ii) That the interests of the applicant in having the 4092

records pertaining to the applicant's conviction or guilty plea 4093
expunged are not outweighed by any legitimate needs of the 4094
government to maintain those records. 4095

(b) The proceedings in the case that is the subject of an 4096
order issued under division (D)(2)(a) of this section shall be 4097
considered not to have occurred and the conviction or guilty 4098
plea of the person who is the subject of the proceedings shall 4099
be expunged. The record of the conviction shall not be used for 4100
any purpose, including, but not limited to, a criminal records 4101
check under section 109.572 of the Revised Code or a 4102
determination under section 2923.125 or 2923.1213 of the Revised 4103
Code of eligibility for a concealed ~~handgun~~ weapons license. The 4104
applicant may, and the court shall, reply that no record exists 4105
with respect to the applicant upon any inquiry into the matter. 4106

(3) Upon the filing of an application under this section, 4107
the applicant, unless indigent, shall pay a fee of fifty 4108
dollars. The court shall pay thirty dollars of the fee into the 4109
state treasury and shall pay twenty dollars of the fee into the 4110
county general revenue fund. 4111

Sec. 4749.10. (A) No class A, B, or C licensee and no 4112
registered employee of a class A, B, or C licensee shall carry a 4113
firearm, as defined in section 2923.11 of the Revised Code, in 4114
the course of engaging in the business of private investigation, 4115
the business of security services, or both businesses, unless 4116
all of the following apply: 4117

(1) The licensee or employee either has successfully 4118
completed a basic firearm training program at a training school 4119
approved by the Ohio peace officer training commission, which 4120
program includes twenty hours of training in handgun use and, if 4121
any firearm other than a handgun is to be used, five hours of 4122

training in the use of other firearms, and has received a 4123
certificate of satisfactory completion of that program from the 4124
executive director of the commission; the licensee or employee 4125
has, within three years prior to November 27, 1985, 4126
satisfactorily completed firearms training that has been 4127
approved by the commission as being equivalent to such a program 4128
and has received written evidence of approval of that training 4129
from the executive director of the commission; or the licensee 4130
or employee is a former peace officer, as defined in section 4131
109.71 of the Revised Code, who previously had successfully 4132
completed a firearms training course at a training school 4133
approved by the Ohio peace officer training commission and has 4134
received a certificate or other evidence of satisfactory 4135
completion of that course from the executive director of the 4136
commission. 4137

(2) The licensee or employee submits an application to the 4138
director of public safety, on a form prescribed by the director, 4139
in which the licensee or employee requests registration as a 4140
class A, B, or C licensee or employee who may carry a firearm. 4141
The application shall be accompanied by a copy of the 4142
certificate or the written evidence or other evidence described 4143
in division (A)(1) of this section, the identification card 4144
issued pursuant to section 4749.03 or 4749.06 of the Revised 4145
Code if one has previously been issued, a statement of the 4146
duties that will be performed while the licensee or employee is 4147
armed, and a fee the director determines, not to exceed fifteen 4148
dollars. In the case of a registered employee, the statement 4149
shall be prepared by the employing class A, B, or C licensee. 4150

(3) The licensee or employee receives a notation on the 4151
licensee's or employee's identification card that the licensee 4152
or employee is a firearm-bearer and carries the identification 4153

card whenever the licensee or employee carries a firearm in the 4154
course of engaging in the business of private investigation, the 4155
business of security services, or both businesses. 4156

(4) At any time within the immediately preceding twelve- 4157
month period, the licensee or employee has requalified in 4158
firearms use on a firearms training range at a firearms 4159
requalification program certified by the Ohio peace officer 4160
training commission or on a firearms training range under the 4161
supervision of an instructor certified by the commission and has 4162
received a certificate of satisfactory requalification from the 4163
certified program or certified instructor, provided that this 4164
division does not apply to any licensee or employee prior to the 4165
expiration of eighteen months after the licensee's or employee's 4166
completion of the program described in division (A) (1) of this 4167
section. A certificate of satisfactory requalification is valid 4168
and remains in effect for twelve months from the date of the 4169
requalification. 4170

(5) If division (A) (4) of this section applies to the 4171
licensee or employee, the licensee or employee carries the 4172
certificate of satisfactory requalification that then is in 4173
effect or any other evidence of requalification issued or 4174
provided by the director. 4175

(B) (1) The director of public safety shall register an 4176
applicant under division (A) of this section who satisfies 4177
divisions (A) (1) and (2) of this section, and place a notation 4178
on the applicant's identification card indicating that the 4179
applicant is a firearm-bearer and the date on which the 4180
applicant completed the program described in division (A) (1) of 4181
this section. 4182

(2) A firearms requalification training program or 4183

instructor certified by the commission for the annual 4184
requalification of class A, B, or C licensees or employees who 4185
are authorized to carry a firearm under section 4749.10 of the 4186
Revised Code shall award a certificate of satisfactory 4187
requalification to each class A, B, or C licensee or registered 4188
employee of a class A, B, or C licensee who satisfactorily 4189
requalifies in firearms training. The certificate shall identify 4190
the licensee or employee and indicate the date of the 4191
requalification. A licensee or employee who receives such a 4192
certificate shall submit a copy of it to the director of public 4193
safety. A licensee shall submit the copy of the requalification 4194
certificate at the same time that the licensee makes application 4195
for renewal of the licensee's class A, B, or C license. The 4196
director shall keep a record of all copies of requalification 4197
certificates the director receives under this division and shall 4198
establish a procedure for the updating of identification cards 4199
to provide evidence of compliance with the annual 4200
requalification requirement. The procedure for the updating of 4201
identification cards may provide for the issuance of a new card 4202
containing the evidence, the entry of a new notation containing 4203
the evidence on the existing card, the issuance of a separate 4204
card or paper containing the evidence, or any other procedure 4205
determined by the director to be reasonable. Each person who is 4206
issued a requalification certificate under this division 4207
promptly shall pay to the Ohio peace officer training commission 4208
established by section 109.71 of the Revised Code a fee the 4209
director determines, not to exceed fifteen dollars, which fee 4210
shall be transmitted to the treasurer of state for deposit in 4211
the peace officer private security fund established by section 4212
109.78 of the Revised Code. 4213

(C) Nothing in this section prohibits a private 4214

investigator or a security guard provider from carrying a 4215
concealed ~~handgun~~ deadly weapon that is not a restricted deadly 4216
weapon if the private investigator or security guard provider 4217
complies with sections 2923.124 to 2923.1213 of the Revised 4218
Code. 4219

Section 2. That existing sections 9.68, 109.69, 109.731, 4220
311.41, 311.42, 311.43, 1547.69, 2921.13, 2923.11, 2923.12, 4221
2923.121, 2923.122, 2923.123, 2923.124, 2923.125, 2923.126, 4222
2923.127, 2923.128, 2923.129, 2923.1210, 2923.1211, 2923.1212, 4223
2923.1213, 2923.16, 2953.37, and 4749.10 of the Revised Code are 4224
hereby repealed. 4225

Section 3. The General Assembly, applying the principle 4226
stated in division (B) of section 1.52 of the Revised Code that 4227
amendments are to be harmonized if reasonably capable of 4228
simultaneous operation, finds that the following sections, 4229
presented in this act as composites of the sections as amended 4230
by the acts indicated, are the resulting versions of the 4231
sections in effect prior to the effective date of the sections 4232
as presented in this act: 4233

Section 2923.1213 of the Revised Code as amended by both 4234
H.B. 234 and S.B. 43 of the 130th General Assembly. 4235

Section 2953.37 of the Revised Code as amended by both 4236
H.B. 228 and H.B. 425 of the 132nd General Assembly. 4237