

OHIO

House

of

Representatives

JOURNAL

WEDNESDAY, NOVEMBER 17, 2021

ONE HUNDRED THIRD DAY
Hall of the House of Representatives, Columbus, Ohio
Wednesday, November 17, 2021, 9:00 o'clock a.m.

The House met pursuant to adjournment.

Pursuant to House Rule No. 23, the Clerk called the House to order.

Representative Stein was selected to preside under the Rule.

The journal of yesterday was read and approved.

Representative Plummer moved that the House advance to the fifth order of business, being reports of standing and select committees and bills for second consideration.

The motion was agreed to.

**REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS
FOR SECOND CONSIDERATION**

Representative Sobecki submitted the following report:

The standing committee on Ways and Means to which was referred **H. B. No. 45**-Representatives West, Roemer, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: ESTABLISH TEMPORARY TAX AMNESTY PROGRAM

Representative Merrin moved to amend the title as follows:

Add the name: "Sobecki"

DEREK MERRIN
LISA A. SOBECKI
MARK FRAIZER
DONTAVIUS L. JARRELLS
RIORDAN T. MCCLAIN
PHILLIP M. ROBINSON, JR.
REGGIE STOLTZFUS
SCOTT WIGGAM

CRAIG S. RIEDEL
JEFFREY A. CROSSMAN
THOMAS HALL
BETH LISTON
JENA POWELL
BILL ROEMER
DANIEL P. TROY
TOM YOUNG

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Galonski submitted the following report:

The standing committee on Civil Justice to which was referred **H. B. No. 352**-Representatives Crawley, Ray, et al., having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: PROHIBIT DISABILITY FROM BEING USED TO DENY, LIMIT PARENTING

Representative Grendell moved to amend the title as follows:

Add the name: "Hillyer"

Representative Galonski moved to amend as follows:

In line 13, delete "(A)"; delete "when necessary to serve the best"

In line 14, delete "interests of a minor" and insert "as provided under section 2131.032 of the Revised Code"

In line 18, delete "(1)" and insert "(A)"

In line 20, delete "(2)" and insert "(B)"

In line 21, delete "(3)" and insert "(C)"

In line 22, delete "(4)" and insert "(D)"

Delete lines 23 through 26

In line 27, delete "person's" and insert "person who has a"

In line 29, delete the second "a"

In line 30, delete "disability-connected behavior" and insert "the person"

In line 31, after "minor" insert "and that the endangerment cannot be eliminated by reasonable modifications or supportive services"

In line 34, delete "permit the person with the"

In line 35, delete "disability to demonstrate" and insert "require an evaluation to determine"; after "how" insert "reasonable modifications and"

In line 38, after "that" insert "reasonable modifications and"

In line 41, after "such" insert "modifications and"

In line 48, after "why" insert "reasonable modifications and"

The motion was agreed to and the bill so amended.

BRETT HUDSON HILLYER
TAVIA GALONSKI
DAVID LELAND
BILL SEITZ
D. J. SWEARINGEN

DIANE V. GRENDALL
JEFFREY A. CROSSMAN
DEREK MERRIN
MICHAEL J. SKINDELL
ANDREA WHITE

The following members voted "NO"

AL CUTRONA

BRIAN STEWART

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Galonski submitted the following report:

The standing committee on Civil Justice to which was referred **S. B. No. 56**-Senator Blessing, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: REGULATE INDEMNITY CLAUSE - CERTAIN PROFESSIONAL DESIGN CONTRACTS

BRETT HUDSON HILLYER
TAVIA GALONSKI
AL CUTRONA
DEREK MERRIN
BRIAN STEWART
ANDREA WHITE

DIANE V. GRENDALL
RICHARD D. BROWN
DAVID LELAND
BILL SEITZ
D. J. SWEARINGEN

The following members voted "NO"

JEFFREY A. CROSSMAN

MICHAEL J. SKINDELL

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Sykes reported for the Rules and Reference committee recommending that the following House Bills and Senate Bills be considered for the second time and referred to the following committees for consideration:

H. B. No. 490 - Representative Holmes
TO MAKE CHANGES TO THE LAWS REGARDING NAVIGABLE AIRSPACE.

To the committee on Transportation and Public Safety

H. B. No. 491 - Representatives Boyd and Russo
TO ESTABLISH FAMILY AND MEDICAL LEAVE INSURANCE
BENEFITS AND TO REQUIRE EMPLOYERS TO PROVIDE AN
EMPLOYEE WITH PAID BEREAVEMENT LEAVE ON A STILLBIRTH
OR DEATH OF A CHILD.

To the committee on Families, Aging, and Human Services

H. B. No. 492 - Representatives Loychik and Pavliga
TO REQUIRE SCHOOL ATHLETIC COACHES TO COMPLETE MENTAL
HEALTH TRAINING.

To the committee on Primary and Secondary Education

S. B. No. 204 - Senator Roegner
TO ENTER INTO THE COUNSELING COMPACT.

To the committee on Behavioral Health and Recovery Supports

S. B. No. 231 - Senator Hottinger
TO EXPRESSLY AUTHORIZE THE ISSUANCE OF AN INCOME TAX
REFUND IN THE NAME OF A DECEASED TAXPAYER'S FIDUCIARY.

To the committee on Ways and Means

Sub. S. B. No. 258 - Senator McColley
TO ESTABLISH CONGRESSIONAL DISTRICT BOUNDARIES FOR THE
STATE BASED ON THE 2020 DECENNIAL CENSUS AND TO DELAY
CERTAIN DEADLINES RELATED TO THE 2022 CONGRESSIONAL
PRIMARY ELECTION.

To the committee on Government Oversight

ROBERT R. CUPP
EMILIA STRONG SYKES
RICK CARFAGNA
SCOTT OELSLAGER
BILL SEITZ

TIMOTHY E. GINTER
RICHARD D. BROWN
DON JONES
PHIL PLUMMER
DICK STEIN

The following members voted "NO"

PAULA HICKS-HUDSON

BETH LISTON

Representative Plummer moved that the House and Constitutional Rules
requiring bills to be considered by each house on three different days be
suspended as to the second consideration of all House Bills and Senate Bills
contained in the report of the committee on Rules and Reference.

The motion was agreed to without objection.

The report was agreed to.

Said House Bills and Senate Bills were considered the second time and
referred as recommended.

MESSAGE FROM THE SPEAKER

Pursuant to House Rules 13, 28, and 30, the Speaker hereby makes the following changes to the standing committee on Public Utilities:

Remove Representative Patton; appoint Representative Callender.

MESSAGE FROM THE SPEAKER

Pursuant to House Rules 13, 28, and 30, the Speaker hereby makes the following changes to the House standing committee on Rules and Reference:

Remove Representative Abrams; appoint Representative Jones.

Representative Plummer moved that the House revert to the second order of business, being introduction of bills.

The motion was agreed to.

On motion of Representative Plummer, the House recessed.

The House met pursuant to recess.

Prayer was offered by Pastor Shaquila Mathews of the Truth Life Community Church in Hamilton, Ohio, followed by the Pledge of Allegiance to the Flag.

The following guests of the House of Representatives were recognized prior to the commencement of business:

Lucas Battles, a guest of Representative Johnson- 92nd district.

Students and staff from Marion-Sterling School, guests of Representative Howse- 11th district.

Andrew Kennedy, a guest of Representative Brinkman- 27th district.

Rachel Leach, a guest of Representative Russo- 24th district.

Colonel Bernie Willis, a guest of Representative Koehler- 79th district.

Mary Greg, a guest of Representative Powell- 80th district.

Tipp City "Power of the Pen" team, guests of Representative Powell- 80th district.

Members of the Community Bankers Association of Ohio, guests of Representative Merrin- 47th district.

**REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS
FOR SECOND CONSIDERATION**

Representative Crossman submitted the following report:

The standing committee on Financial Institutions to which was referred **H. C. R. No. 36**-Representative Young, B., et al., having had the same under consideration, reports it back and recommends its adoption.

RE: URGE NONPASSAGE-FEDERAL PROPOSAL TO REPORT
FINANCIAL TRANSACTIONS.

Representative Ferguson moved to amend the title as follows:

Add the name: "Roemer"

KRIS JORDAN	RON FERGUSON
THOMAS E. BRINKMAN JR.	BRETT HUDSON HILLYER
DEREK MERRIN	JENA POWELL
BILL ROEMER	

The following members voted "NO"

JEFFREY A. CROSSMAN	SEDRICK DENSON
LATYNA M. HUMPHREY	DAVID LELAND
BRIDE ROSE SWEENEY	

The report was agreed to.

The concurrent resolution was ordered to be engrossed and placed on the calendar.

Representative Brown submitted the following report:

The standing committee on Government Oversight to which was referred **Sub. S. B. No. 258**-Senator McColley, et al., having had the same under consideration, reports it back and recommends its passage.

RE: DECLARE INTENT TO ESTABLISH CONGRESSIONAL
DISTRICTS

Representative White moved to amend the title as follows:

Add the name: "Jones"

SHANE WILKIN	ANDREA WHITE
RICK CARFAGNA	TIMOTHY E. GINTER
DON JONES	PHIL PLUMMER
BILL SEITZ	D. J. SWEARINGEN

The following members voted "NO"

RICHARD D. BROWN
PAULA HICKS-HUDSON
BRIGID KELLY

TAVIA GALONSKI
STEPHANIE D. HOWSE

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

MOTIONS AND RESOLUTIONS

Representative Sykes reported for the Rules and Reference committee recommending that the following House Concurrent Resolution be introduced and referred to the following committee for consideration:

H. C. R. No. 38 - Representatives Sobecki and Crossman
TO URGE THE UNITED STATES CONGRESS AND PRESIDENT OF THE
UNITED STATES TO TAKE NECESSARY MEASURES TO END THE
SEMICONDUCTOR SHORTAGE.

To the committee on Government Oversight

/s/ ROBERT R. CUPP
Robert R. Cupp, Chair

Representative Ginter moved that the Rules and Reference committee report on resolutions be agreed to and that the House Concurrent Resolution contained therein be introduced and referred as recommended.

The motion was agreed to.

Said House Concurrent Resolution was introduced and referred as recommended.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 99-Representative Hall.

Cosponsors: Representatives Riedel, Stoltzfus, Seitz, Stewart.

To amend sections 109.73, 109.78, 149.433, and 2923.122 and to enact section 109.805 of the Revised Code to expressly exempt persons authorized to go armed within a school safety zone from a peace officer basic training requirement, to impose training and other requirements on those persons, and to require that a board of education or school governing body that authorizes persons to go armed in a school provide public notice of that authorization, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Leland moved to amend, amendment 2253, as follows:

In line 10 of the title, after "school" insert "conduct a regular or special meeting regarding that authorization and"

In line 324, delete "The rules shall"

Delete lines 325 through 328

In line 329, delete "zone under section 2923.122 of the Revised Code."

In line 330, delete "both of the following:"

In line 331, delete "(a) The" and insert "the"; delete "s:"

In line 332, delete "(b) That" and insert "and"; after "the" insert "minimum"; delete "shall not exceed"

In line 333, delete "eighteen hours" and insert "that a person must successfully complete to be qualified to serve in such a capacity"

Delete lines 334 through 342

In line 348, delete "The rules shall include"

Delete lines 349 through 354

In line 355, delete "Revised Code."; delete "all of the following:"

In line 356, delete "(a) The" and insert "the"; delete "s:"

In line 357, delete "(b) That" and insert "and"; after "the" insert "minimum"; delete "shall not exceed"

Delete line 358

In line 359, delete "(c) That the training shall be completed annually" and insert "that a person must successfully complete to be qualified to serve in such a capacity"

Delete lines 360 through 370

In line 371, delete "The content of the handgun training described in"

Delete lines 372 through 421

In line 422, delete "(D)"

In line 426, delete "(E)" and insert "(D)"

In line 537, delete "(d) Any" and insert "(d)(i) Subject to divisions (D)(1)(d)(ii) and (iii) of this section, any"

In line 543, delete "if the" and insert "s:"

(ii) A person authorized to go armed within a school safety zone shall not go armed within a school of the board or governing body unless the board or governing body has complied with all of the following:

(I) The board or governing body of a school shall conduct at least one

regular or special meeting under section 121.22 of the Revised Code to consider whether the board or governing body should authorize one or more persons to go armed within a school of the board or governing body.

(II) A"

In line 544, delete "notifies" and insert "shall notify"; delete ", by whatever means the"

In line 545, delete "school regularly communicates with the public."

In line 546, delete "other"

In line 547, after "body" insert "by doing both of the following:

Posting the notice in a conspicuous place on the homepage of the school's web site"; after "." insert "The notice shall be posted on the homepage of the school's web site as long as the board or governing body has authorized one or more persons to go armed within a school of the board or governing body.

Sending the notice to each student's parent or guardian via regular mail or electronic mail. The notice shall be sent annually as long as the board or governing body has authorized a person to go armed within a school of the board or governing body.

(iii)"

In line 548, delete "this"; after "division" insert "(D)(1)(d) of this section"

In line 677, delete "following"

In line 678, delete ":"

Delete line 679

In line 680, delete "of general training"; delete "(A)(1)" and insert "(A)"

Delete lines 682 through 684

In line 686, delete "following annual"

In line 687, delete ":"

Delete line 688

In line 689, delete "general training"; delete "(B)(1)" and insert "(B)"

Delete lines 691 through 693

The question being, "Shall the motion to amend be agreed to?"

Representative Seitz moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 59, nays 32, as follows:

Those who voted in the affirmative were: Representatives

Baldrige	Bird	Brinkman	Callender
Carfagna	Carruthers	Click	Creech
Cross	Cutrona	Dean	Edwards
Ferguson	Fowler Arthur	Fraizer	Ghanbari
Ginter	Grendell	Gross	Hall
Hillyer	Holmes	Hoops	John
Johnson	Jones	Jordan	Kick
Koehler	LaRe	Lipps	Loychik
Manchester	Manning	McClain	Merrin
Miller, K.	Oelslager	Pavliga	Plummer
Powell	Ray	Richardson	Riedel
Roemer	Schmidt	Seitz	Stein
Stephens	Stewart	Stoltzfus	Swearingen
Vitale	White	Wiggam	Wilkin
Young, B.	Young, T.		Cupp-59

Those who voted in the negative were: Representatives

Blackshear	Boggs	Boyd	Brent
Brown	Crossman	Denson	Galonski
Hicks-Hudson	Howse	Humphrey	Ingram
Jarrells	Kelly	Leland	Lightbody
Liston	Miller, A.	Miller, J.	Miranda
Robinson	Russo	Sheehy	Skindell
Smith, K.	Smith, M.	Sobecki	Sweeney
Sykes	Troy	Upchurch	West-32

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 59, nays 33, as follows:

Those who voted in the affirmative were: Representatives

Baldrige	Bird	Brinkman	Callender
Carfagna	Carruthers	Click	Creech
Cross	Cutrona	Dean	Edwards
Ferguson	Fowler Arthur	Fraizer	Ghanbari
Ginter	Grendell	Gross	Hall
Hillyer	Holmes	Hoops	John
Johnson	Jones	Jordan	Kick
Koehler	Lanese	LaRe	Lipps
Loychik	Manchester	McClain	Merrin
Miller, K.	Oelslager	Pavliga	Plummer
Powell	Ray	Richardson	Riedel
Roemer	Schmidt	Seitz	Stein
Stephens	Stewart	Stoltzfus	Swearingen
Vitale	White	Wiggam	Wilkin
Young, B.	Young, T.		Cupp-59

Those who voted in the negative were: Representatives

Blackshear	Boggs	Boyd	Brent
Brown	Crossman	Denson	Galonski
Hicks-Hudson	Howse	Humphrey	Ingram
Jarrells	Kelly	Leland	Lightbody

Liston	Manning	Miller, A.	Miller, J.
Miranda	Robinson	Russo	Sheehy
Skindell	Smith, K.	Smith, M.	Sobecki
Sweeney	Sykes	Troy	Upchurch
			West-33

The bill passed.

Representative Hall moved to amend the title as follows:

Add the names: "Baldrige, Bird, Callender, Click, Creech, Cross, Cutrona, Edwards, Ferguson, Fowler Arthur, Gross, Hillyer, Holmes, Hoops, John, Johnson, Jones, Jordan, Lipps, McClain, Miller, K., Powell, Schmidt, Stein, Stephens, Vitale, Wiggam, Young, T."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. 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.

To amend sections 311.42, 1547.69, 2923.12, 2923.121, 2923.122, 2923.123, 2923.125, 2923.126, 2923.128, 2923.1210, 2923.1213, and 2923.16 of the Revised Code to generally extend the firearm possession provisions that apply to a concealed handgun licensee to also apply to a person who is age 21 or older and not prohibited by Ohio or federal law from possessing a firearm without need for the person obtaining a license, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Kelly moved to amend, amendment 2263-1, as follows:

In line 1 of the title, after "sections" insert "109.731,"

In line 3 of the title, delete "and"

In line 4 of the title, after "2923.16" insert ", and 2923.25"

In line 9 of the title, after "license" insert ", and to require the publication of a brochure including information on state weapons laws, dispute resolution, and use of deadly force"

In line 10, after "sections" insert "109.731,"

In line 12, delete "and"; after "2923.16" insert ", and 2923.25"

After line 13, insert:

"Sec. 109.731. (A)(1) The attorney general shall prescribe, and shall make available to sheriffs an application form that is to be used under section 2923.125 of the Revised Code by a person who applies for a concealed

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

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

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

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

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

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

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

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

(c) A procedure by which a sheriff shall give each concealed handgun license, replacement concealed handgun license, or renewal concealed handgun license and each concealed handgun license on a temporary emergency basis or replacement license on a temporary emergency basis the sheriff issues under section 2923.125 or 2923.1213 of the Revised Code a unique combination of letters and numbers that identifies the county in which the license was issued and that uses the county code and a unique number for each license the sheriff of that county issues;

(d) A form for a concealed handgun license on a temporary emergency basis that is to be issued by sheriffs to persons who qualify for such a license under section 2923.1213 of the Revised Code, which form

shall conform to all the requirements set forth in divisions (A)(2)(a)(i) to (iv) of this section and shall additionally conspicuously specify that the license is issued on a temporary emergency basis and the date of its issuance.

(B)(1) The Ohio peace officer training commission, in consultation with the attorney general, shall prepare ~~a~~ both of the following:

(a) A pamphlet that does all of the following, in everyday language:

~~(a)~~ (i) Explains the firearms laws of this state;

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

~~(c)~~ (iii) Provides information to the reader regarding all aspects of the use of deadly force with a firearm, including, but not limited to, the steps that should be taken before contemplating the use of, or using, deadly force with a firearm, possible alternatives to using deadly force with a firearm, and the law governing the use of deadly force with a firearm.

(b) A foldable brochure of one page that summarizes the information in divisions (B)(1)(a)(ii) and (iii) of this section.

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

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

(C) The Ohio peace officer training commission shall maintain statistics with respect to the issuance, renewal, suspension, revocation, and denial of concealed handgun licenses under section 2923.125 of the Revised Code and the suspension of processing of applications for those licenses, and with respect to the issuance, suspension, revocation, and denial of concealed handgun licenses on a temporary emergency basis under section 2923.1213 of the Revised Code, as reported by the sheriffs pursuant to division (C) of section 2923.129 of the Revised Code. Not later than the first day of March in each year, the commission shall submit a statistical report to the governor, the president of the senate, and the speaker of the house of representatives indicating the number of concealed handgun licenses that were issued, renewed, suspended, revoked, and denied under section 2923.125 of the Revised Code in the previous calendar year, the number of applications for those licenses for which processing was suspended in accordance with

division (D)(3) of that section in the previous calendar year, and the number of concealed handgun licenses on a temporary emergency basis that were issued, suspended, revoked, or denied under section 2923.1213 of the Revised Code in the previous calendar year. Nothing in the statistics or the statistical report shall identify, or enable the identification of, any individual who was issued or denied a license, for whom a license was renewed, whose license was suspended or revoked, or for whom application processing was suspended. The statistics and the statistical report are public records for the purpose of section 149.43 of the Revised Code.

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

After line 2761, insert:

"Sec. 2923.25. (A) Each federally licensed firearms dealer who sells any firearm, ~~at~~ shall do all of the following:

(1) At the time of the sale of the a firearm, shall offer for sale to the purchaser of the firearm a trigger lock, gun lock, or gun locking device that is appropriate for that firearm. Each federally licensed firearms dealer shall post:

(2) At the time of the sale of a firearm that is a handgun, provide to the purchaser of the handgun the brochure prepared pursuant to section 109.731 of the Revised Code;

(3) Post in a conspicuous location in the dealer's place of business the poster furnished to the dealer pursuant to section 5502.63 of the Revised Code and ~~shall~~ make available to all purchasers of firearms from the dealer the brochure furnished to the dealer pursuant to that section.

(B) As used in this section, ~~"federally":~~

(1) "Federally licensed firearms dealer" has the same meaning as in section 5502.63 of the Revised Code.

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

In line 2762, after "sections" insert "109.731,"

In line 2764, delete "and"; after "2923.16" insert ", and 2923.25"

The question being, "Shall the motion to amend be agreed to?"

Representative Seitz moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 56, nays 36, as follows:

Those who voted in the affirmative were: Representatives

Baldrige	Bird	Brinkman	Callender
Carfagna	Carruthers	Click	Creech
Cross	Cutrona	Dean	Edwards
Ferguson	Fowler Arthur	Fraizer	Ginter
Grendell	Gross	Hall	Hillyer
Holmes	Hoops	John	Johnson
Jones	Jordan	Kick	Lanese
LaRe	Lipps	Loychik	Manchester
McClain	Merrin	Miller, K.	Oelslager
Pavliga	Plummer	Powell	Ray
Richardson	Riedel	Roemer	Schmidt
Seitz	Stein	Stephens	Stewart
Stoltzfus	Swearingen	Vitale	Wiggam
Wilkin	Young, B.	Young, T.	Cupp-56

Those who voted in the negative were: Representatives

Blackshear	Boggs	Boyd	Brent
Brown	Crossman	Denson	Galonski
Ghanbari	Hicks-Hudson	Howse	Humphrey
Ingram	Jarrells	Kelly	Koehler
Leland	Lightbody	Liston	Manning
Miller, A.	Miller, J.	Miranda	Robinson
Russo	Sheehy	Skindell	Smith, K.
Smith, M.	Sobecki	Sweeney	Sykes
Troy	Upchurch	West	White-36

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Vitale moved to amend, amendment 2254, as follows:

In line 1 of the title, after "sections" insert "9.68, 109.69, 109.731, 311.41,"; after "311.42" insert ", 311.43"; after "1547.69" insert ", 2921.13, 2923.11"

In line 2 of the title, after "2923.123" insert ", 2923.124"

In line 3 of the title, after "2923.126" insert ", 2923.127"; after "2923.128" insert ", 2923.129"; after "2923.1210" insert ", 2923.1211, 2923.1212"; delete "and"

In line 4 of the title, after "2923.16" insert ", 2953.37, and 4749.10"; delete "generally extend"

Delete line 5 of the title

In line 6 of the title, delete "a concealed handgun licensee to also apply" and insert "rename a concealed handgun license a concealed weapons license, to allow a concealed weapons licensee to carry a concealed deadly weapon, and"; after the second "to" insert "allow"

In line 7 of the title, delete "and not prohibited"

In line 8 of the title, delete "by Ohio or federal law from possessing a firearm" and insert "to carry concealed deadly weapons"

In line 9 of the title, delete "need for the person obtaining"

In line 10, after "sections" insert "9.68, 109.69, 109.731, 311.41,"; after "311.42" insert ", 311.43"; after "1547.69" insert ", 2921.13, 2923.11"

In line 11, after "2923.123" insert ", 2923.124"; after "2923.126" insert ", 2923.127"; after "2923.128" insert ", 2923.129"

In line 12, after "2923.1210" insert ", 2923.1211, 2923.1212"; delete "and"; after "2923.16" insert ", 2953.37, and 4749.10"

After line 13, insert:

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

(B) A person, group, or entity adversely affected by any manner of ordinance, rule, regulation, resolution, practice, or other action enacted or enforced by a political subdivision in conflict with division (A) of this section may bring a civil action against the political subdivision seeking damages from the political subdivision, declaratory relief, injunctive relief, or a combination of those remedies. Any damages awarded shall be awarded

against, and paid by, the political subdivision. In addition to any actual damages awarded against the political subdivision and other relief provided with respect to such an action, the court shall award reasonable expenses to any person, group, or entity that brings the action, to be paid by the political subdivision, if either of the following applies:

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

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

(C) As used in this section:

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

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

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

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

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

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

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

(a) The eligibility requirements imposed by that license-issuing state

for that license are substantially comparable to the eligibility requirements for a concealed ~~handgun~~ weapons license issued under section 2923.125 of the Revised Code.

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

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

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

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

(2) If, on or after ~~the effective date of this amendment~~ March 23, 2015, a person who is a resident of this state has a valid ~~concealed handgun~~ license that was issued by another license-issuing state and that authorizes the carrying of concealed handguns, firearms, or deadly weapons and the other state has not entered into a reciprocity agreement with the attorney general under division (A)(1) of this section, the license issued by the other license-issuing state shall be recognized in this state, shall be accepted and

valid in this state, and grants the person the same right to carry a concealed ~~handgun~~ deadly weapon in this state as a person who was issued a concealed ~~handgun~~ weapons license under section 2923.125 of the Revised Code prior to, on, or after the effective date of this amendment, for a period of six months after the person became a resident of this state. After that six-month period, if the person wishes to obtain a concealed ~~handgun~~ weapons license, the person shall apply for a concealed ~~handgun~~ weapons license pursuant to section 2923.125 of the Revised Code.

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

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

(D) As used in this section:

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

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

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

prescribed in law shall not be incorporated into the form. The attorney general shall post a printable version of the form on the web site of the attorney general and shall provide the address of the web site to any person who requests the form.

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

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

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

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

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

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

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

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

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

issued on a temporary emergency basis and the date of its issuance.

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

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

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

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

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

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

(C) The Ohio peace officer training commission shall maintain statistics with respect to the issuance, renewal, suspension, revocation, and denial of concealed ~~handgun~~ weapons licenses under section 2923.125 of the Revised Code and the suspension of processing of applications for those licenses, and with respect to the issuance, suspension, revocation, and denial of concealed ~~handgun~~ weapons licenses on a temporary emergency basis under section 2923.1213 of the Revised Code, as reported by the sheriffs pursuant to division (C) of section 2923.129 of the Revised Code. Not later than the first day of March in each year, the commission shall submit a statistical report to the governor, the president of the senate, and the speaker of the house of representatives indicating the number of concealed ~~handgun~~ weapons licenses that were issued, renewed, suspended, revoked, and denied under section 2923.125 of the Revised Code in the previous calendar year, the number of applications for those licenses for which processing was

suspended in accordance with division (D)(3) of that section in the previous calendar year, and the number of concealed ~~handgun weapons~~ licenses on a temporary emergency basis that were issued, suspended, revoked, or denied under section 2923.1213 of the Revised Code in the previous calendar year. Nothing in the statistics or the statistical report shall identify, or enable the identification of, any individual who was issued or denied a license, for whom a license was renewed, whose license was suspended or revoked, or for whom application processing was suspended. The statistics and the statistical report are public records for the purpose of section 149.43 of the Revised Code. The requirements of this division apply regarding all concealed weapons licenses, regardless of whether the issuance, renewal, suspension, revocation, or denial in question occurred prior to, on, or after the effective date of this amendment.

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

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

In order to conduct the criminal records check and the incompetency records check, the sheriff shall obtain the fingerprints of at least four fingers of the applicant by using an electronic fingerprint reading device for the purpose of conducting the criminal records check and the incompetency records check or, if the sheriff does not possess and does not have ready access to the use of an electronic fingerprint reading device, shall obtain from the applicant a completed standard fingerprint impression sheet prescribed pursuant to division (C)(2) of section 109.572 of the Revised Code. The fingerprints so obtained, along with the applicant's social security number, shall be used to conduct the criminal records check and the incompetency

records check. If the sheriff does not use an electronic fingerprint reading device to obtain the fingerprints and conduct the records checks, the sheriff shall submit the completed standard fingerprint impression sheet of the applicant, along with the applicant's social security number, to the superintendent of the bureau of criminal identification and investigation and shall request the bureau to conduct the criminal records check and the incompetency records check of the applicant and, if necessary, shall request the superintendent of the bureau to obtain information from the federal bureau of investigation as part of the criminal records check for the applicant. If it is not possible to use an electronic fingerprint reading device to conduct an incompetency records check, the sheriff shall submit the completed standard fingerprint impression sheet of the applicant, along with the applicant's social security number, to the superintendent of the bureau of criminal identification and investigation and shall request the bureau to conduct the incompetency records check. The sheriff shall not retain the applicant's fingerprints as part of the application.

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

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

conducting the criminal records check shall destroy or the chief operating officer of the source shall cause an employee of the source designated by the chief to destroy all records other than the application for a concealed ~~handgun-weapons~~ license, the application to renew a concealed ~~handgun-weapons~~ license, or the affidavit submitted regarding an application for a concealed ~~handgun-weapons~~ license on a temporary emergency basis that were made in connection with the criminal records check within twenty days after completion of that challenge and review.

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

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

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

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

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

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

In line 15, strike through "handgun" and insert "weapons"

In line 18, strike through the first "handgun" and insert "weapons"; strike through the second "handgun" and insert "weapons"

In line 19, strike through "and all fees paid" and insert "or"

In line 20, strike through "the" and insert "a"; strike through "handgun" and insert "weapons"

In line 31, after "license." insert "This division applies with respect to

all applications for issuance or renewal of a concealed weapons license, regardless of whether the application occurred prior to, on, or after the effective date of this amendment."

In line 34, strike through "handgun" and insert "weapons"

In line 38, strike through "handgun" and insert "weapons"

After line 55, insert:

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

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

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

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

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

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

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

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

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

In line 57, after ""Firearm,"" insert "deadly weapon"; strike through the first "handgun" and insert "weapons"; after ", " insert "restricted firearm,""

In line 58, strike through "handgun" and insert "weapons"

In line 98, strike through "handgun" and insert "weapon"

In line 129, delete "a handgun"; after "vessel" insert "a firearm that is not a restricted firearm"

In line 135, strike through "handgun" and insert "weapons"

In line 154, strike through "firearm" and insert "deadly weapon"

In line 159, strike through the first "firearm" and insert "deadly weapon"; strike through the second "firearm" and insert "deadly weapon"

In line 160, strike through "firearm" and insert "deadly weapon"

After line 171, insert:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(14) The statement is made in an application filed with a county sheriff pursuant to section 2923.125 of the Revised Code in order to obtain or renew a concealed handgun-weapons license or ~~is made in an affidavit submitted to a county sheriff to obtain a concealed handgun-weapons license on a temporary emergency basis under section 2923.1213 of the Revised Code, regardless of whether the application was made or affidavit was submitted prior to, on, or after the effective date of this amendment.~~

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

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

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

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

(E) If contradictory statements relating to the same fact are made by the offender within the period of the statute of limitations for falsification, it

is not necessary for the prosecution to prove which statement was false but only that one or the other was false.

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

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

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

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

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

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

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

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

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

(B)(1) "Firearm" means any deadly weapon capable of expelling or

propelling one or more projectiles by the action of an explosive or combustible propellant. "Firearm" includes an unloaded firearm, and any firearm that is inoperable but that can readily be rendered operable.

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

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

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

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

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

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

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

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

(1) Any firearm of crude and extemporized manufacture;

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

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

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

with or arranged so as to explode.

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

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

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

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

(2) Any explosive device or incendiary device;

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

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

(5) Any firearm muffler or suppressor;

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

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

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

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

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

(4) Black powder, priming quills, and percussion caps possessed and

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

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

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

(7) 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).

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

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

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

(b) A license or temporary emergency license to carry a concealed

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

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

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

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

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

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

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

revocation provision of the state other than this state in which the license was issued;

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

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

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

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

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

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

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

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

In line 178, strike through "handgun" and insert "weapons"

In line 181, delete "firearm" and insert "deadly weapon"

In line 183, strike through "handgun" and insert "deadly weapon that is not a restricted deadly weapon"

In line 185, delete "handgun" and insert "deadly weapon"

In line 188, strike through "handgun" and insert "deadly weapon"

In line 190, strike through "handgun" and insert "deadly weapon that is not a restricted deadly weapon"

In line 197, strike through "handgun" and insert "deadly weapon that is not a restricted deadly weapon and that is a loaded firearm"

In line 200, strike through "handgun" and insert "firearm"

In line 202, strike through the first "handgun" and insert "firearm"; strike through the second "handgun" and insert "firearm"

In line 207, strike through "handgun" and insert "firearm"

In line 210, strike through "handgun" and insert "deadly weapon that is not a restricted firearm"

In line 220, strike through "handguns" and insert "firearms or other deadly weapons"

In line 224, strike through "handguns" and insert "firearms or other deadly weapons"

In line 229, strike through "firearm" and insert "deadly weapon"

In line 233, strike through "firearm" and insert "deadly weapon"

In line 237, delete "(2)(a)"; strike through "Division (A)(2)" and insert "(2)(a) Divisions (A)(1) and (2)"; strike through "does" and insert "do"

In line 238, delete "to whom" and insert "with respect to the carrying or possession of any deadly weapon that is not a restricted deadly weapon if"

In line 239, strike through "handgun" and insert "deadly weapon"

In line 241, strike through "handgun" and insert "weapons"

In line 254, delete "firearm" and insert "deadly weapon"

In line 257, delete "handgun" and insert "deadly weapon"

In line 262, after "a" insert "deadly"

In line 281, strike through "handgun" and insert "weapons"

In line 290, delete the first "handgun" and insert "weapons"; delete the second "handgun" and insert "weapons"

In line 299, delete "firearm" and insert "deadly weapon"

In line 375, delete "handgun" and insert "weapons"

In line 440, strike through "firearm" and insert "deadly weapon"

In line 445, strike through the first "firearm" and insert "deadly weapon"; strike through the second "firearm" and insert "deadly weapon"

In line 446, strike through "firearm" and insert "deadly weapon"

In line 448, strike through "firearm" and insert "deadly weapon"

In line 487, strike through "handgun" and insert "weapons"

In line 488, strike through "and"; reinsert "as long as the"; after "~~holder~~" insert "firearm is not a restricted firearm and the principal holder"

In line 497, delete "and" and insert "as long as the firearm is not a restricted firearm and the holder"

In line 501, delete "and" and insert "as long as the firearm is not a restricted firearm, and the holder"

In line 511, after "the" insert "firearm is not a restricted firearm and

the"

In line 515, strike through "handgun" and insert "weapons"

In line 524, after "the" insert "firearm is not a restricted firearm and
the"

In line 561, strike through "handgun" and insert "weapons"

In line 651, strike through the first "handgun" and insert "deadly
weapon that is not a restricted deadly weapon"; strike through the second
"handgun" and insert "deadly weapon that is not a restricted deadly weapon"

In line 653, strike through "handgun" and insert "deadly weapon that
is not a restricted deadly weapon"

In line 658, strike through "handgun" and insert "weapons"

In line 668, delete "firearm" and insert "deadly weapon"

In line 687, strike through "handgun" and insert "deadly weapon"

In line 688, strike through "handgun" and insert "deadly weapon"

In line 796, strike through "handgun" and insert "deadly weapon that
is not a restricted deadly weapon"

In line 800, strike through "handgun" and insert "weapons"

In line 809, delete "firearm" and insert "deadly weapon"

In line 810, strike through "handgun" and insert "deadly weapon that
is not a restricted deadly weapon"

In line 811, strike through "handgun" and insert "deadly weapon that
is not a restricted deadly weapon"

After line 857, insert:

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

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

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

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

(D) "Licensee" means a person to whom a concealed ~~handgun~~
weapons license has been issued under section 2923.125 of the Revised Code
prior to, on, or after the effective date of this amendment and, except when
the context clearly indicates otherwise, includes a person to whom a
concealed ~~handgun~~ weapons license on a temporary emergency basis has

been issued under section 2923.1213 of the Revised Code ~~and prior to, on, or after the effective date of this amendment, and~~ a person to whom a concealed ~~handgun-weapons~~ license has been issued by another state.

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

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

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

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

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

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

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

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

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

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

In line 859, strike through "handgun" and insert "weapons"

In line 864, strike through "handgun" and insert "weapons"

In line 869, strike through "handgun" and insert "weapons"

In line 870, strike through "handgun" and insert "weapons"

In line 873, strike through "handgun" and insert "weapons"

In line 874, strike through "handgun" and insert "weapons"

In line 885, strike through "handgun" and insert "weapons"

In line 925, strike through "handgun" and insert "weapons"

In line 997, strike through "handguns or other"

In line 1023, after "reviews" insert "deadly weapons, including"

In line 1047, strike through "handgun" and insert "weapons"

In line 1053, strike through "handgun" and insert "weapons"

In line 1130, strike through "handgun" and insert "firearm or other deadly weapon"

In line 1141, strike through "handgun" and insert "weapons"

In line 1144, strike through "handgun" and insert "weapons"

In line 1163, strike through "handgun" and insert "weapons"

In line 1164, after "section" insert "prior to, on, or after the effective date of this amendment"

In line 1165, after "issuance." insert "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."

In line 1189, strike through "handgun" and insert "weapons"

In line 1199, strike through "handgun" and insert "weapons"

In line 1220, strike through "handgun" and insert "weapons"

In line 1230, strike through "handgun" and insert "weapons"

In line 1233, strike through "handgun" and insert "weapons"

In line 1244, strike through "handgun" and insert "weapons"

In line 1245, after "section" insert "prior to, on, or after the effective date of this amendment"

In line 1251, strike through "handgun" and insert "weapons"

In line 1257, after "reviews" insert "deadly weapons, including"

In line 1281, strike through "handgun" and insert "weapons"

In line 1299, after "issuance" insert ", regardless of whether the renewal occurred prior to, on, or after the effective date of this amendment"

In line 1305, strike through "handgun" and insert "weapons"

In line 1322, strike through "handgun" and insert "weapons"

In line 1328, strike through "handgun" and insert "weapons"

In line 1337, strike through "handgun" and insert "weapons"

In line 1340, after "license," insert "regardless of whether the license was issued prior to, on, or after the effective date of this amendment."

In line 1341, strike through "handgun" and insert "weapons"

In line 1347, after "reviews" insert "deadly weapons, including"

In line 1355, strike through "handgun" and insert "firearm"

In line 1356, strike through "handguns" and insert "firearms"

In line 1360, strike through "handgun" and insert "firearm"

In line 1370, strike through "handgun" and insert "firearm"

In line 1371, strike through "handguns" and insert "firearms"

In line 1373, strike through "handgun" and insert "firearm"

In line 1374, strike through "handgun" and insert "firearm"

In line 1375, strike through "handgun" and insert "firearm"

In line 1412, strike through "handgun" and insert "weapons"

In line 1413, strike through "handgun" and insert "weapons"

In line 1414, strike through "handgun" and insert "weapons"

In line 1473, delete "handgun" and insert "weapons"

In line 1476, delete "firearm" and insert "deadly weapon"

In line 1478, delete "handgun" and insert "weapons"

In line 1482, strike through "handgun" and insert "weapons"; strike through "that is"

In line 1483, after "Code" insert "prior to, on, or after the effective date of this amendment"

In line 1489, strike through "handgun" and insert "weapons"

In line 1490, after "Code" insert "prior to, on, or after the effective date of this amendment"

In line 1491, strike through "handgun" and insert "deadly weapon that is not a restricted deadly weapon"

In line 1493, strike through "handgun" and insert "deadly weapon that is not a restricted deadly weapon"; strike through "The" and insert "A"; after "licensee" insert "who has been issued a concealed weapons license under section 2923.125 or 2923.1213 of the Revised Code"

In line 1496, after "change." insert "A concealed weapons license that a sheriff issued as a concealed handgun license prior to the effective date of this amendment and that has not expired prior to the effective date of this amendment has the same validity as a concealed weapons license issued on or after that date and shall be treated for purposes of this section, sections 2923.127 to 2923.1212 of the Revised Code, and other Revised Code provisions as if it were a license issued on or after that date."

In line 1546, strike through "handgun" and insert "weapons"

In line 1547, strike through "handgun" and insert "deadly weapon"

In line 1551, strike through "handgun" and insert "deadly weapon"

- In line 1564, strike through "handgun" and insert "deadly weapon"
- In line 1568, strike through "handgun" and insert "deadly weapon"
- In line 1571, strike through "handgun" and insert "deadly weapon"
- In line 1575, strike through "handgun" and insert "deadly weapon"
- In line 1576, strike through "handgun" and insert "deadly weapon"
- In line 1578, strike through "handgun" and insert "deadly weapon"
- In line 1582, strike through "handgun" and insert "deadly weapon"
- In line 1594, strike through "handgun" and insert "deadly weapon"
- In line 1596, strike through "handguns" and insert "deadly weapons"
- In line 1600, strike through "firearms" and insert "deadly weapons"
- In line 1605, strike through "firearms" and insert "deadly weapons"
- In line 1610, strike through "handgun" and insert "deadly weapon"
- In line 1617, strike through "handgun" and insert "deadly weapon"
- In line 1623, strike through "handgun" and insert "deadly weapon"
- In line 1631, strike through "handgun" and insert "deadly weapon"
- In line 1638, strike through "handgun" and insert "deadly weapon"
- In line 1643, strike through "handgun" and insert "deadly weapon"
- In line 1651, strike through "handgun" and insert "deadly weapon"
- In line 1660, strike through the first "firearms" and insert "deadly weapons"; strike through the second "firearms" and insert "deadly weapons"
- In line 1683, after "the" insert "deadly"
- In line 1685, after "the" insert "deadly"
- In line 1691, strike through "handgun" and insert "deadly weapon"
- In line 1700, strike through "handgun" and insert "weapons"
- In line 1704, strike through "handgun" and insert "weapons"
- In line 1706, strike through "handgun" and insert "deadly weapon that is not a restricted deadly weapon"
- In line 1707, strike through "handgun" and insert "weapons"
- In line 1710, delete "handgun" and insert "weapons"
- In line 1712, strike through "handgun" and insert "deadly weapon that is not a restricted deadly weapon"
- In line 1713, strike through "handgun" and insert "weapons"
- In line 1715, strike through "handgun" and insert "deadly weapon"
- In line 1725, strike through "handgun" and insert "deadly weapon that is not a restricted deadly weapon"

In line 1726, strike through "handgun" and insert "weapons"

In line 1731, strike through "handgun" and insert "deadly weapon that is not a restricted deadly weapon"

In line 1732, strike through "handgun" and insert "weapons"

In line 1736, delete "firearm" and insert "deadly weapon"

In line 1737, delete "handgun" and insert "deadly weapon that is not a restricted deadly weapon"

In line 1738, delete "handgun" and insert "weapons"

In line 1745, strike through "handgun" and insert "deadly weapon that is not a restricted deadly weapon"

In line 1746, strike through "handgun" and insert "weapons"

In line 1749, delete "handgun" and insert "weapons"

In line 1755, after "state" insert "who has been issued a concealed weapons license under section 2923.125 of the Revised Code"

After line 1882, insert:

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

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

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

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

In line 1884, strike through "handgun" and insert "weapons"

In line 1909, strike through "handgun" and insert "weapons"

In line 1961, strike through "handgun" and insert "weapons"

In line 1964, strike through "handgun" and insert "weapons"

In line 1975, strike through "handgun" and insert "weapons"

In line 1993, strike through "handgun" and insert "deadly weapon"

In line 2010, strike through "handgun" and insert "weapons"

In line 2029, strike through "handgun" and insert "weapons"

After line 2051, insert:

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

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

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

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

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

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

the competency certificate if all of the following apply:

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

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

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

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

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

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

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

(C) Each sheriff shall report to the Ohio peace officer training commission the number of concealed ~~handgun-weapons~~ licenses that the sheriff issued, renewed, suspended, revoked, or denied under section 2923.125 of the Revised Code during the previous quarter of the calendar

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

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

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

In line 2056, strike through "handgun" and insert "weapons"

In line 2063, delete "firearm" and insert "deadly weapon"

In line 2064, strike through "firearm" and insert "deadly weapon"; after "ammunition" insert "for a deadly weapon that is a firearm"

In line 2066, strike through "firearm" and insert "deadly weapon"; after "and" insert ", if there is ammunition."

In line 2068, strike through "firearm" and insert "deadly weapon"; after "and" insert ", if there is ammunition."

In line 2082, strike through "firearm" and insert "deadly weapon"; after "ammunition" insert "for a deadly weapon that is a firearm"

In line 2084, strike through "firearm" and insert "deadly weapon"

After line 2087, insert:

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

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

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

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

In line 2092, strike through "handgun" and insert "deadly weapon other than a restricted deadly weapon"

In line 2098, strike through "handgun" and insert "deadly weapon other than a restricted deadly weapon"

In line 2108, strike through "handgun" and insert "weapons"

In line 2148, strike through "handgun" and insert "weapons"

In line 2150, strike through "handgun" and insert "weapons"

In line 2212, strike through "handgun" and insert "weapons"

In line 2220, strike through "handgun" and insert "weapons"

In line 2235, strike through "handgun" and insert "weapons"

In line 2265, strike through "handgun" and insert "weapons"

In line 2267, strike through "handgun" and insert "weapons"

In line 2268, after "basis" insert ", regardless of whether the license was issued prior to, on, or after the effective date of this amendment."

In line 2269, strike through the first "handgun" and insert "deadly weapon that is not a restricted deadly weapon"; strike through the second "handgun" and insert "weapons"

In line 2278, after "section." insert "A concealed weapons license on a temporary emergency basis that a sheriff issued as a concealed handgun license on a temporary emergency basis prior to the effective date of this amendment and that had not expired prior to the effective date of this amendment has the same validity as a concealed weapons license on a temporary emergency basis issued on or after that date and shall be treated for purposes of this section, sections 2923.127 to 2923.1212 of the Revised Code, and other Revised Code provisions as if it were a license issued on or after that date."

In line 2279, strike through "handgun" and insert "weapons"

In line 2281, strike through "handgun" and insert "deadly weapon that is not a restricted deadly weapon"

In line 2290, after "firearm" insert "or deadly weapon"

In line 2300, strike through "handgun" and insert "weapons"

In line 2302, strike through "handgun" and insert "weapons"

In line 2308, strike through "handgun" and insert "weapons"

In line 2321, strike through "handgun" and insert "weapons"

In line 2326, strike through "handgun" and insert "weapons"

In line 2334, strike through "handgun" and insert "weapons"

In line 2345, strike through "handgun" and insert "weapons"

In line 2346, delete "handgun" and insert "weapons"

In line 2349, delete "firearm" and insert "deadly weapon"

In line 2351, delete "handgun" and insert "weapons"

In line 2379, strike through "handgun" and insert "firearm"

In line 2391, strike through "handgun" and insert "weapons"

In line 2406, strike through "handgun" and insert "firearm that is not a restricted firearm"

In line 2414, delete "handgun" and insert "firearm"

In line 2415, strike through "handgun" and insert "firearm"

In line 2422, delete "handgun" and insert "firearm"

In line 2423, strike through "handgun" and insert "firearm"

In line 2432, strike through "handgun" and insert "firearm"

In line 2436, strike through "handgun" and insert "firearm"

In line 2539, strike through "handgun" and insert "firearm that is not a restricted firearm"

In line 2543, strike through "handgun" and insert "weapons"

In line 2554, strike through "handgun" and insert "firearm"

In line 2598, strike through "handgun" and insert "weapons"

In line 2635, strike through "handgun" and insert "firearm"

In line 2659, delete "handgun" and insert "weapons"

In line 2666, strike through "firearm" and insert "deadly weapon"

In line 2670, strike through "firearm" and insert "deadly weapon"

In line 2671, strike through the first "firearm" and insert "deadly weapon"; strike through the second "firearm" and insert "deadly weapon"

In line 2673, strike through "firearm" and insert "deadly weapon"

In line 2733, strike through "handgun" and insert "weapons"

In line 2748, strike through "handgun" and insert "weapons"

After line 2761, insert:

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

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

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

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

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

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

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

(2) Include evidence that the offense was a violation of division (B),

(C), or (E) of section 2923.16 of the Revised Code as the division existed prior to September 30, 2011, and that the applicant is authorized by division (H)(2)(a) of that section to file an application under this section;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

executive director of the commission; or the licensee or employee is a former peace officer, as defined in section 109.71 of the Revised Code, who previously had successfully completed a firearms training course at a training school approved by the Ohio peace officer training commission and has received a certificate or other evidence of satisfactory completion of that course from the executive director of the commission.

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

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

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

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

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

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

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

(D) As used in this section, "restricted deadly weapon" has the same meaning as in section 2923.11 of the Revised Code."

In line 2762, after "sections" insert "9.68, 109.69, 109.731, 311.41,"; after "311.42" insert ", 311.43"; after "1547.69" insert ", 2921.13, 2923.11"

In line 2763, after "2923.123" insert ", 2923.124"; after "2923.126" insert ", 2923.127"

In line 2764, after "2923.128" insert ", 2923.129"; after "2923.1210" insert ", 2923.1211, 2923.1212"; delete "and"; after "2923.16" insert ", 2953.37, and 4749.10"

After line 2775, insert:

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

The question being, "Shall the motion to amend be agreed to?"

Representative Jones moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 70, nays 22, as follows:

Those who voted in the affirmative were: Representatives

Baldrige	Bird	Blackshear	Boggs
Boyd	Brent	Brown	Carfagna
Carruthers	Creech	Crossman	Denson
Fraizer	Galonski	Ghanbari	Ginter
Grendell	Hicks-Hudson	Hillyer	Holmes
Hoops	Howse	Humphrey	Ingram
Jarrells	John	Johnson	Jones
Kelly	Kick	Koehler	Lanese
LaRe	Leland	Lightbody	Liston
Manning	McClain	Miller, A.	Miller, J.
Miller, K.	Miranda	Oelsluger	Pavliga
Plummer	Ray	Riedel	Robinson
Roemer	Russo	Schmidt	Seitz
Sheehy	Skindell	Smith, K.	Smith, M.
Sobecki	Stein	Stephens	Stewart
Swearingen	Sweeney	Sykes	Upchurch
West	White	Wilkin	Young, B.
Young, T.			Cupp-70

Those who voted in the negative were: Representatives

Brinkman	Callender	Click	Cross
Cutrona	Dean	Edwards	Ferguson
Fowler Arthur	Gross	Hall	Jordan
Lipps	Loychik	Manchester	Merrin
Powell	Richardson	Stoltzfus	Troy
Vitale			Wiggam-22

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Smith, M. moved to amend, amendment 2261, as follows:

In line 1 of the title, after "sections" insert "109.57,"

In line 3 of the title, after "2923.1213" insert ", 2923.13"

In line 4 of the title, after "2923.16" insert "and to enact sections 2923.26, 2923.27, 2923.28, 2923.29, 2923.30, and 2923.99"

In line 9 of the title, after "license" insert ", and to enact the Extreme Risk Protection Order Act to allow family members, household members, and law enforcement officers to obtain a court order that temporarily restricts a person's access to firearms if that person poses a danger to themselves or others"

After line 2765, insert:

"Section 3. That sections 109.57, 2923.125, 2923.128, 2923.1213,

and 2923.13 be amended and sections 2923.26, 2923.27, 2923.28, 2923.29, 2923.30, and 2923.99 of the Revised Code be enacted to read as follows:

Sec. 109.57. (A)(1) The superintendent of the bureau of criminal identification and investigation shall procure from wherever procurable and file for record photographs, pictures, descriptions, fingerprints, measurements, and other information that may be pertinent of all persons who have been convicted of committing within this state a felony, any crime constituting a misdemeanor on the first offense and a felony on subsequent offenses, or any misdemeanor described in division (A)(1)(a), (A)(5)(a), or (A)(7)(a) of section 109.572 of the Revised Code, of all children under eighteen years of age who have been adjudicated delinquent children for committing within this state an act that would be a felony or an offense of violence if committed by an adult or who have been convicted of or pleaded guilty to committing within this state a felony or an offense of violence, and of all well-known and habitual criminals. The person in charge of any county, multicounty, municipal, municipal-county, or multicounty-municipal jail or workhouse, community-based correctional facility, halfway house, alternative residential facility, or state correctional institution and the person in charge of any state institution having custody of a person suspected of having committed a felony, any crime constituting a misdemeanor on the first offense and a felony on subsequent offenses, or any misdemeanor described in division (A)(1)(a), (A)(5)(a), or (A)(7)(a) of section 109.572 of the Revised Code or having custody of a child under eighteen years of age with respect to whom there is probable cause to believe that the child may have committed an act that would be a felony or an offense of violence if committed by an adult shall furnish such material to the superintendent of the bureau. Fingerprints, photographs, or other descriptive information of a child who is under eighteen years of age, has not been arrested or otherwise taken into custody for committing an act that would be a felony or an offense of violence who is not in any other category of child specified in this division, if committed by an adult, has not been adjudicated a delinquent child for committing an act that would be a felony or an offense of violence if committed by an adult, has not been convicted of or pleaded guilty to committing a felony or an offense of violence, and is not a child with respect to whom there is probable cause to believe that the child may have committed an act that would be a felony or an offense of violence if committed by an adult shall not be procured by the superintendent or furnished by any person in charge of any county, multicounty, municipal, municipal-county, or multicounty-municipal jail or workhouse, community-based correctional facility, halfway house, alternative residential facility, or state correctional institution, except as authorized in section 2151.313 of the Revised Code.

(2) Every clerk of a court of record in this state, other than the

supreme court or a court of appeals, shall send to the superintendent of the bureau a weekly report containing a summary of each case involving a felony, involving any crime constituting a misdemeanor on the first offense and a felony on subsequent offenses, involving a misdemeanor described in division (A)(1)(a), (A)(5)(a), or (A)(7)(a) of section 109.572 of the Revised Code, or involving an adjudication in a case in which a child under eighteen years of age was alleged to be a delinquent child for committing an act that would be a felony or an offense of violence if committed by an adult. The clerk of the court of common pleas shall include in the report and summary the clerk sends under this division all information described in divisions (A)(2)(a) to (f) of this section regarding a case before the court of appeals that is served by that clerk. The summary shall be written on the standard forms furnished by the superintendent pursuant to division (B) of this section and shall include the following information:

(a) The incident tracking number contained on the standard forms furnished by the superintendent pursuant to division (B) of this section;

(b) The style and number of the case;

(c) The date of arrest, offense, summons, or arraignment;

(d) The date that the person was convicted of or pleaded guilty to the offense, adjudicated a delinquent child for committing the act that would be a felony or an offense of violence if committed by an adult, found not guilty of the offense, or found not to be a delinquent child for committing an act that would be a felony or an offense of violence if committed by an adult, the date of an entry dismissing the charge, an entry declaring a mistrial of the offense in which the person is discharged, an entry finding that the person or child is not competent to stand trial, or an entry of a nolle prosequi, or the date of any other determination that constitutes final resolution of the case;

(e) A statement of the original charge with the section of the Revised Code that was alleged to be violated;

(f) If the person or child was convicted, pleaded guilty, or was adjudicated a delinquent child, the sentence or terms of probation imposed or any other disposition of the offender or the delinquent child.

If the offense involved the disarming of a law enforcement officer or an attempt to disarm a law enforcement officer, the clerk shall clearly state that fact in the summary, and the superintendent shall ensure that a clear statement of that fact is placed in the bureau's records.

(3) The superintendent shall cooperate with and assist sheriffs, chiefs of police, and other law enforcement officers in the establishment of a complete system of criminal identification and in obtaining fingerprints and other means of identification of all persons arrested on a charge of a felony, any crime constituting a misdemeanor on the first offense and a felony on

subsequent offenses, or a misdemeanor described in division (A)(1)(a), (A)(5)(a), or (A)(7)(a) of section 109.572 of the Revised Code and of all children under eighteen years of age arrested or otherwise taken into custody for committing an act that would be a felony or an offense of violence if committed by an adult. The superintendent also shall file for record the fingerprint impressions of all persons confined in a county, multicounty, municipal, municipal-county, or multicounty-municipal jail or workhouse, community-based correctional facility, halfway house, alternative residential facility, or state correctional institution for the violation of state laws and of all children under eighteen years of age who are confined in a county, multicounty, municipal, municipal-county, or multicounty-municipal jail or workhouse, community-based correctional facility, halfway house, alternative residential facility, or state correctional institution or in any facility for delinquent children for committing an act that would be a felony or an offense of violence if committed by an adult, and any other information that the superintendent may receive from law enforcement officials of the state and its political subdivisions.

(4) The superintendent shall carry out Chapter 2950. of the Revised Code with respect to the registration of persons who are convicted of or plead guilty to a sexually oriented offense or a child-victim oriented offense and with respect to all other duties imposed on the bureau under that chapter.

(5) The bureau shall perform centralized recordkeeping functions for criminal history records and services in this state for purposes of the national crime prevention and privacy compact set forth in section 109.571 of the Revised Code and is the criminal history record repository as defined in that section for purposes of that compact. The superintendent or the superintendent's designee is the compact officer for purposes of that compact and shall carry out the responsibilities of the compact officer specified in that compact.

(6) The superintendent shall, upon request, assist a county coroner in the identification of a deceased person through the use of fingerprint impressions obtained pursuant to division (A)(1) of this section or collected pursuant to section 109.572 or 311.41 of the Revised Code.

(B) The superintendent shall prepare and furnish to every county, multicounty, municipal, municipal-county, or multicounty-municipal jail or workhouse, community-based correctional facility, halfway house, alternative residential facility, or state correctional institution and to every clerk of a court in this state specified in division (A)(2) of this section standard forms for reporting the information required under division (A) of this section. The standard forms that the superintendent prepares pursuant to this division may be in a tangible format, in an electronic format, or in both tangible formats and electronic formats.

(C)(1) The superintendent may operate a center for electronic, automated, or other data processing for the storage and retrieval of information, data, and statistics pertaining to criminals and to children under eighteen years of age who are adjudicated delinquent children for committing an act that would be a felony or an offense of violence if committed by an adult, criminal activity, crime prevention, law enforcement, and criminal justice, and may establish and operate a statewide communications network to be known as the Ohio law enforcement gateway to gather and disseminate information, data, and statistics for the use of law enforcement agencies and for other uses specified in this division. The superintendent may gather, store, retrieve, and disseminate information, data, and statistics that pertain to children who are under eighteen years of age and that are gathered pursuant to sections 109.57 to 109.61 of the Revised Code together with information, data, and statistics that pertain to adults and that are gathered pursuant to those sections.

(2) The superintendent or the superintendent's designee shall gather information of the nature described in division (C)(1) of this section that pertains to the offense and delinquency history of a person who has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for committing a sexually oriented offense or a child-victim oriented offense for inclusion in the state registry of sex offenders and child-victim offenders maintained pursuant to division (A)(1) of section 2950.13 of the Revised Code and in the internet database operated pursuant to division (A)(13) of that section and for possible inclusion in the internet database operated pursuant to division (A)(11) of that section.

(3) In addition to any other authorized use of information, data, and statistics of the nature described in division (C)(1) of this section, the superintendent or the superintendent's designee may provide and exchange the information, data, and statistics pursuant to the national crime prevention and privacy compact as described in division (A)(5) of this section.

(4) The Ohio law enforcement gateway shall contain the name, confidential address, and telephone number of program participants in the address confidentiality program established under sections 111.41 to 111.47 of the Revised Code.

(5) The attorney general may adopt rules under Chapter 119. of the Revised Code establishing guidelines for the operation of and participation in the Ohio law enforcement gateway. The rules may include criteria for granting and restricting access to information gathered and disseminated through the Ohio law enforcement gateway. The attorney general shall adopt rules under Chapter 119. of the Revised Code that grant access to information in the gateway regarding an address confidentiality program participant under sections 111.41 to 111.47 of the Revised Code to only chiefs of police, village marshals, county sheriffs, county prosecuting

attorneys, and a designee of each of these individuals. The attorney general shall permit the state medical board and board of nursing to access and view, but not alter, information gathered and disseminated through the Ohio law enforcement gateway.

The attorney general may appoint a steering committee to advise the attorney general in the operation of the Ohio law enforcement gateway that is comprised of persons who are representatives of the criminal justice agencies in this state that use the Ohio law enforcement gateway and is chaired by the superintendent or the superintendent's designee.

(D)(1) The following are not public records under section 149.43 of the Revised Code:

(a) Information and materials furnished to the superintendent pursuant to division (A) of this section;

(b) Information, data, and statistics gathered or disseminated through the Ohio law enforcement gateway pursuant to division (C)(1) of this section;

(c) Information and materials furnished to any board or person under division (F) or (G) of this section.

(2) The superintendent or the superintendent's designee shall gather and retain information so furnished under division (A) of this section that pertains to the offense and delinquency history of a person who has been convicted of, pleaded guilty to, or been adjudicated a delinquent child for committing a sexually oriented offense or a child-victim oriented offense for the purposes described in division (C)(2) of this section.

(E)(1) The attorney general shall adopt rules, in accordance with Chapter 119. of the Revised Code and subject to division (E)(2) of this section, setting forth the procedure by which a person may receive or release information gathered by the superintendent pursuant to division (A) of this section. A reasonable fee may be charged for this service. If a temporary employment service submits a request for a determination of whether a person the service plans to refer to an employment position has been convicted of or pleaded guilty to an offense listed or described in division (A)(1), (2), or (3) of section 109.572 of the Revised Code, the request shall be treated as a single request and only one fee shall be charged.

(2) Except as otherwise provided in this division or division (E)(3) or (4) of this section, a rule adopted under division (E)(1) of this section may provide only for the release of information gathered pursuant to division (A) of this section that relates to the conviction of a person, or a person's plea of guilty to, a criminal offense or to the arrest of a person as provided in division (E)(3) of this section. The superintendent shall not release, and the attorney general shall not adopt any rule under division (E)(1) of this section that permits the release of, any information gathered pursuant to division (A)

of this section that relates to an adjudication of a child as a delinquent child, or that relates to a criminal conviction of a person under eighteen years of age if the person's case was transferred back to a juvenile court under division (B)(2) or (3) of section 2152.121 of the Revised Code and the juvenile court imposed a disposition or serious youthful offender disposition upon the person under either division, unless either of the following applies with respect to the adjudication or conviction:

(a) The adjudication or conviction was for a violation of section 2903.01 or 2903.02 of the Revised Code.

(b) The adjudication or conviction was for a sexually oriented offense, the juvenile court was required to classify the child a juvenile offender registrant for that offense under section 2152.82, 2152.83, or 2152.86 of the Revised Code, that classification has not been removed, and the records of the adjudication or conviction have not been sealed or expunged pursuant to sections 2151.355 to 2151.358 or sealed pursuant to section 2952.32 of the Revised Code.

(3) A rule adopted under division (E)(1) of this section may provide for the release of information gathered pursuant to division (A) of this section that relates to the arrest of a person who is eighteen years of age or older when the person has not been convicted as a result of that arrest if any of the following applies:

(a) The arrest was made outside of this state.

(b) A criminal action resulting from the arrest is pending, and the superintendent confirms that the criminal action has not been resolved at the time the criminal records check is performed.

(c) The bureau cannot reasonably determine whether a criminal action resulting from the arrest is pending, and not more than one year has elapsed since the date of the arrest.

(4) A rule adopted under division (E)(1) of this section may provide for the release of information gathered pursuant to division (A) of this section that relates to an adjudication of a child as a delinquent child if not more than five years have elapsed since the date of the adjudication, the adjudication was for an act that would have been a felony if committed by an adult, the records of the adjudication have not been sealed or expunged pursuant to sections 2151.355 to 2151.358 of the Revised Code, and the request for information is made under division (F) of this section or under section 109.572 of the Revised Code. In the case of an adjudication for a violation of the terms of community control or supervised release, the five-year period shall be calculated from the date of the adjudication to which the community control or supervised release pertains.

(F)(1) As used in division (F)(2) of this section, "head start agency"

means an entity in this state that has been approved to be an agency for purposes of subchapter II of the "Community Economic Development Act," 95 Stat. 489 (1981), 42 U.S.C.A. 9831, as amended.

(2)(a) In addition to or in conjunction with any request that is required to be made under section 109.572, 2151.86, 3301.32, 3301.541, division (C) of section 3310.58, or section 3319.39, 3319.391, 3327.10, 3740.11, 5104.013, 5123.081, or 5153.111 of the Revised Code or that is made under section 3314.41, 3319.392, 3326.25, or 3328.20 of the Revised Code, the board of education of any school district; the director of developmental disabilities; any county board of developmental disabilities; any provider or subcontractor as defined in section 5123.081 of the Revised Code; the chief administrator of any chartered nonpublic school; the chief administrator of a registered private provider that is not also a chartered nonpublic school; the chief administrator of any home health agency; the chief administrator of or person operating any child day-care center, type A family day-care home, or type B family day-care home licensed under Chapter 5104. of the Revised Code; the chief administrator of any head start agency; the executive director of a public children services agency; a private company described in section 3314.41, 3319.392, 3326.25, or 3328.20 of the Revised Code; or an employer described in division (J)(2) of section 3327.10 of the Revised Code may request that the superintendent of the bureau investigate and determine, with respect to any individual who has applied for employment in any position after October 2, 1989, or any individual wishing to apply for employment with a board of education may request, with regard to the individual, whether the bureau has any information gathered under division (A) of this section that pertains to that individual. On receipt of the request, subject to division (E)(2) of this section, the superintendent shall determine whether that information exists and, upon request of the person, board, or entity requesting information, also shall request from the federal bureau of investigation any criminal records it has pertaining to that individual. The superintendent or the superintendent's designee also may request criminal history records from other states or the federal government pursuant to the national crime prevention and privacy compact set forth in section 109.571 of the Revised Code. Within thirty days of the date that the superintendent receives a request, subject to division (E)(2) of this section, the superintendent shall send to the board, entity, or person a report of any information that the superintendent determines exists, including information contained in records that have been sealed under section 2953.32 of the Revised Code, and, within thirty days of its receipt, subject to division (E)(2) of this section, shall send the board, entity, or person a report of any information received from the federal bureau of investigation, other than information the dissemination of which is prohibited by federal law.

(b) When a board of education or a registered private provider is

required to receive information under this section as a prerequisite to employment of an individual pursuant to division (C) of section 3310.58 or section 3319.39 of the Revised Code, it may accept a certified copy of records that were issued by the bureau of criminal identification and investigation and that are presented by an individual applying for employment with the district in lieu of requesting that information itself. In such a case, the board shall accept the certified copy issued by the bureau in order to make a photocopy of it for that individual's employment application documents and shall return the certified copy to the individual. In a case of that nature, a district or provider only shall accept a certified copy of records of that nature within one year after the date of their issuance by the bureau.

(c) Notwithstanding division (F)(2)(a) of this section, in the case of a request under section 3319.39, 3319.391, or 3327.10 of the Revised Code only for criminal records maintained by the federal bureau of investigation, the superintendent shall not determine whether any information gathered under division (A) of this section exists on the person for whom the request is made.

(3) The state board of education may request, with respect to any individual who has applied for employment after October 2, 1989, in any position with the state board or the department of education, any information that a school district board of education is authorized to request under division (F)(2) of this section, and the superintendent of the bureau shall proceed as if the request has been received from a school district board of education under division (F)(2) of this section.

(4) When the superintendent of the bureau receives a request for information under section 3319.291 of the Revised Code, the superintendent shall proceed as if the request has been received from a school district board of education and shall comply with divisions (F)(2)(a) and (c) of this section.

(G) In addition to or in conjunction with any request that is required to be made under section 3712.09, 3721.121, or 3740.11 of the Revised Code with respect to an individual who has applied for employment in a position that involves providing direct care to an older adult or adult resident, the chief administrator of a home health agency, hospice care program, home licensed under Chapter 3721. of the Revised Code, or adult day-care program operated pursuant to rules adopted under section 3721.04 of the Revised Code may request that the superintendent of the bureau investigate and determine, with respect to any individual who has applied after January 27, 1997, for employment in a position that does not involve providing direct care to an older adult or adult resident, whether the bureau has any information gathered under division (A) of this section that pertains to that individual.

In addition to or in conjunction with any request that is required to be

made under section 173.27 of the Revised Code with respect to an individual who has applied for employment in a position that involves providing ombudsman services to residents of long-term care facilities or recipients of community-based long-term care services, the state long-term care ombudsman, the director of aging, a regional long-term care ombudsman program, or the designee of the ombudsman, director, or program may request that the superintendent investigate and determine, with respect to any individual who has applied for employment in a position that does not involve providing such ombudsman services, whether the bureau has any information gathered under division (A) of this section that pertains to that applicant.

In addition to or in conjunction with any request that is required to be made under section 173.38 of the Revised Code with respect to an individual who has applied for employment in a direct-care position, the chief administrator of a provider, as defined in section 173.39 of the Revised Code, may request that the superintendent investigate and determine, with respect to any individual who has applied for employment in a position that is not a direct-care position, whether the bureau has any information gathered under division (A) of this section that pertains to that applicant.

In addition to or in conjunction with any request that is required to be made under section 3712.09 of the Revised Code with respect to an individual who has applied for employment in a position that involves providing direct care to a pediatric respite care patient, the chief administrator of a pediatric respite care program may request that the superintendent of the bureau investigate and determine, with respect to any individual who has applied for employment in a position that does not involve providing direct care to a pediatric respite care patient, whether the bureau has any information gathered under division (A) of this section that pertains to that individual.

On receipt of a request under this division, the superintendent shall determine whether that information exists and, on request of the individual requesting information, shall also request from the federal bureau of investigation any criminal records it has pertaining to the applicant. The superintendent or the superintendent's designee also may request criminal history records from other states or the federal government pursuant to the national crime prevention and privacy compact set forth in section 109.571 of the Revised Code. Within thirty days of the date a request is received, subject to division (E)(2) of this section, the superintendent shall send to the requester a report of any information determined to exist, including information contained in records that have been sealed under section 2953.32 of the Revised Code, and, within thirty days of its receipt, shall send the requester a report of any information received from the federal bureau of investigation, other than information the dissemination of which is prohibited

by federal law.

(H) Information obtained by a government entity or person under this section is confidential and shall not be released or disseminated.

(I) The superintendent may charge a reasonable fee for providing information or criminal records under division (F)(2) or (G) of this section.

~~(J)~~(J)(1) The superintendent shall develop and prepare instructions and informational brochures, standard petitions, and extreme risk protection order forms, and a court staff handbook on the extreme risk protection order process. The standard petitions and order forms shall be prepared and available for use not later than six months after the effective date of this amendment, for all petitions filed and orders issued under sections 2923.26 to 2923.30 of the Revised Code. The instructions, brochures, forms, and handbook shall be prepared in consultation with interested parties, including representatives of gun violence prevention groups, judges, and law enforcement personnel. Materials shall be based on best practices and shall be made available online to the public. The petitions and petition forms referred to in divisions (J)(1) to (11) of this section mean both petitions for requesting an extreme risk protection order under section 2923.26 of the Revised Code and applications for requesting an ex parte extreme risk protection order under section 2923.27 of the Revised Code.

(2) The instructions shall be designed to assist petitioners in completing the petition, and shall include a sample of a standard petition and an extreme risk protection order form.

(3) The instructions and standard petition shall include a means for the petitioner to identify, without special knowledge, the firearms the respondent may own, possess, receive, or have in the respondent's custody or control. The instructions shall provide pictures of types of firearms that the petitioner may choose from to identify the relevant firearms, or an equivalent means to allow petitioners to identify firearms without requiring specific or technical knowledge regarding the firearms.

(4) The informational brochure shall describe the use of and the process for obtaining, modifying, and terminating an extreme risk protection order under sections 2923.26 to 2923.30 of the Revised Code and provide relevant forms.

(5) The extreme risk protection order form shall include, in a conspicuous location, notice of criminal penalties resulting from a violation of the order, and the following statement:

"You have the sole responsibility to avoid or refrain from violating this order's provisions. Only the court can change the order and only upon written application."

(6) The court staff handbook shall allow for a clerk of court to add to

the handbook a community resource list.

(7) The superintendent shall distribute a master copy of the petition and order forms, instructions, and informational brochures to every clerk of court and shall distribute a master copy of the petition and order forms to all county courts, municipal courts, and courts of common pleas.

(8) The superintendent shall distribute all documents in an electronic format or formats accessible to all courts and clerks of court in the state and may additionally distribute the documents in other formats.

(9) The superintendent shall determine the significant non-English-speaking or limited English-speaking populations in the state and arrange for translation of the instructions and informational brochures required by this section into the languages spoken by those populations. The translated instructions and informational brochures shall contain a sample of the standard petition and order for protection forms. The superintendent shall distribute a master copy of the translated instructions and informational brochures to every clerk of court not later than one year after the effective date of this amendment.

(10) The superintendent shall update the instructions, brochures, standard petitions and extreme risk protection order forms, and court staff handbook as necessary, including when changes in the law make an update necessary.

(11) Any assistance or information provided by a clerk of court under division (J) of this section does not constitute the practice of law.

(K) In addition to informational brochures and materials made available by the superintendent under division (J) of this section, each clerk of court may create a community resource list of crisis intervention, mental health, substance abuse, interpreter, counseling, and other relevant resources serving the county in which the court is located.

(L) As used in this section:

(1) "Pediatric respite care program" and "pediatric care patient" have the same meanings as in section 3712.01 of the Revised Code.

(2) "Sexually oriented offense" and "child-victim oriented offense" have the same meanings as in section 2950.01 of the Revised Code.

(3) "Registered private provider" means a nonpublic school or entity registered with the superintendent of public instruction under section 3310.41 of the Revised Code to participate in the autism scholarship program or section 3310.58 of the Revised Code to participate in the Jon Peterson special needs scholarship program.

(4) "Extreme risk protection order" and "ex parte extreme risk protection order" have the same meanings as in section 2923.26 of the Revised Code.

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

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

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

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

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

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

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

investigation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

advocacy organization, and that complies with the requirements set forth in division (G) of this section;

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

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

(4) A certification by the applicant that the applicant has read the pamphlet prepared by the Ohio peace officer training commission pursuant to section 109.731 of the Revised Code that reviews 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 license under this section, the supporting documentation, and, if not waived, the license fee, the sheriff shall make available through the law enforcement automated data system in accordance with division (H) of this section the information described in that division and, upon making the information available through the system, shall issue to the applicant a concealed handgun license that shall expire as described in division (D)(2)(a) of this section if all of the following apply:

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

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

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

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

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

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

committed by an adult would be a misdemeanor violation of section 2923.1211 of the Revised Code.

(g) Except as otherwise provided in division (D)(1)(e) of this section, the applicant, within five years of the date of the application, has not been convicted of, pleaded guilty to, or 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 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, an extreme risk protection order or ex parte extreme risk protection order issued under sections 2923.26 to 2923.30 of the Revised Code, 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 for defense of the applicant or a member of the applicant's family while engaged in lawful activity.

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

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

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

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

(p) If the applicant is not a United States citizen, the applicant is an

alien and has not been admitted to the United States under a nonimmigrant visa, as defined in the "Immigration and Nationality Act," 8 U.S.C. 1101(a) (26).

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

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

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

(2)(a) A concealed handgun license that a sheriff issues under division (D)(1) of this section shall expire five years after the date of issuance.

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 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 license was filed under this section becomes aware that the applicant has

been arrested for or otherwise charged with an offense that would disqualify the applicant from holding the license, the sheriff shall suspend the processing of the application until the disposition of the case arising from the arrest or charge.

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

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

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

(F)(1)(a) Except as provided in division (F)(1)(b) of this section, a licensee who wishes to renew a concealed handgun license issued under this section may do so at any time before the expiration date of the license or at any time after the expiration date of the license by filing with the sheriff of the county in which the applicant resides or with the sheriff of an adjacent county, or in the case of an applicant who resides in another state with the sheriff of the county that issued the applicant's previous concealed handgun

license an application for renewal of the license obtained pursuant to division (D) of this section, a certification by the applicant that, subsequent to the issuance of the license, the applicant has reread the pamphlet prepared by the Ohio peace officer training commission pursuant to section 109.731 of the Revised Code that reviews firearms, dispute resolution, and use of deadly force matters, and a nonrefundable license renewal fee in an amount determined pursuant to division (F)(4) of this section unless the fee is waived.

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

(2) A sheriff shall accept a completed renewal application, the license renewal fee, and the information specified in division (F)(1) of this section at the times and in the manners described in division (I) of this section. Upon receipt of a completed renewal application, of certification that the applicant has reread the specified pamphlet prepared by the Ohio peace officer training commission, and of a license renewal fee unless the fee is waived, a sheriff, in the manner specified in section 311.41 of the Revised Code shall conduct or cause to be conducted the criminal records check and the incompetency records check described in section 311.41 of the Revised Code. The sheriff shall renew the license if the sheriff determines that the applicant continues to satisfy the requirements described in division (D)(1) of this section, except that the applicant is not required to meet the requirements of division (D)(1) (l) of this section. A renewed license shall expire five years after the date of issuance. A renewed license is subject to division (E) of this section and sections 2923.126 and 2923.128 of the Revised Code. A sheriff shall comply with divisions (D)(2) and (3) of this section when the circumstances described in those divisions apply to a requested license renewal. If a sheriff

denies the renewal of a concealed handgun license, the applicant may appeal the denial, or challenge the criminal record check results that were the basis of the denial if applicable, in the same manner as specified in division (D)(2)(b) of this section and in section 2923.127 of the Revised Code, regarding the denial of a license under this section.

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

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

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

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

(5) The concealed handgun license of a licensee who is no longer a resident of this state or no longer employed in this state, as applicable, is valid until the date of expiration on the license, and the licensee is prohibited from renewing the concealed handgun license.

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

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

ammunition;

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

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

(d) Gun handling training;

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

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

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

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

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

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

engages the person.

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

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

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

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

United States for the remainder of that year.

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

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

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

(b) A suspension under division (A)(2)(a) of this section shall be considered as beginning on the date that the licensee is convicted of or pleads guilty to the offense described in that division, irrespective of when the sheriff notifies the licensee under division (A)(3) of this section. If the suspension is imposed for a misdemeanor violation of division (B)(1) or (2) of section 2923.12 of the Revised Code or of division (E)(1), (2), or (3) of section 2923.16 of the Revised Code, it shall end on the date that is one year after the date that the licensee is convicted of or pleads guilty to that violation. If the suspension is imposed for a misdemeanor violation of division (B)(4) of section 2923.12 of the Revised Code or of division (E)(5) of section 2923.16 of the Revised Code, it shall end on the date that is two years after the date that the licensee is convicted of or pleads guilty to that

violation. If the licensee's license was issued under section 2923.125 of the Revised Code and the license remains valid after the suspension ends as described in this division, when the suspension ends, the sheriff shall return the license to the licensee. If the licensee's license was issued under section 2923.125 of the Revised Code and the license expires before the suspension ends as described in this division, or if the licensee's license was issued under section 2923.1213 of the Revised Code, the licensee is not eligible to apply for a new license under section 2923.125 or 2923.1213 of the Revised Code or to renew the license under section 2923.125 of the Revised Code until after the suspension ends as described in this division.

(c) The license of a licensee who is convicted of or pleads guilty to a violation of division (B)(1) of section 2923.12 or division (E)(1) or (2) of section 2923.16 of the Revised Code shall 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 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 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 license to a licensee shall revoke the license in accordance with division (B)(2) of this section upon becoming aware that the licensee satisfies any of the following:

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

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

(c) Subject to division (C) of this section, on or after the date on which the license was issued, the licensee is convicted of or pleads guilty to a

violation of section 2923.15 of the Revised Code or an offense described in division (D)(1)(e), (f), (g), or (h) of section 2923.125 of the Revised Code.

(d) On or after the date on which the license was issued, the licensee becomes subject to an extreme risk protection order or ex parte extreme risk protection order issued under sections 2923.26 to 2923.30 of the Revised Code, a civil protection order or to a protection order issued by a court of another state that is substantially equivalent to a civil protection order.

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

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

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

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

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

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

the license was issued the licensee has been convicted of or pleaded guilty to an offense identified in division (A)(2)(a) or (B)(1)(c) of this section, the sheriff shall not consider that conviction, guilty plea, or adjudication as having occurred for purposes of divisions (A)(2), (A)(3), (B)(1), and (B)(2) of this section if a court has ordered the sealing or expungement of the records of that conviction, guilty plea, or adjudication pursuant to sections 2151.355 to 2151.358 or sections 2953.31 to 2953.36 of the Revised Code or the licensee has been relieved under operation of law or legal process from the disability imposed pursuant to section 2923.13 of the Revised Code relative to that conviction, guilty plea, or adjudication.

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

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

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

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

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

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

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

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

(b) A sworn affidavit that contains all of the information required to be on the license and attesting that the person is legally living in the United States; is at least twenty-one years of age; is not a fugitive from justice; is not under indictment for or otherwise charged with an offense identified in division (D)(1)(d) of section 2923.125 of the Revised Code; has not been convicted of or pleaded guilty to an offense, and has not been adjudicated a delinquent child for committing an act, identified in division (D)(1)(e) of that

section and to which division (B)(3) of this section does not apply; within three years of the date of the submission, has not been convicted of or pleaded guilty to an offense, and has not been adjudicated a delinquent child for committing an act, identified in division (D)(1)(f) of that section and to which division (B)(3) of this section does not apply; within five years of the date of the submission, has not been convicted of, pleaded guilty, or adjudicated a delinquent child for committing two or more violations identified in division (D)(1)(g) of that section; within ten years of the date of the submission, has not been convicted of, pleaded guilty, or adjudicated a delinquent child for committing a violation identified in division (D)(1)(h) of that section and to which division (B)(3) of this section does not apply; has not been adjudicated as a mental defective, has not been committed to any mental institution, is not under adjudication of mental incompetence, has not been found by a court to be a mentally ill person subject to court order, and is not an involuntary patient other than one who is a patient only for purposes of observation, as described in division (D)(1)(i) of that section; is not currently subject to a civil protection order, a temporary protection order, an extreme risk protection order or ex parte extreme risk protection order issued under sections 2923.26 to 2923.30 of the Revised Code, or a protection order issued by a court of another state, as described in division (D)(1)(j) of that section; is not currently subject to a suspension imposed under division (A)(2) of section 2923.128 of the Revised Code of a concealed handgun license that previously was issued to the person or a similar suspension imposed by another state regarding a concealed handgun license issued by that state; is not an unlawful user of or addicted to any controlled substance as defined in 21 U.S.C. 802; if applicable, is an alien and has not been admitted to the United States under a nonimmigrant visa, as defined in the "Immigration and Nationality Act," 8 U.S.C. 1101(a)(26); has not been discharged from the armed forces of the United States under dishonorable conditions; if applicable, has not renounced the applicant's United States citizenship; and has not been convicted of, pleaded guilty to, or been adjudicated a delinquent child for committing a violation identified in division (D)(1)(s) of section 2923.125 of the Revised Code;

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

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

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

criminal identification and investigation pursuant to section 311.41 of the Revised Code.

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

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

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

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

numbers in accordance with division (A)(2)(c) of that section.

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

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

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

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

(C) A person who holds a concealed handgun license on a temporary emergency basis has the same right to carry a concealed handgun as a person who was issued a concealed handgun license under section 2923.125 of the Revised Code, and any exceptions to the prohibitions contained in section 1547.69 and sections 2923.12 to 2923.16 of the Revised Code for a licensee under section 2923.125 of the Revised Code apply to a licensee under this section. The person is subject to the same restrictions, and to all other procedures, duties, and sanctions, that apply to a person who carries a license issued under section 2923.125 of the Revised Code, other than the license renewal procedures set forth in that section.

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

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

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

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

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

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

Sec. 2923.13. (A) Unless relieved from disability under operation of law or legal process, no person shall knowingly acquire, have, carry, or use any firearm or dangerous ordnance, if any of the following apply:

(1) The person is a fugitive from justice.

(2) The person is under indictment for or has been convicted of any felony offense of violence or has been adjudicated a delinquent child for the commission of an offense that, if committed by an adult, would have been a felony offense of violence.

(3) The person is under indictment for or has been convicted of any felony offense involving the illegal possession, use, sale, administration, distribution, or trafficking in any drug of abuse or has been adjudicated a delinquent child for the commission of an offense that, if committed by an adult, would have been a felony offense involving the illegal possession, use, sale, administration, distribution, or trafficking in any drug of abuse.

(4) The person is drug dependent, in danger of drug dependence, or a chronic alcoholic.

(5) The person is under adjudication of mental incompetence, has been adjudicated as a mental defective, has been committed to a mental institution, has been found by a court to be a mentally ill person subject to court order, or is 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.~~

(6) The person has been found guilty of having a firearm while under extreme risk protection order disability, and is prohibited from acquiring, having, carrying, or using a firearm under section 2923.99 of the Revised Code.

(B) Whoever violates this section is guilty of having weapons while under disability, a felony of the third degree.

(C) For the purposes of this section, ~~"under":~~

(1) "Under operation of law or legal process" shall not itself include mere completion, termination, or expiration of a sentence imposed as a result of a criminal conviction.

(2) "Mentally ill person subject to court order" and "patient" have the same meanings as in section 5122.01 of the Revised Code.

Sec. 2923.26. (A) As used in this section and sections 2923.27 to 2923.30 of the Revised Code:

(1) "Extreme risk protection order" means a final order granted under section 2923.26 of the Revised Code.

(2) "Ex parte extreme risk protection order" means an ex parte order granted under section 2923.27 of the Revised Code.

(3) "Family or household member" means, with respect to a respondent, any of the following:

(a) A person related by blood, marriage, or adoption to the respondent;

(b) A person in a dating relationship with the respondent;

(c) A person who has a child in common with the respondent, regardless of whether the person has been married to the respondent or has lived together with the respondent at any time;

(d) A person who resides with the respondent or who has resided with the respondent within the past year;

(e) A person who has a biological or legal parent-child relationship with the respondent, including a stepparent, stepchild, grandparent, and grandchild of the respondent;

(f) A person who is acting or has acted as the respondent's legal guardian.

(4) "Petitioner" means the person who petitions for an extreme risk protection order under this section.

(5) "Respondent" means the person who is identified as the subject of a petition for an extreme risk protection order under this section.

(6) "Law enforcement officer" means a sheriff, deputy sheriff, constable, police officer of a township or joint police district, municipal police officer, or state highway patrol trooper.

(7) "Law enforcement agency" means a municipal or township police department, a county sheriff's office, or the state highway patrol.

(B)(1) Any of the following persons may seek relief under sections 2923.26 to 2923.30 of the Revised Code by filing a petition for an extreme risk protection order in the court of common pleas in the county where the

petitioner resides or in the county where the respondent resides:

(a) A family or household member of the respondent;

(b) A law enforcement officer or law enforcement agency.

(2) If a petitioner files a petition for an extreme risk protection order, in addition to the petition, the petitioner may file an application for an ex parte extreme risk protection order under section 2923.27 of the Revised Code. An application for an ex parte extreme risk protection order may be filed as specified in that section in the court of common pleas in which the petition is filed or in a county court or municipal court. If a petitioner who files a petition for an extreme risk protection order also files an application for an ex parte extreme risk protection order, except as expressly specified to the contrary, the provisions of this section apply with respect to the petition that is related to the application.

(C) A petition for an extreme risk protection order shall include all of the following:

(1) An allegation that the respondent poses a significant danger of causing personal injury to self or others by having in the respondent's custody or control, purchasing, possessing, or receiving a firearm, accompanied by an affidavit made under oath stating the specific statements, actions, or facts that give rise to a reasonable fear of future dangerous acts by the respondent;

(2) An inventory list including the number, types, and locations of every firearm the petitioner believes to be in the respondent's ownership, possession, custody, or control;

(3) A list of any protection order issued under section 2151.34, 2903.213, 2903.214, 2919.26, or 3113.31 of the Revised Code to which the respondent is subject and of which the petitioner is aware;

(4) A list of any pending lawsuit, complaint, petition, or other legal action between the parties.

(D) The court shall verify the terms of any existing order governing the parties but shall not delay granting relief under this section or section 2923.27 of the Revised Code because an action is pending between the parties. A petition for an extreme risk protection order may be granted whether or not an action between the parties is pending.

(E) If the petitioner for an extreme risk protection order is a law enforcement officer or agency, the petitioner shall make a good faith effort to provide notice to a family or household member or third party who may be at risk of violence. The notice shall state that the petitioner intends to petition the court for an extreme risk protection order or that the petitioner has already done so, and include referrals to appropriate resources, including mental health, domestic violence, and counseling resources. The petitioner shall attest in the petition to having provided this notice, or attest to the steps

that will be taken to provide the notice.

(F) If the petition for an extreme risk protection order states that disclosure of the petitioner's address would risk harm to the petitioner or any member of the petitioner's family or household, the petitioner's address may be omitted from all documents filed with the court. If the petitioner has not disclosed an address under this division, the petitioner shall designate an alternate address at which the respondent may serve notice of any motions. If the petitioner is a law enforcement officer or agency, the address of record shall be the address of the law enforcement agency.

(G) The court shall not charge a fee to a petitioner for filing a petition under this section or for filing an application for an ex parte extreme risk protection order under section 2923.27 of the Revised Code, and shall not charge the petitioner for service of process of the petition. The court shall provide the necessary certified copies and forms and shall provide materials explaining the process of filing a petition for an extreme risk protection order to persons free of charge.

(H) No petitioner for an extreme risk protection order shall be required to post a bond to obtain relief under this section or sections 2923.27 to 2923.30 of the Revised Code.

(I)(1) Upon receiving a petition for an extreme risk protection order, the court shall do all of the following, subject to division (I)(2) of this section:

(a) Order a hearing to be held not later than fourteen days after the date the petition is filed;

(b) Issue a notice of the date, time, and location of the hearing to the respondent named in the petition;

(c) Cause a copy of the notice of hearing and petition to be forwarded on or before the next judicial day to a local law enforcement agency for service on the respondent.

(2) If a petitioner who files a petition for an extreme risk protection order also files an application for an ex parte extreme risk protection order under section 2923.27 of the Revised Code with respect to the same respondent, the court shall order the hearing specified in division (I)(1)(a) of this section, but except as provided in division (E)(4) of section 2923.27 of the Revised Code, the court shall not issue the notice under division (I)(1)(b) of this section, cause the copy of the notice and petition to be served under division (I)(1)(c) of this section, or conduct the hearing.

(J) The court may do either of the following with respect to a petition for an extreme risk protection order:

(1) Subject to division (K) of this section, schedule a hearing by telephone pursuant to local court rule, to reasonably accommodate a

disability, or, in exceptional circumstances, to protect a petitioner from potential harm;

(2) Issue an ex parte extreme risk protection order under section 2923.27 of the Revised Code, if an application for such an order is made under that section.

(K) The court shall require assurances of the petitioner's identity before conducting a telephonic hearing under division (J)(1) of this section.

(L) Except as otherwise provided in this division, the local law enforcement agency shall personally serve the petition and notice of the hearing on the respondent not less than five judicial days prior to the hearing. If the petitioner who filed the petition for an extreme risk protection order also filed an application for an ex parte extreme risk protection order under section 2923.27 of the Revised Code with respect to the same respondent, the agency shall serve the notice and petition as specified in division (E)(3) or (4) of section 2923.27 of the Revised Code. Service issued under this section shall take precedence over other service of other documents, unless those documents are also of an emergency nature. If the local law enforcement agency cannot serve process under this section within the time period specified, the court shall set a new hearing date and either require the local law enforcement agency to attempt personal service again or shall permit service by publication or mail as provided in division (H) of section 2923.28 of the Revised Code. The court shall not require more than two attempts at obtaining personal service and shall permit service by publication or mail after two attempts unless the petitioner requests additional time to attempt personal service. If the court issues an order that permits service by publication or mail, the court shall set the hearing date not later than twenty-four days after the date the order is issued.

(M)(1) Upon hearing a petition for an extreme risk protection order, subject to division (M)(2) of this section, if the court finds by a preponderance of the evidence that the respondent poses a significant danger of causing personal injury to self or others by having custody or control of a firearm or the ability to purchase, possess, or receive a firearm, the court shall issue an extreme risk protection order for a period of one hundred eighty days.

(2) Division (M)(1) of this section does not apply to a determination of whether an ex parte extreme risk protection order should be issued under section 2923.27 of the Revised Code. Divisions (B) and (C) of that section govern the determination of whether such an order should be issued. If a court issues an ex parte extreme risk protection order under that section, division (M)(1) of this section applies in determining whether to issue a final extreme risk protection order after a hearing held on the related petition for an order. If a court denies an application for an ex parte extreme risk

protection order under that section, division (M)(1) of this section applies in determining whether to issue an extreme risk protection order after a hearing held on the related petition for an order.

(N) In determining whether grounds for an extreme risk protection order exist under division (M)(1) of this section or whether grounds for an ex parte extreme risk protection order exist under divisions (B) and (C) of section 2923.27 of the Revised Code, the court may do any of the following:

(1) Consider any relevant evidence including any of the following:

(a) A recent act or threat of violence by the respondent against the respondent or against another, whether or not the violence or threat involves a firearm;

(b) A pattern of acts or threats of violence by the respondent within the past twelve months, including acts or threats of violence by the respondent against the respondent or against others;

(c) Any dangerous mental health issues of the respondent;

(d) A violation by the respondent of any of the following:

(i) A protection order issued or consent agreement approved pursuant to section 2919.26 or 3113.31 of the Revised Code;

(ii) A protection order issued pursuant to section 2151.34, 2903.213, or 2903.214 of the Revised Code;

(iii) A protection order issued by a court of another state.

(e) A previous or existing extreme risk protection order issued against the respondent;

(f) A violation of a previous or existing extreme risk protection order issued against the respondent;

(g) A conviction of the respondent for a violation of section 2919.25 of the Revised Code;

(h) The respondent's ownership, access to, or intent to possess firearms;

(i) The unlawful or reckless use, display, or brandishing of a firearm by the respondent;

(j) The history of use, attempted use, or threatened use of physical force by the respondent against another person, or the respondent's history of stalking another person;

(k) Any prior arrest of the respondent for a felony offense or violent crime;

(l) Corroborated evidence of the abuse of controlled substances or alcohol by the respondent;

(m) Evidence of recent acquisition of firearms by the respondent.

(2) Examine under oath the petitioner, the respondent, and any witness called by the petitioner or respondent;

(3) Ensure that a reasonable search has been conducted for criminal history records related to the respondent.

(O) During a hearing for an extreme risk protection order, the court shall consider whether a mental health evaluation or chemical dependency evaluation is appropriate and may order such an evaluation if appropriate.

(P) An extreme risk protection order issued under this section shall include all of the following:

(1) A statement of the grounds supporting the order;

(2) The date and time that the order was issued;

(3) The date and time the order expires;

(4) Whether a mental health evaluation or chemical dependency evaluation of the respondent is required;

(5) The address of the court in which any responsive pleading should be filed;

(6) A description of the requirements for relinquishment of firearms under section 2923.30 of the Revised Code;

(7) The following statement:

"To the subject of the protection order:

This order will last until the date and time noted above. If you have not done so already, you must surrender to the (insert name of local law enforcement agency) all firearms in your custody, control, or possession and any license to carry a concealed handgun issued to you under section 2923.125 or 2923.1213 of the Revised Code. You may not have in your custody or control, purchase, possess, receive, or attempt to purchase or receive, a firearm while this order is in effect. You have the right to request one hearing to terminate this order every one-hundred-eighty-day period that this order is in effect, starting from the date of this order and continuing through any renewals. You may seek the advice of an attorney as to any matter connected with this order."

(Q) When the court issues an extreme risk protection order under this section, the court shall inform the respondent that the respondent is entitled to request termination of the order in the manner prescribed in section 2923.29 of the Revised Code.

(R) If the court declines to issue an extreme risk protection order under this section, the court shall state the particular reasons for denial in the court's order.

(S) Sections 2923.26 to 2923.30 of the Revised Code do not affect the ability of a law enforcement officer to remove a firearm or concealed handgun license from any person or conduct any search and seizure for firearms pursuant to any other lawful authority.

Sec. 2923.27. (A) A petitioner who files a petition for an extreme risk protection order under section 2923.26 of the Revised Code may request that an ex parte extreme risk protection order be issued before a hearing for an extreme risk protection order under that section, without notice to the respondent, by filing an application for an ex parte extreme risk protection order in a court of common pleas, county court, or municipal court. An application for an ex parte order shall include detailed allegations based on personal knowledge that the respondent poses a significant danger of causing personal injury to self or others in the near future by having custody or control of a firearm or the ability to purchase, possess, or receive a firearm. The application shall be filed in addition to the petition for the extreme risk protection order.

(B) In considering whether to issue an ex parte extreme risk protection order under this section, the court that receives the application shall consider all relevant evidence, including the evidence described in division (N)(1) of section 2923.26 of the Revised Code.

(C) If a court finds there is reasonable cause to believe that the respondent poses a significant danger of causing personal injury to self or others in the near future by having custody or control of a firearm or the ability to purchase, possess, or receive a firearm, the court shall issue an ex parte extreme risk protection order.

(D) The court shall hold an ex parte extreme risk protection order hearing in person or by telephone on the day the petition is filed or on the judicial day immediately following the day the petition is filed.

(E)(1) If a court of common pleas issues an ex parte extreme risk protection order, the court shall schedule a hearing to be held within three days of the issuance of the order to determine if an extreme risk protection order should be issued and shall hold the hearing on the date, and at the time and place, scheduled.

(2) If a county court or municipal court issues an ex parte extreme risk protection order, the court shall transfer the case to the court of common pleas and that court shall schedule a hearing to be held within three days of the issuance of the order to determine if an extreme risk protection order should be issued, and shall hold the hearing on the date, and at the time and place, scheduled.

(3) If a court of common pleas, county court, or municipal court issues an ex parte extreme risk protection order, the hearing scheduled under division (I)(1)(a) of section 2923.26 of the Revised Code shall not be

conducted. Instead, the appropriate court shall conduct the hearing scheduled under division (E)(1) or (2) of this section to determine if an extreme risk protection order should be issued. The court shall issue a notice of the date, time, and location of the hearing to the respondent and shall cause a copy of the notice of the hearing and petition to be forwarded on or before the next judicial day to a local law enforcement agency for service on the respondent. The local law enforcement agency shall personally serve the notice of the hearing and petition on the day that it is received and shall serve the ex parte order concurrently with the notice.

(4) If a petitioner files an application requesting that an ex parte extreme risk protection order be issued and the court denies the application, the court in which the petition was filed under section 2923.26 of the Revised Code shall conduct the hearing scheduled under division (I)(1)(a) of that section to determine if an extreme risk protection order should be issued. The court shall issue the notice under division (I)(1)(b) of that section and cause the copy of the notice and petition to be served under division (I)(1)(c) of that section. The local law enforcement agency that is served with the copy of the notice and petition shall personally serve the petition and notice of the hearing on the respondent not less than five judicial days prior to the hearing.

(F) An ex parte extreme risk protection order issued under this section shall include all of the following:

(1) A statement of the grounds asserted for the order;

(2) The date and time the order was issued;

(3) The date and time the order expires;

(4) The address of the court in which any responsive pleading should be filed;

(5) The date, time, and location of the hearing scheduled under division (E)(1) or (2) of this section;

(6) A description of the requirements for surrender of firearms under section 2923.30 of the Revised Code;

(7) The following statement:

"To the subject of this protection order:

This order is valid until the date and time noted above. You are required to surrender all firearms in your custody, control, or possession. You may not have in your custody or control, purchase, possess, receive, or attempt to purchase or receive, a firearm while this order is in effect. You must immediately surrender to the (insert name of local law enforcement agency) all firearms in your custody, control, or possession and any license to carry a concealed handgun issued to you under section 2923.125 or 2923.1213 of the Revised Code immediately. A hearing will be held on the date and at the time and location noted above to determine if an extreme risk

protection order should be issued. Failure to appear at that hearing may result in a court making an order against you that is valid for one hundred eighty days. You may seek the advice of an attorney as to any matter connected with this order."

(G) Any ex parte extreme risk protection order issued under this section expires upon the hearing on the petition for the extreme risk protection order.

(H) If the court of common pleas, county court, or municipal court declines to issue an ex parte extreme risk protection order, the court shall state the particular reasons for the denial.

Sec. 2923.28. (A) An extreme risk protection order issued under section 2923.26 of the Revised Code shall be personally served upon the respondent, except as otherwise provided in sections 2923.26 to 2923.30 of the Revised Code.

(B) The law enforcement agency with jurisdiction over the area in which the respondent resides shall serve the respondent personally unless the petitioner elects to have the respondent served by a private party.

(C) If service by the local law enforcement agency is to be used, the clerk of court shall cause a copy of the order issued under section 2923.26 of the Revised Code to be forwarded on or before the next judicial day to the local law enforcement agency specified in the order for service upon the respondent.

(D) If the law enforcement agency is unable to complete service on the respondent within ten days, the law enforcement agency shall notify the petitioner. The petitioner shall provide any information necessary to allow the law enforcement agency to complete service on the respondent.

(E) If an order entered by the court specifies that the respondent appeared in person before the court, further service is waived and proof of service is not necessary.

(F) If the court previously entered an order allowing service of the notice and petition or an ex parte extreme risk protection order by publication or mail under division (H) of this section, or if the court finds there are now grounds to allow for that method of service, the court may permit service by publication or mail of the extreme risk protection order as provided in that division.

(G) Return of service under sections 2923.26 to 2923.30 of the Revised Code shall be made in accordance with applicable rules of court.

(H) The court may order service by publication or service by mail as provided by the Rules of Civil Procedure except that any summons shall contain the name of the respondent and petitioner, the date and time of the hearing, and any ex parte extreme risk protection order that has been issued

against the respondent, and the following notice:

"If you fail to respond, an extreme risk protection order may be issued against you pursuant to sections 2923.26 to 2923.30 of the Revised Code for one hundred eighty days from the date you are required to appear."

(I) If the court orders service by publication or mail for notice of an extreme risk protection order hearing, it shall also reissue the ex parte extreme risk protection order, if issued, to expire on the date of the extreme risk protection order hearing.

(J) Following completion of service by publication or by mail for notice of an extreme risk protection order hearing, if the respondent fails to appear at the hearing, the court may issue an extreme risk protection order as provided in section 2923.26 of the Revised Code.

(K) The clerk of the court shall enter any extreme risk protection order or ex parte extreme risk protection order issued under sections 2923.26 to 2923.30 of the Revised Code into a statewide judicial information system on the same day such order is issued.

(L) The clerk of the court shall forward a copy of an order issued under sections 2923.26 to 2923.30 of the Revised Code the same day the order is issued to the appropriate law enforcement agency specified in the order. Upon receipt of the copy of the order, the law enforcement agency shall enter the order into the national instant criminal background check system, any other federal or state computer-based systems used by law enforcement or others to identify prohibited purchasers of firearms, and any computer-based criminal intelligence information system available in this state used by law enforcement agencies to list outstanding warrants. The order shall remain in each system for the period stated in the order, and the law enforcement agency shall only remove orders from the systems that have expired or terminated. Entry into the computer-based criminal intelligence information system constitutes notice to all law enforcement agencies of the existence of the order. The order is fully enforceable in any county in the state.

(M)(1) The issuing court shall, within three judicial days after issuance of an extreme risk protection order or ex parte extreme risk protection order, forward a copy of the respondent's driver's license or state identification card, or comparable information, along with the date of the order's issuance, to the sheriff that has issued a concealed handgun license to the respondent. Upon receipt of the information, the sheriff shall immediately revoke the respondent's license in accordance with division (B) of section 2923.128 of the Revised Code.

(2) The court, if necessary, may apply for access to the law enforcement automated data system to identify a sheriff that has issued a concealed handgun license to a respondent. For purposes of this inquiry, the

court is a criminal justice agency.

(N) If an extreme risk protection order is terminated before its expiration date, the clerk of the court shall forward the same day a copy of the termination order to the appropriate law enforcement agency specified in the termination order. Upon receipt of the order, the law enforcement agency shall promptly remove the order from any computer-based system in which it was entered pursuant to division (L) of this section.

Sec. 2923.29. (A) The respondent may submit one written request for a hearing to terminate an extreme risk protection order issued under sections 2923.26 to 2923.30 of the Revised Code every one-hundred-eighty-day period that the order is in effect, starting from the date of the order and continuing through any renewals.

(1) Upon receipt of the request for a hearing to terminate an extreme risk protection order, the court shall set a date for a hearing. Notice of the request shall be served on the petitioner in accordance with the Rules of Civil Procedure. The hearing shall occur not sooner than fourteen days and not later than thirty days after the date the petitioner is served with the request.

(2) The respondent shall have the burden of proving by a preponderance of the evidence that the respondent does not pose a significant danger of causing personal injury to self or others by having custody or control of a firearm or the ability to purchase, possess, or receive a firearm. The court may consider any relevant evidence, including evidence of the considerations listed in division (N)(1) of section 2923.26 of the Revised Code.

(3) If the court finds after the hearing that the respondent has met the respondent's burden, the court shall terminate the order.

(B) The court shall notify the petitioner of the impending expiration of an extreme risk protection order. Notice shall be received by the petitioner sixty calendar days before the date the order expires.

(C) A family or household member of a respondent or a law enforcement officer or agency may by motion request a renewal of an extreme risk protection not sooner than sixty calendar days before the expiration of the order.

(D) Upon receipt of a motion to renew, the court shall order that a hearing be held not later than fourteen days from the date of the request for renewal. The court may schedule a hearing by telephone in the manner prescribed by division (J)(1) of section 2923.26 of the Revised Code. The respondent shall be personally served in the same manner prescribed by divisions (I)(3) and (L) of section 2923.26 of the Revised Code.

(E) In determining whether to renew an extreme risk protection order under this section, the court shall consider all relevant evidence presented by

the petitioner and follow the same procedure as provided in section 2923.26 of the Revised Code.

If the court finds by a preponderance of the evidence that the requirements for issuance of an extreme risk protection order as provided in section 2923.26 of the Revised Code continue to be met, the court shall renew the order. However, if, after notice, the motion for renewal is uncontested and the petitioner seeks no modification of the order, the order may be renewed on the basis of the petitioner's motion or affidavit stating that there has been no material change in relevant circumstances since entry of the order and stating the reason for the requested renewal.

(F) The renewal of an extreme risk protection order has a duration of one hundred eighty days, subject to termination as provided in division (A) of this section or further renewal by order of the court.

Sec. 2923.30. (A) Upon issuance of any extreme risk protection order or ex parte extreme risk protection order under sections 2923.26 to 2923.30 of the Revised Code, the court shall order the respondent to surrender to the local law enforcement agency all firearms in the respondent's custody, control, or possession and any license to carry a concealed handgun issued to the respondent under section 2923.125 or 2923.1213 of the Revised Code.

(B) The law enforcement officer serving any extreme risk protection order or ex parte extreme risk protection order issued under sections 2923.26 to 2923.30 of the Revised Code shall request that the respondent immediately surrender all firearms in the respondent's custody, control, or possession and any license to carry a concealed handgun issued to the respondent under section 2923.125 or 2923.1213 of the Revised Code, and conduct any search permitted by law for such firearms.

(C) The law enforcement officer shall take possession of all firearms belonging to the respondent that are surrendered, in plain sight, or discovered pursuant to a lawful search. Alternatively, if personal service by a law enforcement officer is not possible, or not required because the respondent was present at the extreme risk protection order hearing, the respondent shall surrender the firearms in a safe manner to the control of the local law enforcement agency within forty-eight hours of being served with the order by alternate service or within forty-eight hours of the hearing at which the respondent was present.

(D) At the time of surrender, a law enforcement officer taking possession of a firearm or concealed handgun license shall issue a receipt identifying all firearms that have been surrendered and provide a copy of the receipt to the respondent. Within seventy-two hours after service of the order, the officer serving the order shall file the original receipt with the court and shall ensure that the officer's law enforcement agency retains a copy of the receipt.

(E) Upon the sworn statement or testimony of the petitioner or of any law enforcement officer alleging that the respondent has failed to comply with the surrender of firearms as required by an order issued under sections 2923.26 to 2923.30 of the Revised Code, the court shall determine whether probable cause exists to believe that the respondent has failed to surrender all firearms in the respondent's possession, custody, or control. If probable cause exists, the court shall issue a warrant describing the firearms and authorizing a search of the locations where the firearms are reasonably believed to be and the seizure of any firearms discovered pursuant to such search.

(F) If a person other than the respondent claims title to any firearm surrendered pursuant to this section, and the other person is determined by the law enforcement agency to be the lawful owner of the firearm, the firearm shall be returned to the other person, provided that both of the following apply:

(1) The firearm is removed from the respondent's custody, control, or possession and the lawful owner agrees to store the firearm in a manner such that the respondent does not have access to or control of the firearm.

(2) The lawful owner is not prohibited from possessing the firearm under state or federal law.

(G) Upon the issuance of an extreme risk protection order, the court shall order a new hearing date and require the respondent to appear not later than three judicial days from the issuance of the order. The court shall require a showing that the respondent has surrendered any firearms in the respondent's custody, control, or possession. The court may dismiss the hearing upon a satisfactory showing that the respondent is in compliance with the order.

(H) All law enforcement agencies shall develop policies and procedures not later than six months after the effective date of this section regarding the acceptance, storage, and return of firearms required to be surrendered under sections 2923.26 to 2923.30 of the Revised Code.

(I) If an extreme risk protection order is terminated or expires without renewal or an ex parte extreme risk protection order expires and an extreme risk protection order is not issued regarding the respondent, a law enforcement agency holding any firearm that has been surrendered pursuant to sections 2923.26 to 2923.30 of the Revised Code shall return any surrendered firearm requested by a respondent only after confirming, through a background check, that the respondent is currently eligible to own or possess firearms under federal and state law and after confirming with the court that the extreme risk protection order has terminated or has expired without renewal.

(J) A law enforcement agency shall, if requested by a family or household member of a respondent, provide prior notice of the return of a

firearm to a respondent to that family or household member.

(K) Any firearm surrendered by a respondent pursuant to this section that remains unclaimed by the lawful owner shall be disposed of in accordance with the law enforcement agency's policies and procedures for the disposal of firearms in police custody.

Sec. 2923.99. (A) Except as provided in this section, sections 2923.26 to 2923.30 of the Revised Code do not impose criminal or civil liability on any person or entity for acts or omissions related to obtaining an extreme risk protection order or ex parte extreme risk protection order including for reporting, declining to report, investigating, declining to investigate, filing, or declining to file a petition under those sections.

(B)(1) No person shall do either of the following:

(a) File a petition for an extreme risk protection order under section 2923.26 of the Revised Code alleging that the respondent poses a significant danger of causing personal injury to self or others by having in the respondent's custody or control, purchasing, possessing, or receiving a firearm if the person knows the allegation is false;

(b) File an application for an ex parte extreme risk protection order under section 2923.27 of the Revised Code alleging that the respondent poses a significant danger of causing personal injury to self or others in the near future by having custody or control of a firearm or the ability to purchase, possess, or receive a firearm if the person knows the allegation is false.

(2) An individual injured in person or property by a violation of division (B)(1)(a) or (b) of this section has, and may recover full damages in, a civil action under section 2307.60 of the Revised Code. A civil action described in this division is in addition to, and does not preclude, any possible criminal prosecution of the person who violates division (B)(1)(a) or (b) of this section.

(3) Whoever violates division (B)(1)(a) or (b) of this section is guilty of a felony of the fifth degree.

(C)(1) No person shall acquire, have, carry, or use any firearm with knowledge that the person is prohibited from doing so by an order issued under this section or sections 2923.26 to 2923.30 of the Revised Code.

(2) A person who violates division (C)(1) of this section is guilty of having a firearm while under extreme risk protection order disability. Except as provided in division (C)(3) of this section, having a firearm while under extreme risk protection order disability is a misdemeanor of the third degree.

(3) If a person found guilty of having a firearm while under extreme risk protection order disability has two or more previous convictions for such an offense, having a firearm while under extreme risk protection order disability is a felony of the fifth degree.

(D) In addition to the penalties prescribed in division (C) of this section, no person found guilty of having a firearm while under extreme risk protection order disability shall knowingly acquire, have, carry, or use any firearm or dangerous ordnance for a period of five years after the date the underlying extreme risk protection order expires.

Section 4. That existing sections 109.57, 2923.125, 2923.128, 2923.1213, and 2923.13 of the Revised Code are hereby repealed."

In line 2766, delete "3" and insert "5"

After line 2775, insert:

"Section 2923.13 of the Revised Code as amended by both H.B. 234 and S.B. 43 of the 130th General Assembly.

Section 6. Sections 2923.26 to 2923.30 and 2923.99 of the Revised Code, as enacted by this act, shall be known as the Extreme Risk Protection Order Act."

The question being, "Shall the motion to amend be agreed to?"

Representative Seitz moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 59, nays 32, as follows:

Those who voted in the affirmative were: Representatives

Baldrige	Bird	Brinkman	Callender
Carfagna	Carruthers	Click	Creech
Cross	Cutrona	Dean	Edwards
Ferguson	Fowler Arthur	Fraizer	Ghanbari
Ginter	Grendell	Gross	Hall
Hillyer	Holmes	Hoops	John
Johnson	Jones	Jordan	Kick
Koehler	LaRe	Lipps	Loychik
Manchester	Manning	McClain	Merrin
Miller, K.	Oelslager	Pavliga	Plummer
Powell	Ray	Richardson	Riedel
Roemer	Schmidt	Seitz	Stein
Stephens	Stewart	Stoltzfus	Swearingen
Vitale	White	Wiggam	Wilkin
Young, B.	Young, T.		Cupp-59

Those who voted in the negative were: Representatives

Blackshear	Boggs	Boyd	Brent
Brown	Crossman	Denson	Galonski
Hicks-Hudson	Howse	Humphrey	Ingram
Jarrells	Kelly	Leland	Lightbody
Liston	Miller, A.	Miller, J.	Miranda
Robinson	Russo	Sheehy	Skindell
Smith, K.	Smith, M.	Sobecki	Sweeney
Sykes	Troy	Upchurch	West-32

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Hicks-Hudson moved to amend, amendment 2262, as follows:

In line 3 of the title, delete "and"

In line 4 of the title, after "2923.16" insert ", 2929.28, and 5122.311 and to enact section 2923.26"

In line 9 of the title, after "license" insert ", to require a firearm transfer to be made through a dealer, through a law enforcement agency, or pursuant to a specified exception, and to require a background check when a firearm is transferred"

After line 2765, insert:

"Section 3. That sections 2929.28 and 5122.311 be amended and section 2923.26 of the Revised Code be enacted to read as follows:

Sec. 2923.26. (A) As used in this section:

(1) "Federally licensed firearms dealer" has the same meaning as in section 5502.63 of the Revised Code.

(2) "Unlicensed transferee" means a person who is not a federally licensed firearms dealer and who desires to receive a firearm from an unlicensed transferor.

(3) "Unlicensed transferor" means a person who is not a federally licensed firearms dealer and who desires to transfer a firearm to an unlicensed transferee.

(4) "Identification document" means a document made or issued by or under the authority of the United States government, this state, or any other state, a political subdivision of this state or any other state, a sponsoring entity of an event designated as a special event of national significance, a foreign government, a political subdivision of a foreign government, an international governmental organization, or an international quasi-governmental organization that, when completed with information concerning a particular individual, is of a type intended or commonly accepted for the purpose of identification of individuals and that includes a photograph of the individual.

(B) No federally licensed firearms dealer shall transfer a firearm to any person unless the federally licensed firearms dealer complies with the requirements of 18 U.S.C. 922(t).

(C)(1) No unlicensed transferor shall transfer a firearm to an unlicensed transferee, unless both of the following apply with respect to the transfer of the firearm:

(a) The firearm is transferred through a federally licensed firearms

dealer under division (E) of this section, through a law enforcement agency under division (F) of this section, or in accordance with an exception described in division (G) of this section.

(b) Except as provided in division (G) of this section, the federally licensed firearms dealer through which the transfer is made under division (E) of this section gives a notice described in division (E)(3)(a) of this section, or the law enforcement agency through which the transfer is made under division (F) of this section gives a notice described in division (F)(5)(a) of this section, with respect to the firearm.

(2) No unlicensed firearms dealer shall transfer a firearm to an unlicensed transferee if the federally licensed firearms dealer through which the transfer is to be made under division (E) of this section gives a notice described in division (E)(3)(b) of this section, or the law enforcement agency through which the transfer is to be made under division (F) of this section gives a notice described in division (F)(5)(b) of this section, with respect to the firearm.

(D)(1) No unlicensed transferee shall receive a firearm from an unlicensed transferor, unless both of the following apply with respect to the transfer of the firearm:

(a) The firearm is transferred through a federally licensed firearms dealer under division (E) of this section, through a law enforcement agency under division (F) of this section, or in accordance with an exception described in division (G) of this section.

(b) Except as provided in division (G) of this section, the federally licensed firearms dealer through which the transfer is made under division (E) of this section gives a notice described in division (E)(3)(a) of this section, or the law enforcement agency through which the transfer is made under division (F) of this section gives a notice described in division (F)(5)(a) of this section, with respect to the firearm.

(2) No unlicensed firearms transferee shall receive a firearm from an unlicensed transferor if the federally licensed firearms dealer through which the transfer is to be made under division (E) of this section gives a notice described in division (E)(3)(b) of this section, or the law enforcement agency through which the transfer is to be made under division (F) of this section gives a notice described in division (F)(5)(b) of this section, with respect to the firearm.

(E) A federally licensed firearms dealer who agrees to assist in the transfer of a firearm between an unlicensed transferor and an unlicensed transferee under division (C) or (D) of this section shall do all of the following:

(1) Comply with 18 U.S.C. 922(t) as if transferring the firearm from

the inventory of the federally licensed firearms dealer to the unlicensed transferee, except that a federally licensed firearms dealer assisting in the transfer of a firearm under this division shall not be required to comply again with the requirements of that provision in delivering the firearm to the unlicensed transferee;

(2) Conduct an incompetency records check of the unlicensed transferee by contacting the attorney general and requesting a check of the records maintained under section 5122.311 of the Revised Code, to determine if the transfer of the firearm to the unlicensed transferee or the unlicensed transferee's acquisition or possession of the firearm would violate the law of this state;

(3) Notify the unlicensed transferor and unlicensed transferee of whichever of the following is applicable:

(a) That the dealer has complied with 18 U.S.C. 922(t) as provided in division (E)(1) of this section and the transfer of the firearm is not prohibited under that provision and that the dealer has conducted the incompetency records check of the unlicensed transferee as provided in division (E)(2) of this section and has not determined in that check that the unlicensed transferee's acquisition or possession of the firearm would violate the law of this state;

(b) That the dealer has complied with 18 U.S.C. 922(t) as provided in division (E)(1) of this section and has received a notice from the national instant criminal background check system that the transfer would violate 18 U.S.C. 922 or the law of this state or that the dealer has conducted the incompetency records check of the unlicensed transferee as provided in division (E)(2) of this section and has determined in that check that the unlicensed transferee's acquisition or possession of the firearm would violate the law of this state.

(F) A law enforcement agency of this state or of a political subdivision of this state that agrees to assist an unlicensed transferor in carrying out the responsibilities of the unlicensed transferor under division (C) or (D) of this section with respect to the transfer of a firearm shall do all of the following:

(1) Contact the national instant criminal background check system under 18 U.S.C. 922(t) and either receive an identification number as described in 18 U.S.C. 922(t)(1)(B)(i) or wait the period described in 18 U.S.C. 922(t)(1)(B)(ii);

(2) Conduct an incompetency records check of the unlicensed transferee by contacting the attorney general and requesting a check of the records maintained under section 5122.311 of the Revised Code, to determine if the transfer of the firearm to the unlicensed transferee or the unlicensed transferee's acquisition or possession of the firearm would violate

the law of this state;

(3) Conduct any other checks that the agency considers appropriate to determine whether the receipt or possession of the firearm by the unlicensed transferee would violate 18 U.S.C. 922 or the law of this state;

(4) Verify the identity of the unlicensed transferee by either examining a valid identification document of the unlicensed transferee containing a photograph of the unlicensed transferee or confirming that the unlicensed transferor has examined such a valid identification document;

(5) Notify the unlicensed transferor and transferee of whichever of the following is applicable:

(a) That the law enforcement agency has complied with the requirements under divisions (F)(1), (2), (3), and (4) of this section and that the transfer of the firearm is not prohibited under 18 U.S.C 922(t) and the agency has not determined in the incompetency records check conducted under division (F)(2) of this section or a records check conducted under division (F)(3) of this section that the unlicensed transferee's acquisition or possession of the firearm would violate the law of this state;

(b) That the law enforcement agency has complied with the requirements under divisions (F)(1), (2), (3), and (4) of this section and either has received a notification from the national instant criminal background check system that the transfer would violate 18 U.S.C. section 922 or the law of this state or has determined under the incompetency records check conducted under division (F)(2) of this section or a records check conducted under division (F)(3) of this section that the unlicensed transferee's acquisition or possession of the firearm would violate the law of this state.

(G) Unless prohibited by any other provision of law, divisions (C) and (D) of this section shall not apply to any transfer of a firearm between an unlicensed transferor and unlicensed transferee if any of the following apply with respect to the transfer:

(1) The transfer is temporary and occurs while in the home of the unlicensed transferee, the unlicensed transferee is not otherwise prohibited from possessing firearms, and the unlicensed transferee believes that possession of the firearm is necessary to prevent imminent death or great bodily harm to the unlicensed transferee.

(2) The transfer is a temporary transfer of possession without transfer of title that takes place in any of the following circumstances:

(a) At a shooting range located in or on premises owned or occupied by a duly incorporated organization organized for conservation purposes or to foster proficiency in firearms;

(b) At a target firearm shooting competition under the auspices of or approved by an agency of this state or a nonprofit organization;

(c) While hunting, fishing, or trapping, if the activity is legal in all places where the unlicensed transferee possesses the firearm, and the unlicensed transferee holds any required license or permit.

(3) The transfer is to an authorized representative of a law enforcement agency of any municipal corporation, any county, this state, or the federal government for exclusive use by that governmental entity and, prior to the transfer, written authorization from the head of the agency authorizing the transaction is presented to the person from whom the transfer is being made. The proper written authorization shall be verifiable written certification from the head of the agency by which the transferee is employed, identifying the employee as an individual authorized to conduct the transaction, and authorizing the transaction for the exclusive use of the agency by which that person is employed.

(4) The transfer is a loan of the firearm by an authorized law enforcement representative of a municipal corporation, a county, this state, or the federal government, the loan is made to a peace officer who is employed by that governmental entity and authorized to carry a firearm, and the loan is made for the carrying and use of that firearm by that peace officer in the course and scope of the officer's duties.

(5) The transfer is by a law enforcement agency to a peace officer.

(6) The transfer is to an authorized representative of a municipal corporation, a county, this state, or the federal government and is for the governmental entity, and the entity is acquiring the firearm as part of an authorized, voluntary program in which the entity is buying or receiving weapons from private individuals.

(7) The transfer is by an authorized law enforcement representative of a municipal corporation, a county, this state, or the federal government to any public or private nonprofit historical society, museum, or institutional collection, if all of the following conditions are met:

(a) The entity receiving the firearm is open to the public.

(b) The firearm prior to delivery is deactivated or rendered inoperable.

(c) The firearm is not of a type prohibited by provision of law from being transferred to the public at large.

(d) Prior to delivery, the entity receiving the firearm submits a written statement to the law enforcement representative stating that the firearm will not be restored to operating condition and will either remain with that entity, or if subsequently disposed of, will be transferred in accordance with the applicable provisions of law.

(8) The transfer is by any person other than a representative of an authorized law enforcement agency to any public or private nonprofit

historical society, museum, or institutional collection, if all of the conditions set forth in divisions (G)(7)(a) to (d) of this section are met.

(9) The transfer is delivery of a firearm to a gunsmith for service or repair, is the return of the firearm to its owner by the gunsmith, or is the delivery of a firearm by a gunsmith to a federally licensed firearms dealer for service or repair or the return of the firearm to the gunsmith.

(10) The transfer is made by a person who resides in this state, is made to a person who resides outside this state and is a federally licensed firearms dealer, and is in accordance with federal firearms law.

(11) The transfer is of any unloaded firearm to a wholesaler as merchandise in the wholesaler's business by a manufacturer or importer licensed to engage in that business pursuant to federal firearms law or by another wholesaler and is made in accordance with federal firearms law.

(H) A federally licensed firearms dealer or law enforcement agency that processes the transfer of a firearm under this section may assess and collect a fee, in an amount not to exceed ten dollars, with respect to each firearm transfer processed.

(I) Nothing in this section shall be construed to authorize the attorney general of the United States to inspect records described in this section or to require that the records be transferred to a facility owned, managed, or controlled by this state or the United States.

(J)(1) No person shall recklessly violate division (B), (C), or (D) of this section.

(2) Whoever violates division (J)(1) of this section is guilty of illegal transfer of a firearm, and shall be punished as provided in divisions (J)(2)(a) to (c) of this section.

(a) Except as otherwise provided in division (J)(2)(b) or (c) of this section, illegal transfer of a firearm is a misdemeanor of the fourth degree and the offender shall be fined an amount from the range of possible fines for a misdemeanor of the fourth degree set forth in section 2929.28 of the Revised Code. Notwithstanding sections 2929.21 to 2929.28 of the Revised Code, no other sanction shall be imposed on the offender under any of those sections.

(b) If the offender previously has been convicted of or pleaded guilty to one violation of this section, illegal transfer of a firearm is a misdemeanor of the second degree and the offender shall be fined an amount from the range of possible fines for a misdemeanor of the second degree set forth in section 2929.28 of the Revised Code. Notwithstanding sections 2929.21 to 2929.28 of the Revised Code, no other sanction shall be imposed on the offender under any of those sections.

(c) If the offender previously has been convicted of or pleaded guilty

to two or more violations of this section, illegal transfer of a firearm is a misdemeanor of the first degree, the offender shall be fined an amount from the range of possible fines for a misdemeanor of the first degree set forth in section 2929.28 of the Revised Code, and, in addition to the mandatory fine, the court may impose any other sanction or sanctions authorized for a misdemeanor of the first degree other than a fine specified in section 2929.28 of the Revised Code.

Sec. 2929.28. (A) In addition to imposing court costs pursuant to section 2947.23 of the Revised Code, the court imposing a sentence upon an offender for a misdemeanor, including a minor misdemeanor, may sentence the offender to any financial sanction or combination of financial sanctions authorized under this section. If the court in its discretion imposes one or more financial sanctions, the financial sanctions that may be imposed pursuant to this section include, but are not limited to, the following:

(1) Unless the misdemeanor offense is a minor misdemeanor or could be disposed of by the traffic violations bureau serving the court under Traffic Rule 13, restitution by the offender to the victim of the offender's crime or any survivor of the victim, in an amount based on the victim's economic loss. The court may not impose restitution as a sanction pursuant to this division if the offense is a minor misdemeanor or could be disposed of by the traffic violations bureau serving the court under Traffic Rule 13. If the court requires restitution, the court shall order that the restitution be made to the victim in open court or to the adult probation department that serves the jurisdiction or the clerk of the court on behalf of the victim.

If the court imposes restitution, the court shall determine the amount of restitution to be paid by the offender. If the court imposes restitution, the court may base the amount of restitution it orders on an amount recommended by the victim, the offender, a presentence investigation report, estimates or receipts indicating the cost of repairing or replacing property, and other information, provided that the amount the court orders as restitution shall not exceed the amount of the economic loss suffered by the victim as a direct and proximate result of the commission of the offense. If the court imposes restitution for the cost of accounting or auditing done to determine the extent of economic loss, the court may order restitution for any amount of the victim's costs of accounting or auditing provided that the amount of restitution is reasonable and does not exceed the value of property or services stolen or damaged as a result of the offense. If the court decides to impose restitution, the court shall hold an evidentiary hearing on restitution if the offender, victim, or survivor disputes the amount of restitution. If the court holds an evidentiary hearing, at the hearing the victim or survivor has the burden to prove by a preponderance of the evidence the amount of restitution sought from the offender.

All restitution payments shall be credited against any recovery of

economic loss in a civil action brought by the victim or any survivor of the victim against the offender. No person may introduce evidence of an award of restitution under this section in a civil action for purposes of imposing liability against an insurer under section 3937.18 of the Revised Code.

If the court imposes restitution, the court may order that the offender pay a surcharge, of not more than five per cent of the amount of the restitution otherwise ordered, to the entity responsible for collecting and processing restitution payments.

The victim or survivor may request that the prosecutor in the case file a motion, or the offender may file a motion, for modification of the payment terms of any restitution ordered. If the court grants the motion, it may modify the payment terms as it determines appropriate.

(2) A fine of the type described in divisions (A)(2)(a) and (b) of this section payable to the appropriate entity as required by law:

(a) A fine in the following amount:

(i) For a misdemeanor of the first degree, not more than one thousand dollars;

(ii) For a misdemeanor of the second degree, not more than seven hundred fifty dollars;

(iii) For a misdemeanor of the third degree, not more than five hundred dollars;

(iv) For a misdemeanor of the fourth degree, not more than two hundred fifty dollars;

(v) For a minor misdemeanor, not more than one hundred fifty dollars.

(b) A state fine or cost as defined in section 2949.111 of the Revised Code.

(3)(a) Reimbursement by the offender of any or all of the costs of sanctions incurred by the government, including, but not limited to, the following:

(i) All or part of the costs of implementing any community control sanction, including a supervision fee under section 2951.021 of the Revised Code;

(ii) All or part of the costs of confinement in a jail or other residential facility, including, but not limited to, a per diem fee for room and board, the costs of medical and dental treatment, and the costs of repairing property damaged by the offender while confined;

(iii) All or part of the cost of purchasing and using an immobilizing or disabling device, including a certified ignition interlock device, or a remote alcohol monitoring device that a court orders an offender to use under

section 4510.13 of the Revised Code.

(b) The amount of reimbursement ordered under division (A)(3)(a) of this section shall not exceed the total amount of reimbursement the offender is able to pay and shall not exceed the actual cost of the sanctions. The court may collect any amount of reimbursement the offender is required to pay under that division. If the court does not order reimbursement under that division, confinement costs may be assessed pursuant to a repayment policy adopted under section 2929.37 of the Revised Code. In addition, the offender may be required to pay the fees specified in section 2929.38 of the Revised Code in accordance with that section.

(4) For a misdemeanor violation of section 2923.26 of the Revised Code, the court shall impose upon the offender a mandatory fine in the amount specified in division (J)(2)(a), (b), or (c) of that section.

(B) If the court determines a hearing is necessary, the court may hold a hearing to determine whether the offender is able to pay the financial sanction imposed pursuant to this section or court costs or is likely in the future to be able to pay the sanction or costs.

If the court determines that the offender is indigent and unable to pay the financial sanction or court costs, the court shall consider imposing and may impose a term of community service under division (A) of section 2929.27 of the Revised Code in lieu of imposing a financial sanction or court costs. If the court does not determine that the offender is indigent, the court may impose a term of community service under division (A) of section 2929.27 of the Revised Code in lieu of or in addition to imposing a financial sanction under this section and in addition to imposing court costs. The court may order community service for a minor misdemeanor pursuant to division (D) of section 2929.27 of the Revised Code in lieu of or in addition to imposing a financial sanction under this section and in addition to imposing court costs. If a person fails to pay a financial sanction or court costs, the court may order community service in lieu of the financial sanction or court costs.

(C)(1) The offender shall pay reimbursements imposed upon the offender pursuant to division (A)(3) of this section to pay the costs incurred by a county pursuant to any sanction imposed under this section or section 2929.26 or 2929.27 of the Revised Code or in operating a facility used to confine offenders pursuant to a sanction imposed under section 2929.26 of the Revised Code to the county treasurer. The county treasurer shall deposit the reimbursements in the county's general fund. The county shall use the amounts deposited in the fund to pay the costs incurred by the county pursuant to any sanction imposed under this section or section 2929.26 or 2929.27 of the Revised Code or in operating a facility used to confine offenders pursuant to a sanction imposed under section 2929.26 of the

Revised Code.

(2) The offender shall pay reimbursements imposed upon the offender pursuant to division (A)(3) of this section to pay the costs incurred by a municipal corporation pursuant to any sanction imposed under this section or section 2929.26 or 2929.27 of the Revised Code or in operating a facility used to confine offenders pursuant to a sanction imposed under section 2929.26 of the Revised Code to the treasurer of the municipal corporation. The treasurer shall deposit the reimbursements in the municipal corporation's general fund. The municipal corporation shall use the amounts deposited in the fund to pay the costs incurred by the municipal corporation pursuant to any sanction imposed under this section or section 2929.26 or 2929.27 of the Revised Code or in operating a facility used to confine offenders pursuant to a sanction imposed under section 2929.26 of the Revised Code.

(3) The offender shall pay reimbursements imposed pursuant to division (A)(3) of this section for the costs incurred by a private provider pursuant to a sanction imposed under this section or section 2929.26 or 2929.27 of the Revised Code to the provider.

(D) In addition to any other fine that is or may be imposed under this section, the court imposing sentence upon an offender for misdemeanor domestic violence or menacing by stalking may impose a fine of not less than seventy nor more than five hundred dollars, which shall be transmitted to the treasurer of state to be credited to the address confidentiality program fund created by section 111.48 of the Revised Code.

(E) Except as otherwise provided in this division, a financial sanction imposed under division (A) of this section is a judgment in favor of the state or the political subdivision that operates the court that imposed the financial sanction, and the offender subject to the financial sanction is the judgment debtor. A financial sanction of reimbursement imposed pursuant to division (A)(3)(a)(i) of this section upon an offender is a judgment in favor of the entity administering the community control sanction, and the offender subject to the financial sanction is the judgment debtor. A financial sanction of reimbursement imposed pursuant to division (A)(3)(a)(ii) of this section upon an offender confined in a jail or other residential facility is a judgment in favor of the entity operating the jail or other residential facility, and the offender subject to the financial sanction is the judgment debtor. A financial sanction of restitution imposed pursuant to division (A)(1) of this section is an order in favor of the victim of the offender's criminal act that can be collected through a certificate of judgment as described in division (E)(1) of this section, through execution as described in division (E)(2) of this section, or through an order as described in division (E)(3) of this section, and the offender shall be considered for purposes of the collection as the judgment debtor.

Once the financial sanction is imposed as a judgment or order under this division, the victim, private provider, state, or political subdivision may do any of the following:

(1) Obtain from the clerk of the court in which the judgment was entered a certificate of judgment that shall be in the same manner and form as a certificate of judgment issued in a civil action;

(2) Obtain execution of the judgment or order through any available procedure, including any of the procedures identified in divisions (E)(1) and (2) of section 2929.18 of the Revised Code.

(3) Obtain an order for the assignment of wages of the judgment debtor under section 1321.33 of the Revised Code.

(F) The civil remedies authorized under division (E) of this section for the collection of the financial sanction supplement, but do not preclude, enforcement of the criminal sentence.

(G) Each court imposing a financial sanction upon an offender under this section may designate the clerk of the court or another person to collect the financial sanction. The clerk, or another person authorized by law or the court to collect the financial sanction may do the following:

(1) Enter into contracts with one or more public agencies or private vendors for the collection of amounts due under the sanction. Before entering into a contract for the collection of amounts due from an offender pursuant to any financial sanction imposed pursuant to this section, a court shall comply with sections 307.86 to 307.92 of the Revised Code.

(2) Permit payment of all or any portion of the sanction in installments, by financial transaction device if the court is a county court or a municipal court operated by a county, by credit or debit card or by another electronic transfer if the court is a municipal court not operated by a county, or by any other reasonable method, in any time, and on any terms that court considers just, except that the maximum time permitted for payment shall not exceed five years. If the court is a county court or a municipal court operated by a county, the acceptance of payments by any financial transaction device shall be governed by the policy adopted by the board of county commissioners of the county pursuant to section 301.28 of the Revised Code. If the court is a municipal court not operated by a county, the clerk may pay any fee associated with processing an electronic transfer out of public money or may charge the fee to the offender.

(3) To defray administrative costs, charge a reasonable fee to an offender who elects a payment plan rather than a lump sum payment of any financial sanction.

(H) No financial sanction imposed under this section shall preclude a victim from bringing a civil action against the offender.

Sec. 5122.311. (A) Notwithstanding any provision of the Revised Code to the contrary, if, on or after April 8, 2004, an individual is found by a court to be a mentally ill person subject to court order or becomes an involuntary patient other than one who is a patient only for purposes of observation, the probate judge who made the adjudication or the chief clinical officer of the hospital, community mental health services provider, or facility in which the person is an involuntary patient shall notify the office of the attorney general, on the form described in division (C) of this section, of the identity of the individual. The notification shall be transmitted by the judge or the chief clinical officer not later than seven days after the adjudication or commitment.

(B) The office of the attorney general shall compile and maintain the notices it receives under division (A) of this section and the notices shall be used for the purpose of conducting incompetency records checks requested by sheriffs, federally licensed firearms dealers, or law enforcement agencies pursuant to section 311.41 or 2923.26 of the Revised Code. Records checks requested by a federally licensed firearms dealer or law enforcement agency pursuant to section 2923.26 of the Revised Code shall be conducted, and results of the checks shall be provided, immediately upon receipt of the request. The notices referred to in this division and the information they contain are confidential, except as provided in this division, and are not public records.

(C) The attorney general, by rule adopted under Chapter 119. of the Revised Code, shall prescribe and make available to all probate judges and all chief clinical officers a form to be used by them for the purpose of making the notifications required by division (A) of this section.

Section 4. That existing sections 2929.28 and 5122.311 of the Revised Code are hereby repealed."

In line 2766, delete "3" and insert "5"

The question being, "Shall the motion to amend be agreed to?"

Representative Seitz moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted – yeas 58, nays 32, as follows:

Those who voted in the affirmative were: Representatives

Baldrige	Bird	Brinkman	Callender
Carfagna	Carruthers	Click	Creech
Cross	Cutrona	Dean	Edwards
Ferguson	Fowler Arthur	Fraizer	Ghanbari
Ginter	Grendell	Gross	Hall
Hillyer	Holmes	Hoops	John
Johnson	Jones	Jordan	Kick
Koehler	LaRe	Lipps	Loychik
Manchester	Manning	McClain	Merrin

Miller, K.	Oelslager	Pavliga	Plummer
Powell	Ray	Richardson	Riedel
Roemer	Schmidt	Seitz	Stein
Stephens	Stewart	Stoltzfus	Swearingen
Vitale	Wiggam	Wilkin	Young, B.
Young, T.			Cupp-58

Those who voted in the negative were: Representatives

Blackshear	Boggs	Boyd	Brent
Brown	Crossman	Denson	Galonski
Hicks-Hudson	Howse	Humphrey	Ingram
Jarrells	Kelly	Leland	Lightbody
Liston	Miller, A.	Miller, J.	Miranda
Robinson	Russo	Sheehy	Skindell
Smith, K.	Smith, M.	Sobecki	Sweeney
Sykes	Troy	Upchurch	West-32

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 60, nays 32, as follows:

Those who voted in the affirmative were: Representatives

Baldrige	Bird	Brinkman	Callender
Carfagna	Carruthers	Click	Creech
Cross	Cutrona	Dean	Edwards
Ferguson	Fowler Arthur	Fraizer	Ghanbari
Ginter	Grendell	Gross	Hall
Hillyer	Holmes	Hoops	John
Johnson	Jones	Jordan	Kick
Koehler	Lanese	LaRe	Lipps
Loychik	Manchester	Manning	McClain
Merrin	Miller, K.	Oelslager	Pavliga
Plummer	Powell	Ray	Richardson
Riedel	Roemer	Schmidt	Seitz
Stein	Stephens	Stewart	Stoltzfus
Swearingen	Vitale	White	Wiggam
Wilkin	Young, B.	Young, T.	Cupp-60

Those who voted in the negative were: Representatives

Blackshear	Boggs	Boyd	Brent
Brown	Crossman	Denson	Galonski
Hicks-Hudson	Howse	Humphrey	Ingram
Jarrells	Kelly	Leland	Lightbody
Liston	Miller, A.	Miller, J.	Miranda
Robinson	Russo	Sheehy	Skindell
Smith, K.	Smith, M.	Sobecki	Sweeney
Sykes	Troy	Upchurch	West-32

The bill passed.

Representative Brinkman moved to amend the title as follows:

Add the names: "Baldrige, Bird, Callender, Cutrona, Ferguson, Fraizer, Ginter, Grendell, Hillyer, John, Johnson, Jones, Kick, Koehler, Lipps, Miller, K., Plummer, Roemer, Stein, Stephens, Stewart, Swearingen."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 116-Representative Baldrige.

Cosponsors: Representatives Young, T., Seitz, Schmidt, Richardson, Hoops, Lipps, LaRe, Carfagna, Ghanbari, Leland.

To amend sections 109.42, 109.572, 109.88, 901.511, 2137.14, 2909.07, 2913.01, 2913.04, 2913.05, 2913.49, 2919.25, 2919.251, 2919.26, 2921.22, 2923.04, 2923.129, 2927.12, 2933.51, 3712.09, 3721.121, 3750.09, 3751.04, and 5503.101 and to enact sections 2913.86, 2913.87, 2913.88, 2913.89, 2913.90, 2913.91, 2913.92, 2913.93, and 2913.94 of the Revised Code to enact the Ohio Computer Crimes Act and to amend the version of section 109.572 of the Revised Code that is scheduled to take effect October 9, 2021, to continue the provisions of this act on and after that date, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 89, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Baldrige	Bird	Blackshear	Boggs
Boyd	Brent	Brinkman	Brown
Callender	Carfagna	Carruthers	Click
Creech	Cross	Crossman	Cutrona
Dean	Edwards	Ferguson	Fowler Arthur
Fraizer	Galonski	Ghanbari	Ginter
Grendell	Gross	Hall	Hicks-Hudson
Hillyer	Holmes	Hoops	Humphrey
Ingram	Jarrells	John	Johnson
Jones	Jordan	Kelly	Kick
Koehler	Lanese	LaRe	Leland
Lightbody	Lipps	Liston	Loychik
Manchester	Manning	McClain	Merrin
Miller, A.	Miller, J.	Miller, K.	Miranda
Oelslager	Pavliga	Plummer	Powell
Ray	Richardson	Riedel	Robinson
Roemer	Russo	Schmidt	Seitz
Sheehy	Skindell	Smith, K.	Smith, M.
Sobecki	Stein	Stephens	Stewart
Stoltzfus	Swearingen	Sweeney	Sykes
Troy	Upchurch	Vitale	West
White	Wilkin	Young, B.	Young, T.
			Cupp-89

The bill passed.

Representative Baldrige moved to amend the title as follows:

Add the names: "Boyd, Brent, Carruthers, Click, Cross, Crossman, Fraizer, Grendell, Gross, Hillyer, Holmes, Jarrells, Jones, Koehler, Lanese, Lightbody, Miller, A., Miller, J., Miller, K., Pavliga, Plummer, Russo, Sheehy, Smith, K.,

Smith, M., Sobecki, Swearingen, West, White, Wilkin."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 165-Representative McClain.

Cosponsors: Representatives Click, Koehler, Hoops, Johnson, Weinstein, Ghanbari, Lipps, Carfagna, Riedel, Creech, Miller, J., Manchester, Richardson.

To amend sections 5747.98 and 5751.98 and to enact sections 122.078, 5747.74, and 5751.55 of the Revised Code to temporarily authorize a nonrefundable tax credit for the retail sale of high-ethanol blend motor fuel, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 89, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Baldrige	Bird	Blackshear	Boggs
Boyd	Brent	Brinkman	Brown
Callender	Carfagna	Carruthers	Click
Creech	Cross	Crossman	Dean
Edwards	Ferguson	Fowler Arthur	Fraizer
Galonski	Ghanbari	Ginter	Grendell
Gross	Hall	Hicks-Hudson	Hillyer
Holmes	Hoops	Humphrey	Ingram
Jarrells	John	Johnson	Jones
Jordan	Kelly	Kick	Koehler
Lanese	LaRe	Leland	Lightbody
Lipps	Liston	Loychik	Manchester
Manning	McClain	Merrin	Miller, A.
Miller, J.	Miller, K.	Miranda	Oelslager
Pavliga	Plummer	Powell	Ray
Richardson	Riedel	Robinson	Roemer
Russo	Schmidt	Seitz	Sheehy
Skindell	Smith, K.	Smith, M.	Sobecki
Stein	Stephens	Stewart	Stoltzfus
Swearingen	Sweeney	Sykes	Troy
Upchurch	Vitale	West	White
Wiggam	Wilkin	Young, B.	Young, T. Cupp-89

The bill passed.

Representative McClain moved to amend the title as follows:

Add the names: "Baldrige, Callender, Crossman, Galonski, Ginter, Grendell, Hillyer, Jarrells, John, Jones, Lanese, Liston, Miller, A., Miller, K., Plummer, Russo, Sobecki, Sweeney, Troy, Upchurch, West, Young, T."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 230-Representatives Ray, Hall.

Cosponsors: Representatives Riedel, Fraizer, Holmes, Hoops, Click, McClain, Carfagna, Abrams, Jones, Powell, Cross, Young, T., Kick, Koehler, Stephens, Hillyer, Troy, Plummer.

To amend sections 107.03, 125.18, and 126.506 and to enact sections 103.28, 126.41, and 126.42 of the Revised Code regarding the state's information technology systems and shared services, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 88, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Baldrige	Bird	Blackshear	Boggs
Boyd	Brent	Brinkman	Brown
Callender	Carfagna	Carruthers	Click
Creech	Cross	Crossman	Cutrona
Dean	Edwards	Ferguson	Fowler Arthur
Fraizer	Galonski	Ghanbari	Ginter
Grendell	Gross	Hall	Hicks-Hudson
Hillyer	Holmes	Hoops	Humphrey
Ingram	Jarrells	John	Johnson
Jones	Jordan	Kelly	Kick
Koehler	Lanese	LaRe	Leland
Lightbody	Lipps	Liston	Loychik
Manchester	Manning	McClain	Merrin
Miller, A.	Miller, J.	Miller, K.	Miranda
Oelslager	Pavliga	Plummer	Powell
Ray	Richardson	Riedel	Robinson
Roemer	Russo	Schmidt	Seitz
Sheehy	Skindell	Smith, K.	Smith, M.
Sobecki	Stein	Stephens	Stewart
Stoltzfus	Swearingen	Sweeney	Sykes
Troy	Upchurch	West	White
Wilkin	Young, B.	Young, T.	Cupp-88

The bill passed.

Representative Ray moved to amend the title as follows:

Add the names: "Baldrige, Boyd, Brent, Carruthers, Galonski, Ghanbari, Ginter, Gross, Hicks-Hudson, Ingram, Jarrells, John, Johnson, Lanese, Lightbody, Liston, Merrin, Miller, A., Miller, J., Richardson, Russo, Schmidt, Smith, K., Sobecki, Swearingen, West, White."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 314-Representatives Swearingen, Click.

Cosponsors: Representatives Merrin, Riedel, Jordan, Seitz, Zeltwanger.

To amend section 5741.02 of the Revised Code to exempt from state and local use taxes certain watercraft seasonally stored or repaired in Ohio, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 89, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Baldrige	Bird	Blackshear	Boggs
Boyd	Brent	Brinkman	Brown
Callender	Carfagna	Carruthers	Click
Creech	Cross	Crossman	Cutrona
Dean	Edwards	Ferguson	Fowler Arthur
Fraizer	Galonski	Ghanbari	Ginter
Grendell	Gross	Hall	Hicks-Hudson
Hillyer	Holmes	Hoops	Humphrey
Ingram	Jarrells	John	Johnson
Jones	Jordan	Kelly	Kick
Koehler	Lanese	LaRe	Leland
Lightbody	Lipps	Liston	Loychik
Manchester	Manning	McClain	Merrin
Miller, A.	Miller, J.	Miller, K.	Miranda
Oelslager	Pavliga	Plummer	Powell
Ray	Richardson	Riedel	Robinson
Roemer	Russo	Schmidt	Seitz
Sheehy	Skindell	Smith, K.	Smith, M.
Sobecki	Stein	Stephens	Stewart
Stoltzfus	Swearingen	Sweeney	Sykes
Troy	Upchurch	Vitale	West
White	Wilkin	Young, B.	Young, T.
			Cupp-89

The bill passed.

Representative Swearingen moved to amend the title as follows:

Add the names: "Brown, Carruthers, Crossman, Fowler Arthur, Ghanbari, Grendell, Hoops, Kick, Miller, A., Miller, J., Pavliga, Plummer, Sheehy, Sobecki, Troy, West."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

S. B. No. 54-Senator Gavarone.

Cosponsors: Senators Manning, Antonio, Blessing, Brenner, Cirino, Craig, Fedor, Hackett, Hottinger, Johnson, Kunze, O'Brien, Reineke, Romanchuk, Rulli, Schaffer, Sykes, Thomas, Wilson, Yuko.

To amend sections 109.87, 109.88, and 2913.05 of the Revised Code to include within the offense of telecommunications fraud providing misleading

or inaccurate caller identification information, allow the Attorney General to prosecute offenses of unauthorized use of property and telecommunications fraud, and prohibit any person, entity, or merchant from violating the federal Telemarketing and Consumer Fraud and Abuse Prevention Act, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 85, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Baldrige	Bird	Blackshear	Boggs
Boyd	Brent	Brinkman	Brown
Callender	Carfagna	Carruthers	Click
Creech	Cross	Crossman	Cutrona
Dean	Edwards	Fowler Arthur	Fraizer
Galonski	Ghanbari	Ginter	Grendell
Hall	Hicks-Hudson	Holmes	Hoops
Humphrey	Jarrells	John	Johnson
Jones	Jordan	Kelly	Kick
Koehler	Lanese	LaRe	Leland
Lightbody	Lipps	Liston	Loychik
Manchester	Manning	McClain	Merrin
Miller, A.	Miller, J.	Miller, K.	Miranda
Oelslager	Pavliga	Plummer	Powell
Ray	Richardson	Riedel	Robinson
Roemer	Russo	Schmidt	Seitz
Sheehy	Skindell	Smith, K.	Smith, M.
Sobecki	Stein	Stephens	Stewart
Stoltzfus	Swearingen	Sweeney	Sykes
Troy	Upchurch	Vitale	West
White	Wilkin	Young, B.	Young, T. Cupp-85

Representatives Ferguson and Gross voted in the negative-2.

The bill passed.

Representative LaRe moved to amend the title as follows:

Add the names: "Baldrige, Bird, Boyd, Brent, Brown, Carruthers, Click, Crossman, Cutrona, Edwards, Galonski, Ginter, Grendell, Hall, Holmes, Hoops, Humphrey, John, Johnson, Jones, Koehler, Lanese, LaRe, Leland, Liston, Manning, McClain, Miller, A., Miller, J., Oelslager, Pavliga, Plummer, Ray, Richardson, Riedel, Roemer, Russo, Sheehy, Smith, K., Sobecki, Swearingen, Troy, Upchurch, West, White, Wilkin, Young, T., Speaker Cupp."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. S. B. No. 59-Senator Schaffer.

Cosponsors: Senators Craig, Hoagland, Blessing, Cirino, Fedor, Gavarone, Hackett, Huffman, S., Johnson, Kunze, Maharath, Manning, O'Brien, Peterson, Reineke, Roegner, Rulli, Sykes, Thomas, Williams, Wilson, Yuko Representative Sheehy.

To amend sections 149.30 and 155.99 and to enact section 155.28 of the Revised Code to prohibit certain war relics located on public property or cemetery association property from being disposed of, and to designate this act as the Ohio Veterans' Heritage Protection Act, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 88, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Baldrige	Bird	Blackshear	Boggs
Boyd	Brent	Brinkman	Brown
Callender	Carfagna	Carruthers	Click
Creech	Cross	Crossman	Cutrona
Dean	Edwards	Ferguson	Fowler Arthur
Fraizer	Galonski	Ghanbari	Ginter
Grendell	Gross	Hall	Hicks-Hudson
Holmes	Hoops	Humphrey	Jarrells
John	Johnson	Jones	Jordan
Kelly	Kick	Koehler	Lanese
LaRe	Leland	Lightbody	Lipps
Liston	Loychik	Manchester	Manning
McClain	Merrin	Miller, A.	Miller, J.
Miller, K.	Miranda	Oelslager	Pavliga
Plummer	Powell	Ray	Richardson
Riedel	Robinson	Roemer	Russo
Schmidt	Seitz	Sheehy	Skindell
Smith, K.	Smith, M.	Sobecki	Stein
Stephens	Stewart	Stoltzfus	Swearingen
Sweeney	Sykes	Troy	Upchurch
Vitale	West	White	Wiggam
Wilkin	Young, B.	Young, T.	Cupp-88

The bill passed.

Representative Ginter moved to amend the title as follows:

Add the names: "Baldrige, Brown, Callender, Carruthers, Click, Creech, Fowler Arthur, Fraizer, Grendell, Hall, Holmes, Hoops, John, Johnson, Jones, Kick, Lanese, Leland, Lightbody, Lipps, Loychik, Manning, McClain, Miller, J., Miller, K., Oelslager, Pavliga, Plummer, Ray, Richardson, Riedel, Roemer, Schmidt, Sobecki, Stephens, Swearingen, Troy, Upchurch, West, White, Wilkin, Young, T."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. C. R. No. 22-Representatives Young, T., Plummer.

Cosponsors: Representatives McClain, Hall, Johnson, Riedel, Stewart, Edwards, Creech, Stoltzfus, Seitz, Gross, Cross, Bird, Jordan, Ginter, Baldrige, Click, Fowler Arthur, White, Schmidt, Merrin, Wiggam, Grendell.

To urge the United States government to secure its southern border, was taken up for consideration the third time.

The question being, "Shall the concurrent resolution be adopted?"

Representative Young, T. moved to amend the title as follows:

Add the names: " Carruthers, Dean, Fraizer, Ghanbari, Hoops, John, Jones, Kick, Koehler, Lanese, Lipps, Loychik, Manning, Miller, K., Pavliga, Richardson, Roemer, Stein, Stephens, Wilkin, Young, B., Speaker Cupp."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

The question being, "Shall the concurrent resolution be adopted?"

November 17, 2021

The Honorable Robert R. Cupp, Speaker
The Ohio House of Representatives
Columbus, Ohio
Speaker Cupp,

Pursuant to House Rule No. 57, I respectfully request that I be excused from voting on **H. C. R. No. 22**-Representatives Young, T., Plummer, et al., because it might be construed that I have an interest in the legislation.

Sincerely,

/s/ ADAM C. MILLER

Adam C. Miller
State Representative
17th House District

The request was granted.

The yeas and nays were taken and resulted – yeas 59, nays 26, as follows:

Those who voted in the affirmative were: Representatives

Baldrige	Bird	Brinkman	Callender
Carfagna	Carruthers	Click	Creech
Cross	Cutrona	Dean	Edwards
Ferguson	Fowler Arthur	Fraizer	Ghanbari
Ginter	Grendell	Gross	Hall
Holmes	Hoops	John	Johnson
Jones	Jordan	Kick	Koehler
Lanese	LaRe	Lipps	Loychik

Manchester	Manning	McClain	Merrin
Miller, K.	Oelslager	Pavliga	Plummer
Powell	Ray	Richardson	Riedel
Roemer	Schmidt	Seitz	Stein
Stephens	Stewart	Stoltzfus	Swearingen
Vitale	White	Wiggam	Wilkin
Young, B.	Young, T.		Cupp-59

Those who voted in the negative were: Representatives

Blackshear	Boggs	Boyd	Brent
Brown	Hicks-Hudson	Humphrey	Jarrells
Kelly	Leland	Lightbody	Liston
Miller, J.	Miranda	Robinson	Russo
Sheehy	Skindell	Smith, K.	Smith, M.
Sobecki	Sweeney	Sykes	Troy
Upchurch			West-26

The concurrent resolution was adopted.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

Am. H. B. No. 215 - Representatives Wilkin, Cross

Cosponsors: Representatives Jones, Merrin, Carfagna, Richardson, Edwards, Seitz, Bird, Stoltzfus, Kick, Riedel, Stewart, McClain, Powell, Click, Loychik, Koehler, Manchester, Young, T., Hall, Fowler Arthur, Schmidt, Swearingen, LaRe, Carruthers, Miller, J., Gross, Pavliga, Lampton, Abrams, Baldrige, Callender, Creech, Cutrona, Dean, Fraizer, Ghanbari, Ginter, Grendell, Hillyer, Holmes, Hoops, Householder, John, Johnson, Jordan, Lanese, Lipps, Miranda, Plummer, Roemer, Stein, Stephens, White, Wiggam, Young, B., Zeltwanger Senators Schuring, Antonio, Blessing, Brenner, Cirino, Craig, Dolan, Gavarone, Hackett, Hoagland, Hottinger, Johnson, Kunze, Lang, Maharath, Manning, McColley, O'Brien, Peterson, Reineke, Roegner, Rulli, Schaffer, Sykes, Thomas, Williams, Wilson, Yuko

To enact section 3701.353 of the Revised Code to enact The Business Fairness Act.

Attest:

Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has passed the following bill in which the concurrence of the House is requested:

Sub. S. B. No. 210 - Senator Gavarone

Cosponsors: Senators Manning, Antonio, Blessing, Cirino, Hackett, Johnson, Maharath, McColley, Reineke, Schuring, Wilson, Yuko

To amend sections 2106.22, 3103.05, 3103.06, 3105.17, 3105.171, 3113.31, and 3113.33; to enact section 3103.061; and to repeal section 3105.72 of the Revised Code regarding agreements affecting legal relations between spouses; domestic violence protection orders in a dating relationship; and courts maintaining Social Security numbers of parties in divorce, dissolution, annulment, or spousal support proceedings.

Attest:

Vincent L. Keeran,
Clerk.

Said bill was considered the first time.

MESSAGE FROM THE SPEAKER

Pursuant to House Rules 13, 28, and 30, the Speaker hereby makes the following changes to the standing committee on Government Oversight:

Remove Representative Abrams; appoint Representative Carfagna.

On motion of Representative Ginter, the House adjourned until Thursday, November 18, 2021 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.