

**As Introduced**

**135th General Assembly**

**Regular Session**

**2023-2024**

**H. B. No. 418**

**Representatives Brown, Isaacsohn**

**Cosponsors: Representatives Jarrells, Mohamed, Piccolantonio, Russo, Liston, Abdullahi, Somani, Skindell, Brennan, Dell'Aquila, Sweeney, Brewer, Robinson, Upchurch, Forhan, Brent, Thomas, C., Denson, Baker, Miranda, Sims, Weinstein, Blackshear, Grim, Rogers, Miller, J., McNally, Troy**

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**A BILL**

To amend sections 109.69, 109.731, 311.41, 311.42, 1  
311.43, 1547.69, 2921.13, 2923.11, 2923.12, 2  
2923.121, 2923.122, 2923.123, 2923.124, 3  
2923.125, 2923.126, 2923.127, 2923.128, 4  
2923.129, 2923.1210, 2923.1211, 2923.1213, 5  
2923.16, 2953.35, and 5502.411 and to repeal 6  
section 2923.111 of the Revised Code to repeal 7  
the changes made by S.B. 215 of the 134th 8  
General Assembly to the laws regarding a 9  
concealed handgun licensee's duty to carry the 10  
license and notify a law enforcement officer if 11  
the licensee is carrying a concealed handgun and 12  
the rights of a qualifying adult to carry a 13  
concealed handgun in the same manner as if the 14  
person was a licensee, and to rename concealed 15  
handgun licenses as basic competency licenses. 16

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

**Section 1.** That sections 109.69, 109.731, 311.41, 311.42, 17

311.43, 1547.69, 2921.13, 2923.11, 2923.12, 2923.121, 2923.122, 18  
2923.123, 2923.124, 2923.125, 2923.126, 2923.127, 2923.128, 19  
2923.129, 2923.1210, 2923.1211, 2923.1213, 2923.16, 2953.35, and 20  
5502.411 of the Revised Code be amended to read as follows: 21

**Sec. 109.69.** (A) (1) The attorney general shall negotiate 22  
and enter into a reciprocity agreement with any other license- 23  
issuing state under which a ~~concealed handgun~~ basic competency 24  
license that is issued by the other state is recognized in this 25  
state, except as provided in division (B) of this section, if 26  
the attorney general determines that both of the following 27  
apply: 28

(a) The eligibility requirements imposed by that license- 29  
issuing state for that license are substantially comparable to 30  
the eligibility requirements for a ~~concealed handgun~~ basic 31  
competency license issued under section 2923.125 of the Revised 32  
Code. 33

(b) That license-issuing state recognizes a ~~concealed~~ 34  
~~handgun~~ basic competency license issued under section 2923.125 of 35  
the Revised Code. 36

(2) A reciprocity agreement entered into under division 37  
(A) (1) of this section also may provide for the recognition in 38  
this state of a ~~concealed handgun~~ basic competency license 39  
issued on a temporary or emergency basis by the other license- 40  
issuing state, if the eligibility requirements imposed by that 41  
license-issuing state for the temporary or emergency license are 42  
substantially comparable to the eligibility requirements for a 43  
~~concealed handgun~~ basic competency license issued under section 44  
2923.125 or 2923.1213 of the Revised Code and if that license- 45  
issuing state recognizes a ~~concealed handgun~~ basic competency 46  
license issued under section 2923.1213 of the Revised Code. 47

(3) The attorney general shall not negotiate any agreement 48  
with any other license-issuing state under which a ~~concealed-~~ 49  
~~handgun-basic competency~~ license issued by the other state is 50  
recognized in this state other than as provided in divisions (A) 51  
(1) and (2) of this section. 52

(B) (1) If, on or after ~~the effective date of this~~ 53  
~~amendment~~ March 23, 2015, a person who is a resident of this 54  
state has a valid ~~concealed handgun~~basic competency license that 55  
was issued by another license-issuing state that has entered 56  
into a reciprocity agreement with the attorney general under 57  
division (A) (1) of this section or the attorney general 58  
determines that the eligibility requirements imposed by that 59  
license-issuing state for that license are substantially 60  
comparable to the eligibility requirements for a ~~concealed-~~ 61  
~~handgun-basic competency~~ license issued under section 2923.125 62  
of the Revised Code, the license issued by the other license- 63  
issuing state shall be recognized in this state, shall be 64  
accepted and valid in this state, and grants the person the same 65  
right to carry a concealed handgun in this state as a person who 66  
was issued a ~~concealed handgun~~basic competency license under 67  
section 2923.125 of the Revised Code. 68

(2) If, on or after ~~the effective date of this amendment~~ 69  
March 23, 2015, a person who is a resident of this state has a 70  
valid ~~concealed handgun~~basic competency license that was issued 71  
by another license-issuing state that has not entered into a 72  
reciprocity agreement with the attorney general under division 73  
(A) (1) of this section, the license issued by the other license- 74  
issuing state shall be recognized in this state, shall be 75  
accepted and valid in this state, and grants the person the same 76  
right to carry a concealed handgun in this state as a person who 77  
was issued a ~~concealed handgun~~basic competency license under 78

section 2923.125 of the Revised Code for a period of six months 79  
after the person became a resident of this state. After that 80  
six-month period, if the person wishes to obtain a ~~concealed-~~ 81  
~~handgun-basic competency license,~~ the person shall apply for a 82  
~~concealed handgun-basic competency license~~ pursuant to section 83  
2923.125 of the Revised Code. 84

(3) If, on or after ~~the effective date of this amendment-~~ 85  
March 23, 2015, a person who is not a resident of this state has 86  
a valid ~~concealed handgun-basic competency license~~ that was 87  
issued by another license-issuing state, regardless of whether 88  
the other license-issuing state has entered into a reciprocity 89  
agreement with the attorney general under division (A) (1) of 90  
this section, and the person is temporarily in this state, 91  
during the time that the person is temporarily in this state the 92  
license issued by the other license-issuing state shall be 93  
recognized in this state, shall be accepted and valid in this 94  
state, and grants the person the same right to carry a concealed 95  
handgun in this state as a person who was issued a ~~concealed-~~ 96  
~~handgun-basic competency license~~ under section 2923.125 of the 97  
Revised Code. 98

(C) The attorney general shall publish each determination 99  
described in division (B) (1) of this section that the attorney 100  
general makes in the same manner that written agreements entered 101  
into under division (A) (1) or (2) of this section are published. 102

(D) As used in this section: 103

(1) "Handgun," "~~concealed handgun-basic competency~~ 104  
license," and "valid ~~concealed handgun-basic competency license~~" 105  
have the same meanings as in section 2923.11 of the Revised 106  
Code. 107

(2) "License-issuing state" means a state other than this 108  
state that, pursuant to law, provides for the issuance of a 109  
license to carry a concealed handgun. 110

**Sec. 109.731.** (A) (1) The attorney general shall prescribe, 111  
and shall make available to sheriffs an application form that is 112  
to be used under section 2923.125 of the Revised Code by a 113  
person who applies for a ~~concealed handgun~~ basic competency 114  
license and an application form that is to be used under section 115  
2923.125 of the Revised Code by a person who applies for the 116  
renewal of a license of that nature. The attorney general shall 117  
design the form to enable applicants to provide the information 118  
that is required by law to be collected, and shall update the 119  
form as necessary. Burdens or restrictions to obtaining a 120  
~~concealed handgun~~ basic competency license that are not 121  
expressly prescribed in law shall not be incorporated into the 122  
form. The attorney general shall post a printable version of the 123  
form on the web site of the attorney general and shall provide 124  
the address of the web site to any person who requests the form. 125

(2) The Ohio peace officer training commission shall 126  
prescribe, and shall make available to sheriffs, all of the 127  
following: 128

(a) A form for the ~~concealed handgun~~ basic competency 129  
license that is to be issued by sheriffs to persons who qualify 130  
for a ~~concealed handgun~~ basic competency license under section 131  
2923.125 of the Revised Code and that conforms to the following 132  
requirements: 133

(i) It has space for the licensee's full name, residence 134  
address, and date of birth and for a color photograph of the 135  
licensee. 136

(ii) It has space for the date of issuance of the license, 137  
its expiration date, its county of issuance, the name of the 138  
sheriff who issues the license, and the unique combination of 139  
letters and numbers that identify the county of issuance and the 140  
license given to the licensee by the sheriff in accordance with 141  
division (A) (2) (c) of this section. 142

(iii) It has space for the signature of the licensee and 143  
the signature or a facsimile signature of the sheriff who issues 144  
the license. 145

(iv) It does not require the licensee to include serial 146  
numbers of handguns, other identification related to handguns, 147  
or similar data that is not pertinent or relevant to obtaining 148  
the license and that could be used as a de facto means of 149  
registration of handguns owned by the licensee. 150

(b) A series of three-letter county codes that identify 151  
each county in this state; 152

(c) A procedure by which a sheriff shall give each 153  
~~concealed handgun basic competency~~ license, replacement 154  
~~concealed handgun basic competency~~ license, or renewal ~~concealed~~ 155  
~~handgun basic competency~~ license and each ~~concealed handgun~~ 156  
basic competency license on a temporary emergency basis or 157  
replacement license on a temporary emergency basis the sheriff 158  
issues under section 2923.125 or 2923.1213 of the Revised Code a 159  
unique combination of letters and numbers that identifies the 160  
county in which the license was issued and that uses the county 161  
code and a unique number for each license the sheriff of that 162  
county issues; 163

(d) A form for a ~~concealed handgun basic competency~~ 164  
license on a temporary emergency basis that is to be issued by 165

sheriffs to persons who qualify for such a license under section 166  
2923.1213 of the Revised Code, which form shall conform to all 167  
the requirements set forth in divisions (A) (2) (a) (i) to (iv) of 168  
this section and shall additionally conspicuously specify that 169  
the license is issued on a temporary emergency basis and the 170  
date of its issuance. 171

(B) (1) The Ohio peace officer training commission, in 172  
consultation with the attorney general, shall prepare a pamphlet 173  
that does all of the following, in everyday language: 174

(a) Explains the firearms laws of this state; 175

(b) Instructs the reader in dispute resolution and 176  
explains the laws of this state related to that matter; 177

(c) Provides information to the reader regarding all 178  
aspects of the use of deadly force with a firearm, including, 179  
but not limited to, the steps that should be taken before 180  
contemplating the use of, or using, deadly force with a firearm, 181  
possible alternatives to using deadly force with a firearm, and 182  
the law governing the use of deadly force with a firearm. 183

(2) The attorney general shall consult with and assist the 184  
commission in the preparation of the pamphlet described in 185  
division (B) (1) of this section and, as necessary, shall 186  
recommend to the commission changes in the pamphlet to reflect 187  
changes in the law that are relevant to it. The attorney general 188  
shall publish the pamphlet on the web site of the attorney 189  
general and shall provide the address of the web site to any 190  
person who requests the pamphlet. 191

(3) The attorney general shall create and maintain a 192  
section on the attorney general's web site that provides 193  
information on firearms laws of this state specifically 194

applicable to members of the armed forces of the United States 195  
and a link to the pamphlet described in division (B) (1) of this 196  
section. 197

(C) The Ohio peace officer training commission shall 198  
maintain statistics with respect to the issuance, renewal, 199  
suspension, revocation, and denial of ~~concealed handgun~~ basic 200  
competency licenses under section 2923.125 of the Revised Code 201  
and the suspension of processing of applications for those 202  
licenses, and with respect to the issuance, suspension, 203  
revocation, and denial of ~~concealed handgun~~ basic competency 204  
licenses on a temporary emergency basis under section 2923.1213 205  
of the Revised Code, as reported by the sheriffs pursuant to 206  
division (C) of section 2923.129 of the Revised Code. Not later 207  
than the first day of March in each year, the commission shall 208  
submit a statistical report to the governor, the president of 209  
the senate, and the speaker of the house of representatives 210  
indicating the number of ~~concealed handgun~~ basic competency 211  
licenses that were issued, renewed, suspended, revoked, and 212  
denied under section 2923.125 of the Revised Code in the 213  
previous calendar year, the number of applications for those 214  
licenses for which processing was suspended in accordance with 215  
division (D) (3) of that section in the previous calendar year, 216  
and the number of ~~concealed handgun~~ basic competency licenses on 217  
a temporary emergency basis that were issued, suspended, 218  
revoked, or denied under section 2923.1213 of the Revised Code 219  
in the previous calendar year. Nothing in the statistics or the 220  
statistical report shall identify, or enable the identification 221  
of, any individual who was issued or denied a license, for whom 222  
a license was renewed, whose license was suspended or revoked, 223  
or for whom application processing was suspended. The statistics 224  
and the statistical report are public records for the purpose of 225



section 149.43 of the Revised Code. 226

(D) As used in this section, "~~concealed handgun basic~~  
competency license" and "handgun" have the same meanings as in 227  
section 2923.11 of the Revised Code. 228  
229

**Sec. 311.41.** (A) (1) Upon receipt of an application for a 230  
~~concealed handgun basic competency~~ license under division (C) of 231  
section 2923.125 of the Revised Code, an application to renew a 232  
~~concealed handgun basic competency~~ license under division (F) of 233  
that section, or an application for a ~~concealed handgun basic~~  
competency license on a temporary emergency basis under section 234  
2923.1213 of the Revised Code, the sheriff shall conduct a 235  
criminal records check and an incompetency check of the 236  
applicant to determine whether the applicant fails to meet the 237  
criteria described in division (D) (1) of section 2923.125 of the 238  
Revised Code. As part of any such criminal records check, the 239  
sheriff shall contact the national instant criminal background 240  
check system to verify that the applicant is eligible lawfully 241  
to receive or possess a firearm in the United States. The 242  
sheriff shall conduct the criminal records check and the 243  
incompetency records check required by this division through use 244  
of an electronic fingerprint reading device or, if the sheriff 245  
does not possess and does not have ready access to the use of an 246  
electronic fingerprint reading device, by requesting the bureau 247  
of criminal identification and investigation to conduct the 248  
checks as described in this division. 249  
250

In order to conduct the criminal records check and the 251  
incompetency records check, the sheriff shall obtain the 252  
fingerprints of at least four fingers of the applicant by using 253  
an electronic fingerprint reading device for the purpose of 254  
conducting the criminal records check and the incompetency 255

records check or, if the sheriff does not possess and does not 256  
have ready access to the use of an electronic fingerprint 257  
reading device, shall obtain from the applicant a completed 258  
standard fingerprint impression sheet prescribed pursuant to 259  
division (C) (2) of section 109.572 of the Revised Code. The 260  
fingerprints so obtained, along with the applicant's social 261  
security number, shall be used to conduct the criminal records 262  
check and the incompetency records check. If the sheriff does 263  
not use an electronic fingerprint reading device to obtain the 264  
fingerprints and conduct the records checks, the sheriff shall 265  
submit the completed standard fingerprint impression sheet of 266  
the applicant, along with the applicant's social security 267  
number, to the superintendent of the bureau of criminal 268  
identification and investigation and shall request the bureau to 269  
conduct the criminal records check and the incompetency records 270  
check of the applicant and, if necessary, shall request the 271  
superintendent of the bureau to obtain information from the 272  
federal bureau of investigation as part of the criminal records 273  
check for the applicant. If it is not possible to use an 274  
electronic fingerprint reading device to conduct an incompetency 275  
records check, the sheriff shall submit the completed standard 276  
fingerprint impression sheet of the applicant, along with the 277  
applicant's social security number, to the superintendent of the 278  
bureau of criminal identification and investigation and shall 279  
request the bureau to conduct the incompetency records check. 280  
The sheriff shall not retain the applicant's fingerprints as 281  
part of the application. 282

(2) Except as otherwise provided in this division, if at 283  
any time the applicant decides not to continue with the 284  
application process, the sheriff immediately shall cease any 285  
investigation that is being conducted under division (A) (1) of 286

this section. The sheriff shall not cease that investigation if, 287  
at the time of the applicant's decision not to continue with the 288  
application process, the sheriff had determined from any of the 289  
sheriff's investigations that the applicant then was engaged in 290  
activity of a criminal nature. 291

(B) If a criminal records check and an incompetency 292  
records check conducted under division (A) of this section do 293  
not indicate that the applicant fails to meet the criteria 294  
described in division (D) (1) of section 2923.125 of the Revised 295  
Code, except as otherwise provided in this division, the sheriff 296  
shall destroy or cause a designated employee to destroy all 297  
records other than the application for a ~~concealed handgun~~ basic 298  
competency license, the application to renew a ~~concealed handgun~~ 299  
basic competency license, or the affidavit submitted regarding 300  
an application for a ~~concealed handgun~~ basic competency license 301  
on a temporary emergency basis that were made in connection with 302  
the criminal records check and incompetency records check within 303  
twenty days after conducting the criminal records check and 304  
incompetency records check. If an applicant appeals a denial of 305  
an application as described in division (D) (2) of section 306  
2923.125 of the Revised Code or challenges the results of a 307  
criminal records check pursuant to section 2923.127 of the 308  
Revised Code, records of fingerprints of the applicant shall not 309  
be destroyed during the pendency of the appeal or the challenge 310  
and review. When an applicant appeals a denial as described in 311  
that division, the twenty-day period described in this division 312  
commences regarding the fingerprints upon the determination of 313  
the appeal. When required as a result of a challenge and review 314  
performed pursuant to section 2923.127 of the Revised Code, the 315  
source the sheriff used in conducting the criminal records check 316  
shall destroy or the chief operating officer of the source shall 317

cause an employee of the source designated by the chief to 318  
destroy all records other than the application for a ~~concealed-~~ 319  
~~handgun-basic competency~~ license, the application to renew a 320  
~~concealed handgun-basic competency~~ license, or the affidavit 321  
submitted regarding an application for a ~~concealed handgun-basic~~ 322  
competency license on a temporary emergency basis that were made 323  
in connection with the criminal records check within twenty days 324  
after completion of that challenge and review. 325

(C) If division (B) of this section applies to a 326  
particular criminal records check or incompetency records check, 327  
no sheriff, employee of a sheriff designated by the sheriff to 328  
destroy records under that division, source the sheriff used in 329  
conducting the criminal records check or incompetency records 330  
check, or employee of the source designated by the chief 331  
operating officer of the source to destroy records under that 332  
division shall fail to destroy or cause to be destroyed within 333  
the applicable twenty-day period specified in that division all 334  
records other than the application for a ~~concealed handgun-basic~~ 335  
competency license, the application to renew a ~~concealed handgun-~~ 336  
basic competency license, or the affidavit submitted regarding 337  
an application for a ~~concealed handgun-basic competency~~ license 338  
on a temporary emergency basis made in connection with the 339  
particular criminal records check or incompetency records check. 340

(D) Whoever violates division (C) of this section is 341  
guilty of failure to destroy records, a misdemeanor of the 342  
second degree. 343

(E) As used in this section: 344

(1) "~~Concealed handgun-Basic competency~~ license" and 345  
"handgun" have the same meanings as in section 2923.11 of the 346  
Revised Code. 347

(2) "National instant criminal background check system" 348  
means the system established by the United States attorney 349  
general pursuant to section 103 of the "Brady Handgun Violence 350  
Prevention Act," Pub. L. No. 103-159. 351

**Sec. 311.42.** (A) Each county shall establish in the county 352  
treasury a sheriff's ~~concealed handgun~~ basic competency license 353  
issuance expense fund. The sheriff of that county shall deposit 354  
into that fund all fees paid by applicants for the issuance or 355  
renewal of a ~~concealed handgun~~ basic competency license or 356  
duplicate ~~concealed handgun~~ basic competency license under 357  
section 2923.125 of the Revised Code and all fees paid by the 358  
person seeking a ~~concealed handgun~~ basic competency license on a 359  
temporary emergency basis under section 2923.1213 of the Revised 360  
Code. The county shall distribute all fees deposited into the 361  
fund except forty dollars of each fee paid by an applicant under 362  
division (B) of section 2923.125 of the Revised Code, fifteen 363  
dollars of each fee paid under section 2923.1213 of the Revised 364  
Code, and thirty-five dollars of each fee paid under division 365  
(F) of section 2923.125 of the Revised Code to the attorney 366  
general to be used to pay the cost of background checks 367  
performed by the bureau of criminal identification and 368  
investigation and the federal bureau of investigation and to 369  
cover administrative costs associated with issuing the license. 370

(B) The sheriff, with the approval of the board of county 371  
commissioners, may expend any county portion of the fees 372  
deposited into the sheriff's ~~concealed handgun~~ basic competency 373  
license issuance expense fund for any of the following: 374

(1) Any costs incurred by the sheriff in connection with 375  
performing any administrative functions related to the issuance 376  
of ~~concealed handgun~~ basic competency licenses under section 377

2923.125 or 2923.1213 of the Revised Code, including, but not 378  
limited to, personnel expenses and any costs associated with a 379  
firearm safety education program, or a firearm training or 380  
qualification program that the sheriff chooses to fund; 381

(2) Ammunition and firearms to be used by the sheriff and 382  
the sheriff's employees; 383

(3) Any costs incurred in constructing, maintaining, or 384  
renovating a shooting range to be used by the sheriff or the 385  
sheriff's employees, including costs incurred for equipment 386  
associated with the shooting range. 387

**Sec. 311.43.** (A) As used in this section: 388

(1) "Certification" means the participation and assent of 389  
the chief law enforcement officer necessary under federal law 390  
for the approval of an application to make or transfer a 391  
firearm. 392

(2) "Chief law enforcement officer" means any official the 393  
bureau of alcohol, tobacco, firearms, and explosives, or any 394  
successor agency, identifies by regulation or otherwise as 395  
eligible to provide any required certification for the making or 396  
transfer of a firearm. 397

(3) "~~Concealed handgun~~ Basic competency license" has the 398  
same meaning as in section 2923.11 of the Revised Code. 399

(B) A resident of this state may submit to the sheriff of 400  
the county in which the resident resides or to the sheriff of 401  
any county adjacent to the county in which the resident resides 402  
any federal form that requires a law enforcement certification 403  
by a chief law enforcement officer. 404

(C) The sheriff shall accept and process the certification 405

in the same manner as an application for a ~~concealed handgun~~ 406  
basic competency license is processed under section 2923.125 of 407  
the Revised Code, including the requirement for a background 408  
check, except as follows: 409

(1) If a resident of this state submits one or more 410  
federal forms, the sheriff shall charge the resident no more 411  
than the applicable fee described in division (B) (1) (a) of 412  
section 2923.125 of the Revised Code, without regard to how many 413  
federal forms are submitted at the same time. 414

(2) If a resident of this state submits one or more 415  
federal forms and currently has a ~~concealed handgun~~ basic 416  
competency license or the sheriff has previously approved a 417  
federal form for that resident, the sheriff shall charge the 418  
resident no more than the applicable fee described in division 419  
(F) (4) of section 2923.125 of the Revised Code, without regard 420  
to how many federal forms are submitted at the same time. 421

**Sec. 1547.69.** (A) As used in this section: 422

(1) "Firearm," "~~concealed handgun~~ basic competency 423  
license," "handgun," "valid ~~concealed handgun~~ basic competency 424  
license," and "active duty" have the same meanings as in section 425  
2923.11 of the Revised Code. 426

(2) "Unloaded" has the same meanings as in divisions (K) 427  
(5) and (6) of section 2923.16 of the Revised Code, except that 428  
all references in the definition in division (K) (5) of that 429  
section to "vehicle" shall be construed for purposes of this 430  
section to be references to "vessel." 431

(B) No person shall knowingly discharge a firearm while in 432  
or on a vessel. 433

(C) No person shall knowingly transport or have a loaded 434

firearm in a vessel in a manner that the firearm is accessible 435  
to the operator or any passenger. 436

(D) No person shall knowingly transport or have a firearm 437  
in a vessel unless it is unloaded and is carried in one of the 438  
following ways: 439

(1) In a closed package, box, or case; 440

(2) In plain sight with the action opened or the weapon 441  
stripped, or, if the firearm is of a type on which the action 442  
will not stay open or that cannot easily be stripped, in plain 443  
sight. 444

(E) (1) The affirmative defenses authorized in divisions 445  
(D) (1) and (2) of section 2923.12 of the Revised Code are 446  
affirmative defenses to a charge under division (C) or (D) of 447  
this section that involves a firearm other than a handgun. It is 448  
an affirmative defense to a charge under division (C) or (D) of 449  
this section of transporting or having a firearm of any type, 450  
including a handgun, in a vessel that the actor transported or 451  
had the firearm in the vessel for any lawful purpose and while 452  
the vessel was on the actor's own property, provided that this 453  
affirmative defense is not available unless the actor, prior to 454  
arriving at the vessel on the actor's own property, did not 455  
transport or possess the firearm in the vessel or in a motor 456  
vehicle in a manner prohibited by this section or division (B) 457  
or (C) of section 2923.16 of the Revised Code while the vessel 458  
was being operated on a waterway that was not on the actor's own 459  
property or while the motor vehicle was being operated on a 460  
street, highway, or other public or private property used by the 461  
public for vehicular traffic. 462

(2) No person who is charged with a violation of division 463



(C) or (D) of this section shall be required to obtain a basic 464  
competency license or temporary emergency license to carry a 465  
concealed handgun under section 2923.125 or 2923.1213 of the 466  
Revised Code as a condition for the dismissal of the charge. 467

(F) Divisions (B), (C), and (D) of this section do not 468  
apply to the possession or discharge of a United States coast 469  
guard approved signaling device required to be carried aboard a 470  
vessel under section 1547.251 of the Revised Code when the 471  
signaling device is possessed or used for the purpose of giving 472  
a visual distress signal. No person shall knowingly transport or 473  
possess any signaling device of that nature in or on a vessel in 474  
a loaded condition at any time other than immediately prior to 475  
the discharge of the signaling device for the purpose of giving 476  
a visual distress signal. 477

(G) No person shall operate or permit to be operated any 478  
vessel on the waters in this state in violation of this section. 479

(H) (1) This section does not apply to any of the 480  
following: 481

(a) An officer, agent, or employee of this or any other 482  
state or of the United States, or to a law enforcement officer, 483  
when authorized to carry or have loaded or accessible firearms 484  
in a vessel and acting within the scope of the officer's, 485  
agent's, or employee's duties; 486

(b) Any person who is employed in this state, who is 487  
authorized to carry or have loaded or accessible firearms in a 488  
vessel, and who is subject to and in compliance with the 489  
requirements of section 109.801 of the Revised Code, unless the 490  
appointing authority of the person has expressly specified that 491  
the exemption provided in division (H) (1) (b) of this section 492

does not apply to the person; 493

(c) Any person legally engaged in hunting. 494

(2) Divisions (C) and (D) of this section do not apply to 495  
a person who transports or possesses a handgun in a vessel and 496  
~~who has been issued a concealed handgun license that is valid at~~ 497  
~~the time of that transportation or possession or~~ who, at the 498  
time of that transportation or possession, either is carrying a 499  
valid basic competency license or is an active duty member of 500  
the armed forces of the United States and is carrying a valid 501  
military identification card and documentation of successful 502  
completion of firearms training that meets or exceeds the 503  
training requirements described in division (G) (1) of section 504  
2923.125 of the Revised Code, unless the person knowingly is in 505  
a place on the vessel described in division (B) of section 506  
2923.126 of the Revised Code. 507

(I) If a law enforcement officer stops a vessel for a 508  
violation of this section or any other law enforcement purpose, 509  
if any person on the vessel surrenders a firearm to the officer, 510  
either voluntarily or pursuant to a request or demand of the 511  
officer, and if the officer does not charge the person with a 512  
violation of this section or arrest the person for any offense, 513  
the person is not otherwise prohibited by law from possessing 514  
the firearm, and the firearm is not contraband, the officer 515  
shall return the firearm to the person at the termination of the 516  
stop. 517

(J) Division (L) of section 2923.16 of the Revised Code 518  
applies with respect to division (A) (2) of this section, except 519  
that all references in division (L) of section 2923.16 of the 520  
Revised Code to "vehicle," to "this chapter," or to "division 521  
(K) (5) (a) or (b) of this section" shall be construed for 522

purposes of this section to be, respectively, references to 523  
"vessel," to "section 1547.69 of the Revised Code," and to 524  
divisions (K) (5) (a) and (b) of section 2923.16 of the Revised 525  
Code as incorporated under the definition of firearm adopted 526  
under division (A) (2) of this section. 527

**Sec. 2921.13.** (A) No person shall knowingly make a false 528  
statement, or knowingly swear or affirm the truth of a false 529  
statement previously made, when any of the following applies: 530

(1) The statement is made in any official proceeding. 531

(2) The statement is made with purpose to incriminate 532  
another. 533

(3) The statement is made with purpose to mislead a public 534  
official in performing the public official's official function. 535

(4) The statement is made with purpose to secure the 536  
payment of unemployment compensation; Ohio works first; 537  
prevention, retention, and contingency benefits and services; 538  
disability financial assistance; retirement benefits or health 539  
care coverage from a state retirement system; economic 540  
development assistance, as defined in section 9.66 of the 541  
Revised Code; or other benefits administered by a governmental 542  
agency or paid out of a public treasury. 543

(5) The statement is made with purpose to secure the 544  
issuance by a governmental agency of a license, permit, 545  
authorization, certificate, registration, release, or provider 546  
agreement. 547

(6) The statement is sworn or affirmed before a notary 548  
public or another person empowered to administer oaths. 549

(7) The statement is in writing on or in connection with a 550

report or return that is required or authorized by law. 551

(8) The statement is in writing and is made with purpose 552  
to induce another to extend credit to or employ the offender, to 553  
confer any degree, diploma, certificate of attainment, award of 554  
excellence, or honor on the offender, or to extend to or bestow 555  
upon the offender any other valuable benefit or distinction, 556  
when the person to whom the statement is directed relies upon it 557  
to that person's detriment. 558

(9) The statement is made with purpose to commit or 559  
facilitate the commission of a theft offense. 560

(10) The statement is knowingly made to a probate court in 561  
connection with any action, proceeding, or other matter within 562  
its jurisdiction, either orally or in a written document, 563  
including, but not limited to, an application, petition, 564  
complaint, or other pleading, or an inventory, account, or 565  
report. 566

(11) The statement is made on an account, form, record, 567  
stamp, label, or other writing that is required by law. 568

(12) The statement is made in connection with the purchase 569  
of a firearm, as defined in section 2923.11 of the Revised Code, 570  
and in conjunction with the furnishing to the seller of the 571  
firearm of a fictitious or altered driver's or commercial 572  
driver's license or permit, a fictitious or altered 573  
identification card, or any other document that contains false 574  
information about the purchaser's identity. 575

(13) The statement is made in a document or instrument of 576  
writing that purports to be a judgment, lien, or claim of 577  
indebtedness and is filed or recorded with the secretary of 578  
state, a county recorder, or the clerk of a court of record. 579

(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~~ basic competency license or is made in an affidavit submitted to a county sheriff to obtain a ~~concealed handgun~~ basic competency license on a temporary emergency basis under section 2923.1213 of the Revised Code.

(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~~ basic competency 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 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 609  
or the other was false. 610

(F) (1) Whoever violates division (A) (1), (2), (3), (4), 611  
(5), (6), (7), (8), (10), (11), (13), or (15) of this section is 612  
guilty of falsification. Except as otherwise provided in this 613  
division, falsification is a misdemeanor of the first degree. 614

(2) Whoever violates division (A) (9) of this section is 615  
guilty of falsification in a theft offense. Except as otherwise 616  
provided in this division, falsification in a theft offense is a 617  
misdemeanor of the first degree. If the value of the property or 618  
services stolen is one thousand dollars or more and is less than 619  
seven thousand five hundred dollars, falsification in a theft 620  
offense is a felony of the fifth degree. If the value of the 621  
property or services stolen is seven thousand five hundred 622  
dollars or more and is less than one hundred fifty thousand 623  
dollars, falsification in a theft offense is a felony of the 624  
fourth degree. If the value of the property or services stolen 625  
is one hundred fifty thousand dollars or more, falsification in 626  
a theft offense is a felony of the third degree. 627

(3) Whoever violates division (A) (12) or (B) of this 628  
section is guilty of falsification to purchase a firearm, a 629  
felony of the fifth degree. 630

(4) Whoever violates division (A) (14) or (C) of this 631  
section is guilty of falsification to obtain a ~~concealed handgun~~ 632  
basic competency license, a felony of the fourth degree. 633

(5) Whoever violates division (A) of this section in 634  
removal proceedings under section 319.26, 321.37, 507.13, or 635  
733.78 of the Revised Code is guilty of falsification regarding 636  
a removal proceeding, a felony of the third degree. 637

(G) A person who violates this section is liable in a 638  
civil action to any person harmed by the violation for injury, 639  
death, or loss to person or property incurred as a result of the 640  
commission of the offense and for reasonable attorney's fees, 641  
court costs, and other expenses incurred as a result of 642  
prosecuting the civil action commenced under this division. A 643  
civil action under this division is not the exclusive remedy of 644  
a person who incurs injury, death, or loss to person or property 645  
as a result of a violation of this section. 646

**Sec. 2923.11.** As used in sections 2923.11 to 2923.24 of 647  
the Revised Code: 648

(A) "Deadly weapon" means any instrument, device, or thing 649  
capable of inflicting death, and designed or specially adapted 650  
for use as a weapon, or possessed, carried, or used as a weapon. 651

(B) (1) "Firearm" means any deadly weapon capable of 652  
expelling or propelling one or more projectiles by the action of 653  
an explosive or combustible propellant. "Firearm" includes an 654  
unloaded firearm, and any firearm that is inoperable but that 655  
can readily be rendered operable. 656

(2) When determining whether a firearm is capable of 657  
expelling or propelling one or more projectiles by the action of 658  
an explosive or combustible propellant, the trier of fact may 659  
rely upon circumstantial evidence, including, but not limited 660  
to, the representations and actions of the individual exercising 661  
control over the firearm. 662

(C) "Handgun" means any of the following: 663

(1) Any firearm that has a short stock and is designed to 664  
be held and fired by the use of a single hand; 665

(2) Any combination of parts from which a firearm of a 666

type described in division (C) (1) of this section can be 667  
assembled. 668

(D) "Semi-automatic firearm" means any firearm designed or 669  
specially adapted to fire a single cartridge and automatically 670  
chamber a succeeding cartridge ready to fire, with a single 671  
function of the trigger. 672

(E) "Automatic firearm" means any firearm designed or 673  
specially adapted to fire a succession of cartridges with a 674  
single function of the trigger. 675

(F) "Sawed-off firearm" means a shotgun with a barrel less 676  
than eighteen inches long, or a rifle with a barrel less than 677  
sixteen inches long, or a shotgun or rifle less than twenty-six 678  
inches long overall. "Sawed-off firearm" does not include any 679  
firearm with an overall length of at least twenty-six inches 680  
that is approved for sale by the federal bureau of alcohol, 681  
tobacco, firearms, and explosives under the "Gun Control Act of 682  
1968," 82 Stat. 1213, 18 U.S.C. 921(a) (3), but that is found by 683  
the bureau not to be regulated under the "National Firearms 684  
Act," 68A Stat. 725 (1934), 26 U.S.C. 5845(a). 685

(G) "Zip-gun" means any of the following: 686

(1) Any firearm of crude and extemporized manufacture; 687

(2) Any device, including without limitation a starter's 688  
pistol, that is not designed as a firearm, but that is specially 689  
adapted for use as a firearm; 690

(3) Any industrial tool, signalling device, or safety 691  
device, that is not designed as a firearm, but that as designed 692  
is capable of use as such, when possessed, carried, or used as a 693  
firearm. 694



(H) "Explosive device" means any device designed or 695  
specially adapted to cause physical harm to persons or property 696  
by means of an explosion, and consisting of an explosive 697  
substance or agency and a means to detonate it. "Explosive 698  
device" includes without limitation any bomb, any explosive 699  
demolition device, any blasting cap or detonator containing an 700  
explosive charge, and any pressure vessel that has been 701  
knowingly tampered with or arranged so as to explode. 702

(I) "Incendiary device" means any firebomb, and any device 703  
designed or specially adapted to cause physical harm to persons 704  
or property by means of fire, and consisting of an incendiary 705  
substance or agency and a means to ignite it. 706

(J) "Ballistic knife" means a knife with a detachable 707  
blade that is propelled by a spring-operated mechanism. 708

(K) "Dangerous ordnance" means any of the following, 709  
except as provided in division (L) of this section: 710

(1) Any automatic or sawed-off firearm, zip-gun, or 711  
ballistic knife; 712

(2) Any explosive device or incendiary device; 713

(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, 714  
cyclonite, TNT, picric acid, and other high explosives; amatol, 715  
tritonite, tetrytol, pentolite, pecretol, cyclotol, and other 716  
high explosive compositions; plastic explosives; dynamite, 717  
blasting gelatin, gelatin dynamite, sensitized ammonium nitrate, 718  
liquid-oxygen blasting explosives, blasting powder, and other 719  
blasting agents; and any other explosive substance having 720  
sufficient brisance or power to be particularly suitable for use 721  
as a military explosive, or for use in mining, quarrying, 722  
excavating, or demolitions; 723

(4) Any firearm, rocket launcher, mortar, artillery piece,	724
grenade, mine, bomb, torpedo, or similar weapon, designed and	725
manufactured for military purposes, and the ammunition for that	726
weapon;	727
(5) Any firearm muffler or suppressor;	728
(6) Any combination of parts that is intended by the owner	729
for use in converting any firearm or other device into a	730
dangerous ordnance.	731
(L) "Dangerous ordnance" does not include any of the	732
following:	733
(1) Any firearm, including a military weapon and the	734
ammunition for that weapon, and regardless of its actual age,	735
that employs a percussion cap or other obsolete ignition system,	736
or that is designed and safe for use only with black powder;	737
(2) Any pistol, rifle, or shotgun, designed or suitable	738
for sporting purposes, including a military weapon as issued or	739
as modified, and the ammunition for that weapon, unless the	740
firearm is an automatic or sawed-off firearm;	741
(3) Any cannon or other artillery piece that, regardless	742
of its actual age, is of a type in accepted use prior to 1887,	743
has no mechanical, hydraulic, pneumatic, or other system for	744
absorbing recoil and returning the tube into battery without	745
displacing the carriage, and is designed and safe for use only	746
with black powder;	747
(4) Black powder, priming quills, and percussion caps	748
possessed and lawfully used to fire a cannon of a type defined	749
in division (L) (3) of this section during displays,	750
celebrations, organized matches or shoots, and target practice,	751
and smokeless and black powder, primers, and percussion caps	752

possessed and lawfully used as a propellant or ignition device 753  
in small-arms or small-arms ammunition; 754

(5) Dangerous ordnance that is inoperable or inert and 755  
cannot readily be rendered operable or activated, and that is 756  
kept as a trophy, souvenir, curio, or museum piece; 757

(6) Any device that is expressly excepted from the 758  
definition of a destructive device pursuant to the "Gun Control 759  
Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a)(4), as amended, 760  
and regulations issued under that act; 761

(7) Any firearm with an overall length of at least twenty- 762  
six inches that is approved for sale by the federal bureau of 763  
alcohol, tobacco, firearms, and explosives under the "Gun 764  
Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a)(3), but 765  
that is found by the bureau not to be regulated under the 766  
"National Firearms Act," 68A Stat. 725 (1934), 26 U.S.C. 767  
5845(a). 768

(M) "Explosive" means any chemical compound, mixture, or 769  
device, the primary or common purpose of which is to function by 770  
explosion. "Explosive" includes all materials that have been 771  
classified as division 1.1, division 1.2, division 1.3, or 772  
division 1.4 explosives by the United States department of 773  
transportation in its regulations and includes, but is not 774  
limited to, dynamite, black powder, pellet powders, initiating 775  
explosives, blasting caps, electric blasting caps, safety fuses, 776  
fuse igniters, squibs, cordeau detonant fuses, instantaneous 777  
fuses, and igniter cords and igniters. "Explosive" does not 778  
include "fireworks," as defined in section 3743.01 of the 779  
Revised Code, or any substance or material otherwise meeting the 780  
definition of explosive set forth in this section that is 781  
manufactured, sold, possessed, transported, stored, or used in 782

any activity described in section 3743.80 of the Revised Code, 783  
provided the activity is conducted in accordance with all 784  
applicable laws, rules, and regulations, including, but not 785  
limited to, the provisions of section 3743.80 of the Revised 786  
Code and the rules of the fire marshal adopted pursuant to 787  
section 3737.82 of the Revised Code. 788

(N) (1) "~~Concealed handgun~~ Basic competency license" or 789  
"license to carry a concealed handgun" means, subject to 790  
division (N) (2) of this section, a basic competency license or 791  
temporary emergency license to carry a concealed handgun issued 792  
under section 2923.125 or 2923.1213 of the Revised Code or a 793  
license to carry a concealed handgun issued by another state 794  
with which the attorney general has entered into a reciprocity 795  
agreement under section 109.69 of the Revised Code. 796

(2) A reference in any provision of the Revised Code to a 797  
~~concealed handgun~~ basic competency license issued under section 798  
2923.125 of the Revised Code or a license to carry a concealed 799  
handgun issued under section 2923.125 of the Revised Code means 800  
only a license of the type that is specified in that section. A 801  
reference in any provision of the Revised Code to a ~~concealed~~ 802  
~~handgun~~ basic competency license issued under section 2923.1213 803  
of the Revised Code, a license to carry a concealed handgun 804  
issued under section 2923.1213 of the Revised Code, or a license 805  
to carry a concealed handgun on a temporary emergency basis 806  
means only a license of the type that is specified in section 807  
2923.1213 of the Revised Code. A reference in any provision of 808  
the Revised Code to a ~~concealed handgun~~ basic competency license 809  
issued by another state or a license to carry a concealed 810  
handgun issued by another state means only a license issued by 811  
another state with which the attorney general has entered into a 812  
reciprocity agreement under section 109.69 of the Revised Code. 813

(O) "Valid ~~concealed handgun basic competency~~ license" or 814  
"valid license to carry a concealed handgun" means a ~~concealed-~~ 815  
~~handgun basic competency~~ license that is currently valid, that 816  
is not under a suspension under division (A) (1) of section 817  
2923.128 of the Revised Code, under section 2923.1213 of the 818  
Revised Code, or under a suspension provision of the state other 819  
than this state in which the license was issued, and that has 820  
not been revoked under division (B) (1) of section 2923.128 of 821  
the Revised Code, under section 2923.1213 of the Revised Code, 822  
or under a revocation provision of the state other than this 823  
state in which the license was issued. 824

(P) "Misdemeanor punishable by imprisonment for a term 825  
exceeding one year" does not include any of the following: 826

(1) Any federal or state offense pertaining to antitrust 827  
violations, unfair trade practices, restraints of trade, or 828  
other similar offenses relating to the regulation of business 829  
practices; 830

(2) Any misdemeanor offense punishable by a term of 831  
imprisonment of two years or less. 832

(Q) "Alien registration number" means the number issued by 833  
the United States citizenship and immigration services agency 834  
that is located on the alien's permanent resident card and may 835  
also be commonly referred to as the "USCIS number" or the "alien 836  
number." 837

(R) "Active duty" has the same meaning as defined in 10 838  
U.S.C. 101. 839

**Sec. 2923.12.** (A) No person shall knowingly carry or have, 840  
concealed on the person's person or concealed ready at hand, any 841  
of the following: 842

- (1) A deadly weapon other than a handgun; 843
- (2) A handgun other than a dangerous ordnance; 844
- (3) A dangerous ordnance. 845
- (B) No person who has been issued a ~~concealed handgun~~ 846  
basic competency license shall do any of the following: 847
- (1) If the person is stopped for a law enforcement purpose 848  
and is carrying a concealed handgun, ~~before or at the time a law~~ 849  
~~enforcement officer asks if the person is carrying a concealed~~ 850  
~~handgun, knowingly fail to disclose that~~promptly inform any law 851  
enforcement officer who approaches the person after the person 852  
has been stopped that the person has been issued a basic 853  
competency license and that the person then is carrying a 854  
concealed handgun, ~~provided that it is not a violation of this~~ 855  
~~division if the person fails to disclose that fact to an officer~~ 856  
~~during the stop and the person already has notified another~~ 857  
~~officer of that fact during the same stop;~~ 858
- (2) If the person is stopped for a law enforcement purpose 859  
and is carrying a concealed handgun, knowingly fail to keep the 860  
person's hands in plain sight at any time after any law 861  
enforcement officer begins approaching the person while stopped 862  
and before the law enforcement officer leaves, unless the 863  
failure is pursuant to and in accordance with directions given 864  
by a law enforcement officer; 865
- (3) If the person is stopped for a law enforcement 866  
purpose, if the person is carrying a concealed handgun, and if 867  
the person is approached by any law enforcement officer while 868  
stopped, knowingly remove or attempt to remove the loaded 869  
handgun from the holster, pocket, or other place in which the 870  
person is carrying it, knowingly grasp or hold the loaded 871

handgun, or knowingly have contact with the loaded handgun by 872  
touching it with the person's hands or fingers at any time after 873  
the law enforcement officer begins approaching and before the 874  
law enforcement officer leaves, unless the person removes, 875  
attempts to remove, grasps, holds, or has contact with the 876  
loaded handgun pursuant to and in accordance with directions 877  
given by the law enforcement officer; 878

(4) If the person is stopped for a law enforcement purpose 879  
and is carrying a concealed handgun, knowingly disregard or fail 880  
to comply with any lawful order of any law enforcement officer 881  
given while the person is stopped, including, but not limited 882  
to, a specific order to the person to keep the person's hands in 883  
plain sight. 884

(C) (1) This section does not apply to any of the 885  
following: 886

(a) An officer, agent, or employee of this or any other 887  
state or the United States, or to a law enforcement officer, who 888  
is authorized to carry concealed weapons or dangerous ordnance 889  
or is authorized to carry handguns and is acting within the 890  
scope of the officer's, agent's, or employee's duties; 891

(b) Any person who is employed in this state, who is 892  
authorized to carry concealed weapons or dangerous ordnance or 893  
is authorized to carry handguns, and who is subject to and in 894  
compliance with the requirements of section 109.801 of the 895  
Revised Code, unless the appointing authority of the person has 896  
expressly specified that the exemption provided in division (C) 897  
(1) (b) of this section does not apply to the person; 898

(c) A person's transportation or storage of a firearm, 899  
other than a firearm described in divisions (G) to (M) of 900

section 2923.11 of the Revised Code, in a motor vehicle for any 901  
lawful purpose if the firearm is not on the actor's person; 902

(d) A person's storage or possession of a firearm, other 903  
than a firearm described in divisions (G) to (M) of section 904  
2923.11 of the Revised Code, in the actor's own home for any 905  
lawful purpose. 906

(2) Division (A) (2) of this section does not apply to any 907  
~~person who has been issued a concealed handgun license that is~~ 908  
~~valid at the time of the alleged carrying or possession of a~~ 909  
~~handgun or~~ who, at the time of the alleged carrying or 910  
possession of a handgun, either is carrying a valid basic 911  
competency license or is an active duty member of the armed 912  
forces of the United States and is carrying a valid military 913  
identification card and documentation of successful completion 914  
of firearms training that meets or exceeds the training 915  
requirements described in division (G) (1) of section 2923.125 of 916  
the Revised Code, unless the person knowingly is in a place 917  
described in division (B) of section 2923.126 of the Revised 918  
Code. 919

(D) It is an affirmative defense to a charge under 920  
division (A) (1) of this section of carrying or having control of 921  
a weapon other than a handgun and other than a dangerous 922  
ordnance that the actor was not otherwise prohibited by law from 923  
having the weapon and that any of the following applies: 924

(1) The weapon was carried or kept ready at hand by the 925  
actor for defensive purposes while the actor was engaged in or 926  
was going to or from the actor's lawful business or occupation, 927  
which business or occupation was of a character or was 928  
necessarily carried on in a manner or at a time or place as to 929  
render the actor particularly susceptible to criminal attack, 930



such as would justify a prudent person in going armed. 931

(2) The weapon was carried or kept ready at hand by the 932  
actor for defensive purposes while the actor was engaged in a 933  
lawful activity and had reasonable cause to fear a criminal 934  
attack upon the actor, a member of the actor's family, or the 935  
actor's home, such as would justify a prudent person in going 936  
armed. 937

(3) The weapon was carried or kept ready at hand by the 938  
actor for any lawful purpose and while in the actor's own home. 939

~~(E) (1) (E)~~ No person who is charged with a violation of 940  
this section shall be required to obtain a ~~concealed handgun~~ 941  
basic competency license as a condition for the dismissal of the 942  
charge. 943

~~(2) If a person is convicted of, was convicted of, pleads~~ 944  
~~guilty to, or has pleaded guilty to a violation of division (B)~~ 945  
~~(1) of this section as it existed prior to June 13, 2022, the~~ 946  
~~person may file an application under section 2953.35 of the~~ 947  
~~Revised Code requesting the expungement of the record of~~ 948  
~~conviction.~~ 949

(F) (1) Whoever violates this section is guilty of carrying 950  
concealed weapons. Except as otherwise provided in this division 951  
or divisions (F) (2), (6), and (7) of this section, carrying 952  
concealed weapons in violation of division (A) of this section 953  
is a misdemeanor of the first degree. Except as otherwise 954  
provided in this division or divisions (F) (2), (6), and (7) of 955  
this section, if the offender previously has been convicted of a 956  
violation of this section or of any offense of violence, if the 957  
weapon involved is a firearm that is either loaded or for which 958  
the offender has ammunition ready at hand, or if the weapon 959

involved is dangerous ordnance, carrying concealed weapons in 960  
violation of division (A) of this section is a felony of the 961  
fourth degree. Except as otherwise provided in divisions (F) (2) 962  
and (6) of this section, if the offense is committed aboard an 963  
aircraft, or with purpose to carry a concealed weapon aboard an 964  
aircraft, regardless of the weapon involved, carrying concealed 965  
weapons in violation of division (A) of this section is a felony 966  
of the third degree. 967

(2) A-Except as provided in division (F) (6) of this 968  
section, if a person shall not be being arrested for a violation 969  
of division (A) (2) of this section solely because the person 970  
does not promptly produceproduces a valid concealed handgun 971  
basic competency license. If a person is arrested for a 972  
violation of division (A) (2) of this section and is convicted of 973  
or pleads guilty to the violation, and if at the time of the 974  
violation the person was not knowingly in a place described in 975  
division (B) of section 2923.126 of the Revised Code, the 976  
officer shall not arrest the person for a violation of that 977  
division. If the person is not able to promptly produce any 978  
basic competency license and if the person is not in a place 979  
described in that section, the officer may arrest the person for 980  
a violation of that division, and the offender shall be punished 981  
as follows: 982

(a) The offender shall be guilty of a minor misdemeanor if 983  
both of the following apply: 984

(i) Within ten days after the arrest, the offender 985  
presents a ~~concealed handgun~~ basic competency license, which 986  
license was valid at the time of the arrest, to the law 987  
enforcement agency that employs the arresting officer. 988

(ii) At the time of the arrest, the offender was not 989

knowingly in a place described in division (B) of section 990  
2923.126 of the Revised Code. 991

(b) The offender shall be guilty of a misdemeanor and 992  
shall be fined five hundred dollars if all of the following 993  
apply: 994

(i) The offender previously had been issued a ~~concealed-~~ 995  
~~handgun-basic competency~~ license, and that license expired 996  
within the two years immediately preceding the arrest. 997

(ii) Within forty-five days after the arrest, the offender 998  
presents a ~~concealed handgun-basic competency~~ license to the law 999  
enforcement agency that employed the arresting officer, and the 1000  
offender waives in writing the offender's right to a speedy 1001  
trial on the charge of the violation that is provided in section 1002  
2945.71 of the Revised Code. 1003

(iii) At the time of the commission of the offense, the 1004  
offender was not knowingly in a place described in division (B) 1005  
of section 2923.126 of the Revised Code. 1006

(c) If divisions (F) (2) (a) and (b) and (F) (6) of this 1007  
section do not apply, the offender shall be punished under 1008  
division (F) (1) or (7) of this section. 1009

(3) ~~Carrying~~ Except as otherwise provided in this 1010  
division, carrying concealed weapons in violation of division 1011  
(B) (1) of this section is a misdemeanor of the ~~second~~ first 1012  
degree, and, in addition to any other penalty or sanction 1013  
imposed for a violation of division (B) (1) of this section, the 1014  
offender's basic competency license shall be suspended pursuant 1015  
to division (A) (2) of section 2923.128 of the Revised Code. If, 1016  
at the time of the stop of the offender for a law enforcement 1017  
purpose that was the basis of the violation, any law enforcement 1018

officer involved with the stop had actual knowledge that the 1019  
offender has been issued a basic competency license, carrying 1020  
concealed weapons in violation of division (B) (1) of this 1021  
section is a minor misdemeanor, and the offender's basic 1022  
competency license shall not be suspended pursuant to division 1023  
(A) (2) of section 2923.128 of the Revised Code. 1024

(4) Carrying concealed weapons in violation of division 1025  
(B) (2) or (4) of this section is a misdemeanor of the first 1026  
degree or, if the offender previously has been convicted of or 1027  
pleaded guilty to a violation of division (B) (2) or (4) of this 1028  
section, a felony of the fifth degree. In addition to any other 1029  
penalty or sanction imposed for a misdemeanor violation of 1030  
division (B) (2) or (4) of this section, the offender's ~~concealed~~ 1031  
~~handgun~~ basic competency license shall be suspended pursuant to 1032  
division (A) (2) of section 2923.128 of the Revised Code. 1033

(5) Carrying concealed weapons in violation of division 1034  
(B) (3) of this section is a felony of the fifth degree. 1035

(6) If a person being arrested for a violation of division 1036  
(A) (2) of this section is an active duty member of the armed 1037  
forces of the United States and is carrying a valid military 1038  
identification card and documentation of successful completion 1039  
of firearms training that meets or exceeds the training 1040  
requirements described in division (G) (1) of section 2923.125 of 1041  
the Revised Code, and if at the time of the violation the person 1042  
was not knowingly in a place described in division (B) of 1043  
section 2923.126 of the Revised Code, the officer shall not 1044  
arrest the person for a violation of that division. If the 1045  
person is not able to promptly produce a valid military 1046  
identification card and documentation of successful completion 1047  
of firearms training that meets or exceeds the training 1048

requirements described in division (G) (1) of section 2923.125 of 1049  
the Revised Code and if the person is not in a place described 1050  
in division (B) of section 2923.126 of the Revised Code, the 1051  
officer shall issue a citation and the offender shall be 1052  
assessed a civil penalty of not more than five hundred dollars. 1053  
The citation shall be automatically dismissed and the civil 1054  
penalty shall not be assessed if both of the following apply: 1055

(a) Within ten days after the issuance of the citation, 1056  
the offender presents a valid military identification card and 1057  
documentation of successful completion of firearms training that 1058  
meets or exceeds the training requirements described in division 1059  
(G) (1) of section 2923.125 of the Revised Code, which were both 1060  
valid at the time of the issuance of the citation to the law 1061  
enforcement agency that employs the citing officer. 1062

(b) At the time of the citation, the offender was not 1063  
knowingly in a place described in division (B) of section 1064  
2923.126 of the Revised Code. 1065

(7) If a person being arrested for a violation of division 1066  
(A) (2) of this section is knowingly in a place described in 1067  
division (B) (5) of section 2923.126 of the Revised Code and is 1068  
not authorized to carry a handgun or have a handgun concealed on 1069  
the person's person or concealed ready at hand under that 1070  
division, the penalty shall be as follows: 1071

(a) Except as otherwise provided in this division, if the 1072  
person produces a valid ~~concealed handgun~~ basic competency 1073  
license within ten days after the arrest and has not previously 1074  
been convicted or pleaded guilty to a violation of division (A) 1075  
(2) of this section, the person is guilty of a minor 1076  
misdemeanor; 1077

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

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

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

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

(H) For purposes of this section, "deadly weapon" or 1108  
"weapon" does not include any knife, razor, or cutting 1109  
instrument if the instrument was not used as a weapon. 1110

**Sec. 2923.121.** (A) No person shall possess a firearm in 1111  
any room in which any person is consuming beer or intoxicating 1112  
liquor in a premises for which a D permit has been issued under 1113  
Chapter 4303. of the Revised Code or in an open air arena for 1114  
which a permit of that nature has been issued. 1115

(B) (1) This section does not apply to any of the 1116  
following: 1117

(a) An officer, agent, or employee of this or any other 1118  
state or the United States, or a law enforcement officer, who is 1119  
authorized to carry firearms and is acting within the scope of 1120  
the officer's, agent's, or employee's duties; 1121

(b) A law enforcement officer or investigator who is 1122  
authorized to carry firearms but is not acting within the scope 1123  
of the officer's or investigator's duties, as long as all of the 1124  
following apply: 1125

(i) The officer or investigator is carrying validating 1126  
identification. 1127

(ii) If the firearm the officer or investigator possesses 1128  
is a firearm issued or approved by the law enforcement agency 1129  
served by the officer or by the bureau of criminal 1130  
identification and investigation with respect to an 1131  
investigator, the agency or bureau does not have a restrictive 1132  
firearms carrying policy. 1133

(iii) The officer or investigator is not consuming beer or 1134  
intoxicating liquor and is not under the influence of alcohol or 1135  
a drug of abuse. 1136

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

(d) The principal holder of a D permit issued for a premises or an open air arena under Chapter 4303. of the Revised Code while in the premises or open air arena for which the permit was issued if the principal holder of the D permit also ~~has been issued~~ possesses a valid concealed handgun basic competency license ~~that is valid at the time in question~~ and as long as the principal holder is not consuming beer or intoxicating liquor or under the influence of alcohol or a drug of abuse, or any agent or employee of that holder who also is a peace officer, as defined in section 2151.3515 of the Revised Code, who is off duty, and who otherwise is authorized to carry firearms while in the course of the officer's official duties and while in the premises or open air arena for which the permit was issued and as long as the agent or employee of that holder is not consuming beer or intoxicating liquor or under the influence of alcohol or a drug of abuse.

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

(2) This section does not prohibit any person who is a member of a veteran's organization, as defined in section



2915.01 of the Revised Code, from possessing a rifle in any room 1167  
in any premises owned, leased, or otherwise under the control of 1168  
the veteran's organization, if the rifle is not loaded with live 1169  
ammunition and if the person otherwise is not prohibited by law 1170  
from having the rifle. 1171

(3) This section does not apply to any person possessing 1172  
or displaying firearms in any room used to exhibit unloaded 1173  
firearms for sale or trade in a soldiers' memorial established 1174  
pursuant to Chapter 345. of the Revised Code, in a convention 1175  
center, or in any other public meeting place, if the person is 1176  
an exhibitor, trader, purchaser, or seller of firearms and is 1177  
not otherwise prohibited by law from possessing, trading, 1178  
purchasing, or selling the firearms. 1179

(C) It is an affirmative defense to a charge under this 1180  
section of illegal possession of a firearm in a liquor permit 1181  
premises that involves the possession of a firearm other than a 1182  
handgun, that the actor was not otherwise prohibited by law from 1183  
having the firearm, and that any of the following apply: 1184

(1) The firearm was carried or kept ready at hand by the 1185  
actor for defensive purposes, while the actor was engaged in or 1186  
was going to or from the actor's lawful business or occupation, 1187  
which business or occupation was of such character or was 1188  
necessarily carried on in such manner or at such a time or place 1189  
as to render the actor particularly susceptible to criminal 1190  
attack, such as would justify a prudent person in going armed. 1191

(2) The firearm was carried or kept ready at hand by the 1192  
actor for defensive purposes, while the actor was engaged in a 1193  
lawful activity, and had reasonable cause to fear a criminal 1194  
attack upon the actor or a member of the actor's family, or upon 1195  
the actor's home, such as would justify a prudent person in 1196

going armed. 1197

(D) No person who is charged with a violation of this 1198  
section shall be required to obtain a ~~concealed handgun basic~~ 1199  
competency license as a condition for the dismissal of the 1200  
charge. 1201

(E) Whoever violates this section is guilty of illegal 1202  
possession of a firearm in a liquor permit premises. Except as 1203  
otherwise provided in this division, illegal possession of a 1204  
firearm in a liquor permit premises is a felony of the fifth 1205  
degree. If the offender commits the violation of this section by 1206  
knowingly carrying or having the firearm concealed on the 1207  
offender's person or concealed ready at hand, illegal possession 1208  
of a firearm in a liquor permit premises is a felony of the 1209  
third degree. 1210

(F) As used in this section: 1211

(1) "Beer" and "intoxicating liquor" have the same 1212  
meanings as in section 4301.01 of the Revised Code. 1213

(2) "Investigator" has the same meaning as in section 1214  
109.541 of the Revised Code. 1215

(3) "Restrictive firearms carrying policy" means a 1216  
specific policy of a law enforcement agency or the bureau of 1217  
criminal identification and investigation that prohibits all 1218  
officers of the agency or all investigators of the bureau, while 1219  
not acting within the scope of the officer's or investigator's 1220  
duties, from doing either of the following: 1221

(a) Carrying a firearm issued or approved by the agency or 1222  
bureau in any room, premises, or arena described in division (A) 1223  
of this section; 1224

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

(4) "Law enforcement officer" has the same meaning as in section 9.69 of the Revised Code.

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

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

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

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

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

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

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

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

(D) (1) This section does not apply to any of the 1252  
following: 1253

(a) An officer, agent, or employee of this or any other 1254  
state or the United States who is authorized to carry deadly 1255  
weapons or dangerous ordnance and is acting within the scope of 1256  
the officer's, agent's, or employee's duties; 1257

(b) A law enforcement officer who is authorized to carry 1258  
deadly weapons or dangerous ordnance; 1259

(c) A security officer employed by a board of education or 1260  
governing body of a school during the time that the security 1261  
officer is on duty pursuant to that contract of employment; 1262

(d) Any person not described in divisions (D) (1) (a) to (c) 1263  
of this section who has written authorization from the board of 1264  
education or governing body of a school to convey deadly weapons 1265  
or dangerous ordnance into a school safety zone or to possess a 1266  
deadly weapon or dangerous ordnance in a school safety zone and 1267  
who conveys or possesses the deadly weapon or dangerous ordnance 1268  
in accordance with that authorization, provided both of the 1269  
following apply: 1270

(i) Either the person has successfully completed the 1271  
curriculum, instruction, and training established under section 1272  
5502.703 of the Revised Code, or the person has received a 1273  
certificate of having satisfactorily completed an approved basic 1274  
peace officer training program or is a law enforcement officer; 1275

(ii) The board or governing body has notified the public, 1276  
by whatever means the affected school regularly communicates 1277  
with the public, that the board or governing body has authorized 1278  
one or more persons to go armed within a school operated by the 1279  
board or governing authority. 1280

A district board or school governing body that authorizes 1281  
a person under division (D) (1) (d) of this section shall require 1282  
that person to submit to an annual criminal records check 1283  
conducted in the same manner as section 3319.39 or 3319.391 of 1284  
the Revised Code. 1285

(e) Any person who is employed in this state, who is 1286  
authorized to carry deadly weapons or dangerous ordnance, and 1287  
who is subject to and in compliance with the requirements of 1288  
section 109.801 of the Revised Code, unless the appointing 1289  
authority of the person has expressly specified that the 1290  
exemption provided in division (D) (1) (e) of this section does 1291  
not apply to the person. 1292

(2) Division (C) of this section does not apply to 1293  
premises upon which home schooling is conducted. Division (C) of 1294  
this section also does not apply to a school administrator, 1295  
teacher, or employee who possesses an object that is 1296  
indistinguishable from a firearm for legitimate school purposes 1297  
during the course of employment, a student who uses an object 1298  
that is indistinguishable from a firearm under the direction of 1299  
a school administrator, teacher, or employee, or any other 1300  
person who with the express prior approval of a school 1301  
administrator possesses an object that is indistinguishable from 1302  
a firearm for a legitimate purpose, including the use of the 1303  
object in a ceremonial activity, a play, reenactment, or other 1304  
dramatic presentation, school safety training, or a ROTC 1305  
activity or another similar use of the object. 1306

(3) This section does not apply to a person who conveys or 1307  
attempts to convey a handgun into, or possesses a handgun in, a 1308  
school safety zone if, at the time of that conveyance, attempted 1309  
conveyance, or possession of the handgun, all of the following 1310

apply: 1311

(a) The person does not enter into a school building or 1312  
onto school premises and is not at a school activity. 1313

(b) The person ~~has been issued~~ is carrying a valid 1314  
~~concealed handgun basic competency license that is valid at the~~ 1315  
~~time of the conveyance, attempted conveyance, or possession~~ or 1316  
the person is an active duty member of the armed forces of the 1317  
United States and is carrying a valid military identification 1318  
card and documentation of successful completion of firearms 1319  
training that meets or exceeds the training requirements 1320  
described in division (G) (1) of section 2923.125 of the Revised 1321  
Code. 1322

(c) The person is in the school safety zone in accordance 1323  
with 18 U.S.C. 922(q) (2) (B). 1324

(d) The person is not knowingly in a place described in 1325  
division (B) (1) or (B) (3) to (8) of section 2923.126 of the 1326  
Revised Code. 1327

(4) This section does not apply to a person who conveys or 1328  
attempts to convey a handgun into, or possesses a handgun in, a 1329  
school safety zone if at the time of that conveyance, attempted 1330  
conveyance, or possession of the handgun all of the following 1331  
apply: 1332

(a) The person ~~has been issued~~ is carrying a valid 1333  
~~concealed handgun basic competency license that is valid at the~~ 1334  
~~time of the conveyance, attempted conveyance, or possession~~ or 1335  
the person is an active duty member of the armed forces of the 1336  
United States and is carrying a valid military identification 1337  
card and documentation of successful completion of firearms 1338  
training that meets or exceeds the training requirements 1339

described in division (G) (1) of section 2923.125 of the Revised Code. 1340  
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(b) The person leaves the handgun in a motor vehicle. 1342

(c) The handgun does not leave the motor vehicle. 1343

(d) If the person exits the motor vehicle, the person locks the motor vehicle. 1344  
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(E) (1) Whoever violates division (A) or (B) of this section is guilty of illegal conveyance or possession of a deadly weapon or dangerous ordnance in a school safety zone. 1346  
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Except as otherwise provided in this division, illegal conveyance or possession of a deadly weapon or dangerous ordnance in a school safety zone is a felony of the fifth degree. If the offender previously has been convicted of a violation of this section, illegal conveyance or possession of a deadly weapon or dangerous ordnance in a school safety zone is a felony of the fourth degree. 1349  
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(2) Whoever violates division (C) of this section is guilty of illegal possession of an object indistinguishable from a firearm in a school safety zone. Except as otherwise provided in this division, illegal possession of an object indistinguishable from a firearm in a school safety zone is a misdemeanor of the first degree. If the offender previously has been convicted of a violation of this section, illegal possession of an object indistinguishable from a firearm in a school safety zone is a felony of the fifth degree. 1356  
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(F) (1) In addition to any other penalty imposed upon a person who is convicted of or pleads guilty to a violation of this section and subject to division (F) (2) of this section, if the offender has not attained nineteen years of age, regardless 1365  
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of whether the offender is attending or is enrolled in a school 1369  
operated by a board of education or for which the director of 1370  
education and workforce prescribes minimum standards under 1371  
section 3301.07 of the Revised Code, the court shall impose upon 1372  
the offender a class four suspension of the offender's 1373  
probationary driver's license, restricted license, driver's 1374  
license, commercial driver's license, temporary instruction 1375  
permit, or probationary commercial driver's license that then is 1376  
in effect from the range specified in division (A)(4) of section 1377  
4510.02 of the Revised Code and shall deny the offender the 1378  
issuance of any permit or license of that type during the period 1379  
of the suspension. 1380

If the offender is not a resident of this state, the court 1381  
shall impose a class four suspension of the nonresident 1382  
operating privilege of the offender from the range specified in 1383  
division (A)(4) of section 4510.02 of the Revised Code. 1384

(2) If the offender shows good cause why the court should 1385  
not suspend one of the types of licenses, permits, or privileges 1386  
specified in division (F)(1) of this section or deny the 1387  
issuance of one of the temporary instruction permits specified 1388  
in that division, the court in its discretion may choose not to 1389  
impose the suspension, revocation, or denial required in that 1390  
division, but the court, in its discretion, instead may require 1391  
the offender to perform community service for a number of hours 1392  
determined by the court. 1393

(G) As used in this section, "object that is 1394  
indistinguishable from a firearm" means an object made, 1395  
constructed, or altered so that, to a reasonable person without 1396  
specialized training in firearms, the object appears to be a 1397  
firearm. 1398



**Sec. 2923.123.** (A) No person shall knowingly convey or 1399  
attempt to convey a deadly weapon or dangerous ordnance into a 1400  
courthouse or into another building or structure in which a 1401  
courtroom is located. 1402

(B) No person shall knowingly possess or have under the 1403  
person's control a deadly weapon or dangerous ordnance in a 1404  
courthouse or in another building or structure in which a 1405  
courtroom is located. 1406

(C) This section does not apply to any of the following: 1407

(1) Except as provided in division (E) of this section, a 1408  
judge of a court of record of this state or a magistrate; 1409

(2) A peace officer, officer of a law enforcement agency, 1410  
or person who is in either of the following categories: 1411

(a) Except as provided in division (E) of this section, a 1412  
peace officer, or an officer of a law enforcement agency of 1413  
another state, a political subdivision of another state, or the 1414  
United States, who is authorized to carry a deadly weapon or 1415  
dangerous ordnance, who possesses or has under that individual's 1416  
control a deadly weapon or dangerous ordnance as a requirement 1417  
of that individual's duties, and who is acting within the scope 1418  
of that individual's duties at the time of that possession or 1419  
control; 1420

(b) Except as provided in division (E) of this section, a 1421  
person who is employed in this state, who is authorized to carry 1422  
a deadly weapon or dangerous ordnance, who possesses or has 1423  
under that individual's control a deadly weapon or dangerous 1424  
ordnance as a requirement of that person's duties, and who is 1425  
subject to and in compliance with the requirements of section 1426  
109.801 of the Revised Code, unless the appointing authority of 1427

the person has expressly specified that the exemption provided 1428  
in division (C) (2) (b) of this section does not apply to the 1429  
person. 1430

(3) A person who conveys, attempts to convey, possesses, 1431  
or has under the person's control a deadly weapon or dangerous 1432  
ordnance that is to be used as evidence in a pending criminal or 1433  
civil action or proceeding; 1434

(4) Except as provided in division (E) of this section, a 1435  
bailiff or deputy bailiff of a court of record of this state who 1436  
is authorized to carry a firearm pursuant to section 109.77 of 1437  
the Revised Code, who possesses or has under that individual's 1438  
control a firearm as a requirement of that individual's duties, 1439  
and who is acting within the scope of that individual's duties 1440  
at the time of that possession or control; 1441

(5) Except as provided in division (E) of this section, a 1442  
prosecutor, or a secret service officer appointed by a county 1443  
prosecuting attorney, who is authorized to carry a deadly weapon 1444  
or dangerous ordnance in the performance of the individual's 1445  
duties, who possesses or has under that individual's control a 1446  
deadly weapon or dangerous ordnance as a requirement of that 1447  
individual's duties, and who is acting within the scope of that 1448  
individual's duties at the time of that possession or control; 1449

(6) Except as provided in division (E) of this section, a 1450  
person who conveys or attempts to convey a handgun into a 1451  
courthouse or into another building or structure in which a 1452  
courtroom is located, ~~if the person has been issued a concealed~~ 1453  
~~handgun license that is valid at the time of the conveyance or~~ 1454  
~~attempt or who,~~ at the time of the conveyance or attempt, ~~the~~ 1455  
~~person either is carrying a valid basic competency license or is~~ 1456  
an active duty member of the armed forces of the United States 1457

and is carrying a valid military identification card and 1458  
documentation of successful completion of firearms training that 1459  
meets or exceeds the training requirements described in division 1460  
(G) (1) of section 2923.125 of the Revised Code, and ~~if in either~~ 1461  
~~case the person~~ who transfers possession of the handgun to the 1462  
officer or officer's designee who has charge of the courthouse 1463  
or building. The officer shall secure the handgun until the 1464  
licensee is prepared to leave the premises. The exemption 1465  
described in this division applies only if the officer who has 1466  
charge of the courthouse or building provides services of the 1467  
nature described in this division. An officer who has charge of 1468  
the courthouse or building is not required to offer services of 1469  
the nature described in this division. 1470

(D) (1) Whoever violates division (A) of this section is 1471  
guilty of illegal conveyance of a deadly weapon or dangerous 1472  
ordnance into a courthouse. Except as otherwise provided in this 1473  
division, illegal conveyance of a deadly weapon or dangerous 1474  
ordnance into a courthouse is a felony of the fifth degree. If 1475  
the offender previously has been convicted of a violation of 1476  
division (A) or (B) of this section, illegal conveyance of a 1477  
deadly weapon or dangerous ordnance into a courthouse is a 1478  
felony of the fourth degree. 1479

(2) Whoever violates division (B) of this section is 1480  
guilty of illegal possession or control of a deadly weapon or 1481  
dangerous ordnance in a courthouse. Except as otherwise provided 1482  
in this division, illegal possession or control of a deadly 1483  
weapon or dangerous ordnance in a courthouse is a felony of the 1484  
fifth degree. If the offender previously has been convicted of a 1485  
violation of division (A) or (B) of this section, illegal 1486  
possession or control of a deadly weapon or dangerous ordnance 1487  
in a courthouse is a felony of the fourth degree. 1488

(E) The exemptions described in divisions (C) (1), (2) (a), 1489  
(2) (b), (4), (5), and (6) of this section do not apply to any 1490  
judge, magistrate, peace officer, officer of a law enforcement 1491  
agency, bailiff, deputy bailiff, prosecutor, secret service 1492  
officer, or other person described in any of those divisions if 1493  
a rule of superintendence or another type of rule adopted by the 1494  
supreme court pursuant to Article IV, Ohio Constitution, or an 1495  
applicable local rule of court prohibits all persons from 1496  
conveying or attempting to convey a deadly weapon or dangerous 1497  
ordnance into a courthouse or into another building or structure 1498  
in which a courtroom is located or from possessing or having 1499  
under one's control a deadly weapon or dangerous ordnance in a 1500  
courthouse or in another building or structure in which a 1501  
courtroom is located. 1502

(F) As used in this section: 1503

(1) "Magistrate" means an individual who is appointed by a 1504  
court of record of this state and who has the powers and may 1505  
perform the functions specified in Civil Rule 53, Criminal Rule 1506  
19, or Juvenile Rule 40. 1507

(2) "Peace officer" and "prosecutor" have the same 1508  
meanings as in section 2935.01 of the Revised Code. 1509

**Sec. 2923.124.** As used in sections 2923.124 to 2923.1213 1510  
of the Revised Code: 1511

(A) "Application form" means the application form 1512  
prescribed pursuant to division (A) (1) of section 109.731 of the 1513  
Revised Code and includes a copy of that form. 1514

(B) "Competency certification" and "competency 1515  
certificate" mean a document of the type described in division 1516  
(B) (3) of section 2923.125 of the Revised Code. 1517

- (C) "Detention facility" has the same meaning as in section 2921.01 of the Revised Code. 1518  
1519
- (D) "Licensee" means a person to whom a ~~concealed handgun~~ basic competency license has been issued under section 2923.125 of the Revised Code and, except when the context clearly indicates otherwise, includes a person to whom a ~~concealed handgun~~ basic competency license on a temporary emergency basis has been issued under section 2923.1213 of the Revised Code and a person to whom a ~~concealed handgun~~ basic competency license has been issued by another state. 1520  
1521  
1522  
1523  
1524  
1525  
1526  
1527
- (E) "License fee" or "license renewal fee" means the fee for a ~~concealed handgun~~ basic competency license or the fee to renew that license that is to be paid by an applicant for a license of that type. 1528  
1529  
1530  
1531
- (F) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code. 1532  
1533
- (G) "State correctional institution" has the same meaning as in section 2967.01 of the Revised Code. 1534  
1535
- (H) "Civil protection order" means a protection order issued, or consent agreement approved, under section 2903.214 or 3113.31 of the Revised Code. 1536  
1537  
1538
- (I) "Temporary protection order" means a protection order issued under section 2903.213 or 2919.26 of the Revised Code. 1539  
1540
- (J) "Protection order issued by a court of another state" has the same meaning as in section 2919.27 of the Revised Code. 1541  
1542
- (K) "Child care center," "type A family child care home" and "type B family child care home" have the same meanings as in section 5104.01 of the Revised Code. 1543  
1544  
1545

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

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

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

**Sec. 2923.125.** It is the intent of the general assembly that Ohio ~~concealed handgun~~ basic competency 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~~ basic competency 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~~ basic competency licenses other than ~~concealed handgun~~ basic competency 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~~ basic competency license with respect to which this section applies or to renew a ~~concealed handgun~~ basic competency 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 1576  
(B) of section 109.731 of the Revised Code may be found. A 1577  
sheriff shall accept a completed application form and the fee, 1578  
items, materials, and information specified in divisions (B)(1) 1579  
to (5) of this section at the times and in the manners described 1580  
in division (I) of this section. 1581

(B) An applicant for a ~~concealed handgun~~ basic competency 1582  
license who is a resident of this state shall submit a completed 1583  
application form and all of the material and information 1584  
described in divisions (B)(1) to (6) of this section to the 1585  
sheriff of the county in which the applicant resides or to the 1586  
sheriff of any county adjacent to the county in which the 1587  
applicant resides. An applicant for a license who resides in 1588  
another state shall submit a completed application form and all 1589  
of the material and information described in divisions (B)(1) to 1590  
(7) of this section to the sheriff of the county in which the 1591  
applicant is employed or to the sheriff of any county adjacent 1592  
to the county in which the applicant is employed: 1593

(1) (a) A nonrefundable license fee as described in either 1594  
of the following: 1595

(i) For an applicant who has been a resident of this state 1596  
for five or more years, a fee of sixty-seven dollars; 1597

(ii) For an applicant who has been a resident of this 1598  
state for less than five years or who is not a resident of this 1599  
state, but who is employed in this state, a fee of sixty-seven 1600  
dollars plus the actual cost of having a background check 1601  
performed by the federal bureau of investigation. 1602

(b) No sheriff shall require an applicant to pay for the 1603  
cost of a background check performed by the bureau of criminal 1604

identification and investigation. 1605

(c) A sheriff shall waive the payment of the license fee 1606  
described in division (B) (1) (a) of this section in connection 1607  
with an initial or renewal application for a license that is 1608  
submitted by an applicant who is an active or reserve member of 1609  
the armed forces of the United States or has retired from or was 1610  
honorably discharged from military service in the active or 1611  
reserve armed forces of the United States, a retired peace 1612  
officer, a retired person described in division (B) (1) (b) of 1613  
section 109.77 of the Revised Code, or a retired federal law 1614  
enforcement officer who, prior to retirement, was authorized 1615  
under federal law to carry a firearm in the course of duty, 1616  
unless the retired peace officer, person, or federal law 1617  
enforcement officer retired as the result of a mental 1618  
disability. 1619

(d) The sheriff shall deposit all fees paid by an 1620  
applicant under division (B) (1) (a) of this section into the 1621  
sheriff's ~~concealed handgun~~ basic competency license issuance 1622  
fund established pursuant to section 311.42 of the Revised Code. 1623  
The county shall distribute the fees in accordance with section 1624  
311.42 of the Revised Code. 1625

(2) A color photograph of the applicant that was taken 1626  
within thirty days prior to the date of the application; 1627

(3) One or more of the following competency 1628  
certifications, each of which shall reflect that, regarding a 1629  
certification described in division (B) (3) (a), (b), (c), (e), or 1630  
(f) of this section, within the three years immediately 1631  
preceding the application the applicant has performed that to 1632  
which the competency certification relates and that, regarding a 1633  
certification described in division (B) (3) (d) of this section, 1634



the applicant currently is an active or reserve member of the 1635  
armed forces of the United States, the applicant has retired 1636  
from or was honorably discharged from military service in the 1637  
active or reserve armed forces of the United States, or within 1638  
the ten years immediately preceding the application the 1639  
retirement of the peace officer, person described in division 1640  
(B) (1) (b) of section 109.77 of the Revised Code, or federal law 1641  
enforcement officer to which the competency certification 1642  
relates occurred: 1643

(a) An original or photocopy of a certificate of 1644  
completion of a firearms safety, training, or requalification or 1645  
firearms safety instructor course, class, or program that was 1646  
offered by or under the auspices of a national gun advocacy 1647  
organization and that complies with the requirements set forth 1648  
in division (G) of this section; 1649

(b) An original or photocopy of a certificate of 1650  
completion of a firearms safety, training, or requalification or 1651  
firearms safety instructor course, class, or program that 1652  
satisfies all of the following criteria: 1653

(i) It was open to members of the general public. 1654

(ii) It utilized qualified instructors who were certified 1655  
by a national gun advocacy organization, the executive director 1656  
of the Ohio peace officer training commission pursuant to 1657  
section 109.75 or 109.78 of the Revised Code, or a governmental 1658  
official or entity of another state. 1659

(iii) It was offered by or under the auspices of a law 1660  
enforcement agency of this or another state or the United 1661  
States, a public or private college, university, or other 1662  
similar postsecondary educational institution located in this or 1663

another state, a firearms training school located in this or 1664  
another state, or another type of public or private entity or 1665  
organization located in this or another state. 1666

(iv) It complies with the requirements set forth in 1667  
division (G) of this section. 1668

(c) An original or photocopy of a certificate of 1669  
completion of a state, county, municipal, or department of 1670  
natural resources peace officer training school that is approved 1671  
by the executive director of the Ohio peace officer training 1672  
commission pursuant to section 109.75 of the Revised Code and 1673  
that complies with the requirements set forth in division (G) of 1674  
this section, or the applicant has satisfactorily completed and 1675  
been issued a certificate of completion of a basic firearms 1676  
training program, a firearms requalification training program, 1677  
or another basic training program described in section 109.78 or 1678  
109.801 of the Revised Code that complies with the requirements 1679  
set forth in division (G) of this section; 1680

(d) A document that evidences both of the following: 1681

(i) That the applicant is an active or reserve member of 1682  
the armed forces of the United States, has retired from or was 1683  
honorably discharged from military service in the active or 1684  
reserve armed forces of the United States, is a retired trooper 1685  
of the state highway patrol, or is a retired peace officer or 1686  
federal law enforcement officer described in division (B) (1) of 1687  
this section or a retired person described in division (B) (1) (b) 1688  
of section 109.77 of the Revised Code and division (B) (1) of 1689  
this section; 1690

(ii) That, through participation in the military service 1691  
or through the former employment described in division (B) (3) (d) 1692

(i) of this section, the applicant acquired experience with 1693  
handling handguns or other firearms, and the experience so 1694  
acquired was equivalent to training that the applicant could 1695  
have acquired in a course, class, or program described in 1696  
division (B) (3) (a), (b), or (c) of this section. 1697

(e) A certificate or another similar document that 1698  
evidences satisfactory completion of a firearms training, 1699  
safety, or requalification or firearms safety instructor course, 1700  
class, or program that is not otherwise described in division 1701  
(B) (3) (a), (b), (c), or (d) of this section, that was conducted 1702  
by an instructor who was certified by an official or entity of 1703  
the government of this or another state or the United States or 1704  
by a national gun advocacy organization, and that complies with 1705  
the requirements set forth in division (G) of this section; 1706

(f) An affidavit that attests to the applicant's 1707  
satisfactory completion of a course, class, or program described 1708  
in division (B) (3) (a), (b), (c), or (e) of this section and that 1709  
is subscribed by the applicant's instructor or an authorized 1710  
representative of the entity that offered the course, class, or 1711  
program or under whose auspices the course, class, or program 1712  
was offered; 1713

(g) A document that evidences that the applicant has 1714  
successfully completed the Ohio peace officer training program 1715  
described in section 109.79 of the Revised Code. 1716

(4) A certification by the applicant that the applicant 1717  
has read the pamphlet prepared by the Ohio peace officer 1718  
training commission pursuant to section 109.731 of the Revised 1719  
Code that reviews firearms, dispute resolution, and use of 1720  
deadly force matters. 1721

(5) A set of fingerprints of the applicant provided as 1722  
described in section 311.41 of the Revised Code through use of 1723  
an electronic fingerprint reading device or, if the sheriff to 1724  
whom the application is submitted does not possess and does not 1725  
have ready access to the use of such a reading device, on a 1726  
standard impression sheet prescribed pursuant to division (C) (2) 1727  
of section 109.572 of the Revised Code. 1728

(6) If the applicant is not a citizen or national of the 1729  
United States, the name of the applicant's country of 1730  
citizenship and the applicant's alien registration number issued 1731  
by the United States citizenship and immigration services 1732  
agency. 1733

(7) If the applicant resides in another state, adequate 1734  
proof of employment in Ohio. 1735

(C) Upon receipt of the completed application form, 1736  
supporting documentation, and, if not waived, license fee of an 1737  
applicant under this section, a sheriff, in the manner specified 1738  
in section 311.41 of the Revised Code, shall conduct or cause to 1739  
be conducted the criminal records check and the incompetency 1740  
records check described in section 311.41 of the Revised Code. 1741

(D) (1) Except as provided in division (D) (3) of this 1742  
section, within forty-five days after a sheriff's receipt of an 1743  
applicant's completed application form for a ~~concealed handgun~~ 1744  
basic competency license under this section, the supporting 1745  
documentation, and, if not waived, the license fee, the sheriff 1746  
shall make available through the law enforcement automated data 1747  
system in accordance with division (H) of this section the 1748  
information described in that division and, upon making the 1749  
information available through the system, shall issue to the 1750  
applicant a ~~concealed handgun~~ basic competency license that 1751

shall expire as described in division (D)(2)(a) of this section 1752  
if all of the following apply: 1753

(a) The applicant is legally living in the United States. 1754  
For purposes of division (D)(1)(a) of this section, if a person 1755  
is absent from the United States in compliance with military or 1756  
naval orders as an active or reserve member of the armed forces 1757  
of the United States and if prior to leaving the United States 1758  
the person was legally living in the United States, the person, 1759  
solely by reason of that absence, shall not be considered to 1760  
have lost the person's status as living in the United States. 1761

(b) The applicant is at least twenty-one years of age. 1762

(c) The applicant is not a fugitive from justice. 1763

(d) The applicant is not under indictment for or otherwise 1764  
charged with a felony; an offense under Chapter 2925., 3719., or 1765  
4729. of the Revised Code that involves the illegal possession, 1766  
use, sale, administration, or distribution of or trafficking in 1767  
a drug of abuse; a misdemeanor offense of violence; or a 1768  
violation of section 2903.14 or 2923.1211 of the Revised Code. 1769

(e) Except as otherwise provided in division (D)(4) or (5) 1770  
of this section, the applicant has not been convicted of or 1771  
pleaded guilty to a felony or an offense under Chapter 2925., 1772  
3719., or 4729. of the Revised Code that involves the illegal 1773  
possession, use, sale, administration, or distribution of or 1774  
trafficking in a drug of abuse; has not been adjudicated a 1775  
delinquent child for committing an act that if committed by an 1776  
adult would be a felony or would be an offense under Chapter 1777  
2925., 3719., or 4729. of the Revised Code that involves the 1778  
illegal possession, use, sale, administration, or distribution 1779  
of or trafficking in a drug of abuse; has not been convicted of, 1780

pleaded guilty to, or adjudicated a delinquent child for 1781  
committing a violation of section 2903.13 of the Revised Code 1782  
when the victim of the violation is a peace officer, regardless 1783  
of whether the applicant was sentenced under division ~~(C)(4)~~ (C) 1784  
(6) of that section; and has not been convicted of, pleaded 1785  
guilty to, or adjudicated a delinquent child for committing any 1786  
other offense that is not previously described in this division 1787  
that is a misdemeanor punishable by imprisonment for a term 1788  
exceeding one year. 1789

(f) Except as otherwise provided in division (D) (4) or (5) 1790  
of this section, the applicant, within three years of the date 1791  
of the application, has not been convicted of or pleaded guilty 1792  
to a misdemeanor offense of violence other than a misdemeanor 1793  
violation of section 2921.33 of the Revised Code or a violation 1794  
of section 2903.13 of the Revised Code when the victim of the 1795  
violation is a peace officer, or a misdemeanor violation of 1796  
section 2923.1211 of the Revised Code; and has not been 1797  
adjudicated a delinquent child for committing an act that if 1798  
committed by an adult would be a misdemeanor offense of violence 1799  
other than a misdemeanor violation of section 2921.33 of the 1800  
Revised Code or a violation of section 2903.13 of the Revised 1801  
Code when the victim of the violation is a peace officer or for 1802  
committing an act that if committed by an adult would be a 1803  
misdemeanor violation of section 2923.1211 of the Revised Code. 1804

(g) Except as otherwise provided in division (D) (1) (e) of 1805  
this section, the applicant, within five years of the date of 1806  
the application, has not been convicted of, pleaded guilty to, 1807  
or adjudicated a delinquent child for committing two or more 1808  
violations of section 2903.13 or 2903.14 of the Revised Code. 1809

(h) Except as otherwise provided in division (D) (4) or (5) 1810

of this section, the applicant, within ten years of the date of 1811  
the application, has not been convicted of, pleaded guilty to, 1812  
or adjudicated a delinquent child for committing a violation of 1813  
section 2921.33 of the Revised Code. 1814

(i) The applicant has not been committed to any mental 1815  
institution, is not under adjudication of mental incompetence, 1816  
has not been found by a court to be a person with a mental 1817  
illness subject to court order, and is not an involuntary 1818  
patient other than one who is a patient only for purposes of 1819  
observation. As used in this division, "person with a mental 1820  
illness subject to court order" and "patient" have the same 1821  
meanings as in section 5122.01 of the Revised Code. 1822

(j) The applicant is not currently subject to a civil 1823  
protection order, a temporary protection order, or a protection 1824  
order issued by a court of another state. 1825

(k) The applicant certifies that the applicant desires a 1826  
legal means to carry a concealed handgun for defense of the 1827  
applicant or a member of the applicant's family while engaged in 1828  
lawful activity. 1829

(l) The applicant submits a competency certification of 1830  
the type described in division (B) (3) of this section and 1831  
submits a certification of the type described in division (B) (4) 1832  
of this section regarding the applicant's reading of the 1833  
pamphlet prepared by the Ohio peace officer training commission 1834  
pursuant to section 109.731 of the Revised Code. 1835

(m) The applicant currently is not subject to a suspension 1836  
imposed under division (A) (2) of section 2923.128 of the Revised 1837  
Code of a ~~concealed handgun~~basic competency license that 1838  
previously was issued to the applicant under this section or 1839

section 2923.1213 of the Revised Code or a similar suspension 1840  
imposed by another state regarding a ~~concealed handgun~~ basic 1841  
competency license issued by that state. 1842

(n) If the applicant resides in another state, the 1843  
applicant is employed in this state. 1844

(o) The applicant certifies that the applicant is not an 1845  
unlawful user of or addicted to any controlled substance as 1846  
defined in 21 U.S.C. 802. 1847

(p) If the applicant is not a United States citizen, the 1848  
applicant is an alien and has not been admitted to the United 1849  
States under a nonimmigrant visa, as defined in the "Immigration 1850  
and Nationality Act," 8 U.S.C. 1101(a) (26). 1851

(q) The applicant has not been discharged from the armed 1852  
forces of the United States under dishonorable conditions. 1853

(r) The applicant certifies that the applicant has not 1854  
renounced the applicant's United States citizenship, if 1855  
applicable. 1856

(s) The applicant has not been convicted of, pleaded 1857  
guilty to, or adjudicated a delinquent child for committing a 1858  
violation of section 2919.25 of the Revised Code or a similar 1859  
violation in another state. 1860

(2) (a) A ~~concealed handgun~~ basic competency license that a 1861  
sheriff issues under division (D) (1) of this section shall 1862  
expire five years after the date of issuance. 1863

If a sheriff issues a license under this section, the 1864  
sheriff shall place on the license a unique combination of 1865  
letters and numbers identifying the license in accordance with 1866  
the procedure prescribed by the Ohio peace officer training 1867



commission pursuant to section 109.731 of the Revised Code. 1868

(b) If a sheriff denies an application under this section 1869  
because the applicant does not satisfy the criteria described in 1870  
division (D)(1) of this section, the sheriff shall specify the 1871  
grounds for the denial in a written notice to the applicant. The 1872  
applicant may appeal the denial pursuant to section 119.12 of 1873  
the Revised Code in the county served by the sheriff who denied 1874  
the application. If the denial was as a result of the criminal 1875  
records check conducted pursuant to section 311.41 of the 1876  
Revised Code and if, pursuant to section 2923.127 of the Revised 1877  
Code, the applicant challenges the criminal records check 1878  
results using the appropriate challenge and review procedure 1879  
specified in that section, the time for filing the appeal 1880  
pursuant to section 119.12 of the Revised Code and this division 1881  
is tolled during the pendency of the request or the challenge 1882  
and review. 1883

(c) If the court in an appeal under section 119.12 of the 1884  
Revised Code and division (D)(2)(b) of this section enters a 1885  
judgment sustaining the sheriff's refusal to grant to the 1886  
applicant a ~~concealed handgun~~ basic competency license, the 1887  
applicant may file a new application beginning one year after 1888  
the judgment is entered. If the court enters a judgment in favor 1889  
of the applicant, that judgment shall not restrict the authority 1890  
of a sheriff to suspend or revoke the license pursuant to 1891  
section 2923.128 or 2923.1213 of the Revised Code or to refuse 1892  
to renew the license for any proper cause that may occur after 1893  
the date the judgment is entered. In the appeal, the court shall 1894  
have full power to dispose of all costs. 1895

(3) If the sheriff with whom an application for a 1896  
~~concealed handgun~~ basic competency license was filed under this 1897

section becomes aware that the applicant has been arrested for 1898  
or otherwise charged with an offense that would disqualify the 1899  
applicant from holding the license, the sheriff shall suspend 1900  
the processing of the application until the disposition of the 1901  
case arising from the arrest or charge. 1902

(4) If an applicant has been convicted of or pleaded 1903  
guilty to an offense identified in division (D)(1)(e), (f), or 1904  
(h) of this section or has been adjudicated a delinquent child 1905  
for committing an act or violation identified in any of those 1906  
divisions, and if a court has ordered the sealing or expungement 1907  
of the records of that conviction, guilty plea, or adjudication 1908  
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 1909  
2953.35, or section 2953.39 of the Revised Code or the applicant 1910  
has been relieved under operation of law or legal process from 1911  
the disability imposed pursuant to section 2923.13 of the 1912  
Revised Code relative to that conviction, guilty plea, or 1913  
adjudication, the sheriff with whom the application was 1914  
submitted shall not consider the conviction, guilty plea, or 1915  
adjudication in making a determination under division (D)(1) or 1916  
(F) of this section or, in relation to an application for a 1917  
~~concealed handgun~~ basic competency license on a temporary 1918  
emergency basis submitted under section 2923.1213 of the Revised 1919  
Code, in making a determination under division (B)(2) of that 1920  
section. 1921

(5) If an applicant has been convicted of or pleaded 1922  
guilty to a minor misdemeanor offense or has been adjudicated a 1923  
delinquent child for committing an act or violation that is a 1924  
minor misdemeanor offense, the sheriff with whom the application 1925  
was submitted shall not consider the conviction, guilty plea, or 1926  
adjudication in making a determination under division (D)(1) or 1927  
(F) of this section or, in relation to an application for a 1928

~~concealed handgun~~ basic competency license on a temporary basis 1929  
submitted under section 2923.1213 of the Revised Code, in making 1930  
a determination under division (B) (2) of that section. 1931

(E) If a ~~concealed handgun~~ basic competency license issued 1932  
under this section is lost or is destroyed, the licensee may 1933  
obtain from the sheriff who issued that license a duplicate 1934  
license upon the payment of a fee of fifteen dollars and the 1935  
submission of an affidavit attesting to the loss or destruction 1936  
of the license. The sheriff, in accordance with the procedures 1937  
prescribed in section 109.731 of the Revised Code, shall place 1938  
on the replacement license a combination of identifying numbers 1939  
different from the combination on the license that is being 1940  
replaced. 1941

(F) (1) (a) Except as provided in division (F) (1) (b) of this 1942  
section, a licensee who wishes to renew a ~~concealed handgun~~ 1943  
basic competency license issued under this section may do so at 1944  
any time before the expiration date of the license or at any 1945  
time after the expiration date of the license by filing with the 1946  
sheriff of the county in which the applicant resides or with the 1947  
sheriff of an adjacent county, or in the case of an applicant 1948  
who resides in another state with the sheriff of the county that 1949  
issued the applicant's previous ~~concealed handgun~~ basic 1950  
competency license an application for renewal of the license 1951  
obtained pursuant to division (D) of this section, a 1952  
certification by the applicant that, subsequent to the issuance 1953  
of the license, the applicant has reread the pamphlet prepared 1954  
by the Ohio peace officer training commission pursuant to 1955  
section 109.731 of the Revised Code that reviews firearms, 1956  
dispute resolution, and use of deadly force matters, and a 1957  
nonrefundable license renewal fee in an amount determined 1958  
pursuant to division (F) (4) of this section unless the fee is 1959

waived. 1960

(b) A person on active duty in the armed forces of the 1961  
United States or in service with the peace corps, volunteers in 1962  
service to America, or the foreign service of the United States 1963  
is exempt from the license requirements of this section for the 1964  
period of the person's active duty or service and for six months 1965  
thereafter, provided the person was a licensee under this 1966  
section at the time the person commenced the person's active 1967  
duty or service or had obtained a license while on active duty 1968  
or service. The spouse or a dependent of any such person on 1969  
active duty or in service also is exempt from the license 1970  
requirements of this section for the period of the person's 1971  
active duty or service and for six months thereafter, provided 1972  
the spouse or dependent was a licensee under this section at the 1973  
time the person commenced the active duty or service or had 1974  
obtained a license while the person was on active duty or 1975  
service, and provided further that the person's active duty or 1976  
service resulted in the spouse or dependent relocating outside 1977  
of this state during the period of the active duty or service. 1978  
This division does not prevent such a person or the person's 1979  
spouse or dependent from making an application for the renewal 1980  
of a ~~concealed handgun~~ basic competency license during the 1981  
period of the person's active duty or service. 1982

(2) A sheriff shall accept a completed renewal 1983  
application, the license renewal fee, and the information 1984  
specified in division (F) (1) of this section at the times and in 1985  
the manners described in division (I) of this section. Upon 1986  
receipt of a completed renewal application, of certification 1987  
that the applicant has reread the specified pamphlet prepared by 1988  
the Ohio peace officer training commission, and of a license 1989  
renewal fee unless the fee is waived, a sheriff, in the manner 1990

specified in section 311.41 of the Revised Code shall conduct or 1991  
cause to be conducted the criminal records check and the 1992  
incompetency records check described in section 311.41 of the 1993  
Revised Code. The sheriff shall renew the license if the sheriff 1994  
determines that the applicant continues to satisfy the 1995  
requirements described in division (D) (1) of this section, 1996  
except that the applicant is not required to meet the 1997  
requirements of division (D) (1) (1) of this section. A renewed 1998  
license shall expire five years after the date of issuance. A 1999  
renewed license is subject to division (E) of this section and 2000  
sections 2923.126 and 2923.128 of the Revised Code. A sheriff 2001  
shall comply with divisions (D) (2) and (3) of this section when 2002  
the circumstances described in those divisions apply to a 2003  
requested license renewal. If a sheriff denies the renewal of a 2004  
~~concealed handgun~~ basic competency license, the applicant may 2005  
appeal the denial, or challenge the criminal record check 2006  
results that were the basis of the denial if applicable, in the 2007  
same manner as specified in division (D) (2) (b) of this section 2008  
and in section 2923.127 of the Revised Code, regarding the 2009  
denial of a license under this section. 2010

(3) A renewal application submitted pursuant to division 2011  
(F) of this section shall only require the licensee to list on 2012  
the application form information and matters occurring since the 2013  
date of the licensee's last application for a license pursuant 2014  
to division (B) or (F) of this section. A sheriff conducting the 2015  
criminal records check and the incompetency records check 2016  
described in section 311.41 of the Revised Code shall conduct 2017  
the check only from the date of the licensee's last application 2018  
for a license pursuant to division (B) or (F) of this section 2019  
through the date of the renewal application submitted pursuant 2020  
to division (F) of this section. 2021

(4) An applicant for a renewal ~~concealed handgun~~ basic competency 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~~ basic competency 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~~ basic competency 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~~ basic competency 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 2052  
described in division (G) (3) of this section, on all of the 2053  
following: 2054

(a) The ability to name, explain, and demonstrate the 2055  
rules for safe handling of a handgun and proper storage 2056  
practices for handguns and ammunition; 2057

(b) The ability to demonstrate and explain how to handle 2058  
ammunition in a safe manner; 2059

(c) The ability to demonstrate the knowledge, skills, and 2060  
attitude necessary to shoot a handgun in a safe manner; 2061

(d) Gun handling training; 2062

(e) A minimum of two hours of in-person training that 2063  
consists of range time and live-fire training. 2064

(2) To satisfactorily complete the course, class, or 2065  
program described in division (B) (3) (a), (b), (c), or (e) of 2066  
this section, the applicant shall pass a competency examination 2067  
that shall include both of the following: 2068

(a) A written section, provided as described in division 2069  
(G) (3) of this section, on the ability to name and explain the 2070  
rules for the safe handling of a handgun and proper storage 2071  
practices for handguns and ammunition; 2072

(b) An in-person physical demonstration of competence in 2073  
the use of a handgun and in the rules for safe handling and 2074  
storage of a handgun and a physical demonstration of the 2075  
attitude necessary to shoot a handgun in a safe manner. 2076

(3) (a) Except as otherwise provided in this division, the 2077  
training specified in division (G) (1) (a) of this section shall 2078  
be provided to the person receiving the training in person by an 2079

instructor. If the training specified in division (G) (1) (a) of 2080  
this section is provided by a course, class, or program 2081  
described in division (B) (3) (a) of this section, or it is 2082  
provided by a course, class, or program described in division 2083  
(B) (3) (b), (c), or (e) of this section and the instructor is a 2084  
qualified instructor certified by a national gun advocacy 2085  
organization, the training so specified, other than the training 2086  
that requires the person receiving the training to demonstrate 2087  
handling abilities, may be provided online or as a combination 2088  
of in-person and online training, as long as the online training 2089  
includes an interactive component that regularly engages the 2090  
person. 2091

(b) Except as otherwise provided in this division, the 2092  
written section of the competency examination specified in 2093  
division (G) (2) (a) of this section shall be administered to the 2094  
person taking the competency examination in person by an 2095  
instructor. If the training specified in division (G) (1) (a) of 2096  
this section is provided to the person receiving the training by 2097  
a course, class, or program described in division (B) (3) (a) of 2098  
this section, or it is provided by a course, class, or program 2099  
described in division (B) (3) (b), (c), or (e) of this section and 2100  
the instructor is a qualified instructor certified by a national 2101  
gun advocacy organization, the written section of the competency 2102  
examination specified in division (G) (2) (a) of this section may 2103  
be administered online, as long as the online training includes 2104  
an interactive component that regularly engages the person. 2105

(4) The competency certification described in division (B) 2106  
(3) (a), (b), (c), or (e) of this section shall be dated and 2107  
shall attest that the course, class, or program the applicant 2108  
successfully completed met the requirements described in 2109  
division (G) (1) of this section and that the applicant passed 2110



the competency examination described in division (G) (2) of this section. 2111  
2112

(H) Upon deciding to issue a ~~concealed handgun basic~~ 2113  
competency license, deciding to issue a replacement ~~concealed-~~ 2114  
~~handgun basic competency license~~, or deciding to renew a 2115  
~~concealed handgun basic competency license~~ pursuant to this 2116  
section, and before actually issuing or renewing the license, 2117  
the sheriff shall make available through the law enforcement 2118  
automated data system all information contained on the license. 2119  
If the license subsequently is suspended under division (A) (1) 2120  
or (2) of section 2923.128 of the Revised Code, revoked pursuant 2121  
to division (B) (1) of section 2923.128 of the Revised Code, or 2122  
lost or destroyed, the sheriff also shall make available through 2123  
the law enforcement automated data system a notation of that 2124  
fact. The superintendent of the state highway patrol shall 2125  
ensure that the law enforcement automated data system is so 2126  
configured as to permit the transmission through the system of 2127  
the information specified in this division. 2128

(I) (1) A sheriff shall accept a completed application form 2129  
or renewal application, and the fee, items, materials, and 2130  
information specified in divisions (B) (1) to (5) or division (F) 2131  
of this section, whichever is applicable, and shall provide an 2132  
application form or renewal application to any person during at 2133  
least fifteen hours a week and shall provide the web site 2134  
address at which a printable version of the application form 2135  
that can be downloaded and the pamphlet described in division 2136  
(B) of section 109.731 of the Revised Code may be found at any 2137  
time, upon request. The sheriff shall post notice of the hours 2138  
during which the sheriff is available to accept or provide the 2139  
information described in this division. 2140

(2) A sheriff shall transmit a notice to the attorney 2141  
general, in a manner determined by the attorney general, every 2142  
time a license is issued that waived payment under division (B) 2143  
(1)(c) of this section for an applicant who is an active or 2144  
reserve member of the armed forces of the United States or has 2145  
retired from or was honorably discharged from military service 2146  
in the active or reserve armed forces of the United States. The 2147  
attorney general shall monitor and inform sheriffs issuing 2148  
licenses under this section when the amount of license fee 2149  
payments waived and transmitted to the attorney general reach 2150  
one million five hundred thousand dollars each year. Once a 2151  
sheriff is informed that the payments waived reached one million 2152  
five hundred thousand dollars in any year, a sheriff shall no 2153  
longer waive payment of a license fee for an applicant who is an 2154  
active or reserve member of the armed forces of the United 2155  
States or has retired from or was honorably discharged from 2156  
military service in the active or reserve armed forces of the 2157  
United States for the remainder of that year. 2158

**Sec. 2923.126.** (A) A ~~concealed handgun~~ basic competency 2159  
license that is issued under section 2923.125 of the Revised 2160  
Code shall expire five years after the date of issuance. A 2161  
licensee who has been issued a license under that section shall 2162  
be granted a grace period of thirty days after the licensee's 2163  
license expires during which the licensee's license remains 2164  
valid. Except as provided in divisions (B) and (C) of this 2165  
section, a licensee who has been issued a ~~concealed handgun~~ 2166  
basic competency license under section 2923.125 or 2923.1213 of 2167  
the Revised Code may carry a concealed handgun anywhere in this 2168  
state if the ~~license is~~ licensee also carries a valid license 2169  
when the licensee is in actual possession of a concealed 2170  
handgun. The licensee shall give notice of any change in the 2171

licensee's residence address to the sheriff who issued the 2172  
license within forty-five days after that change. 2173

If a licensee is the driver or an occupant of a motor 2174  
vehicle that is stopped as the result of a traffic stop or a 2175  
stop for another law enforcement purpose and if the licensee is 2176  
transporting or has a loaded handgun in the motor vehicle at 2177  
that time, the licensee shall promptly inform any law 2178  
enforcement officer who approaches the vehicle while stopped 2179  
that the licensee has been issued a basic competency license and 2180  
that the licensee currently possesses or has a loaded handgun; 2181  
the licensee shall not knowingly disregard or fail to comply 2182  
with lawful orders of a law enforcement officer given while the 2183  
motor vehicle is stopped, knowingly fail to remain in the motor 2184  
vehicle while stopped, or knowingly fail to keep the licensee's 2185  
hands in plain sight after any law enforcement officer begins 2186  
approaching the licensee while stopped and before the officer 2187  
leaves, unless directed otherwise by a law enforcement officer; 2188  
and the licensee shall not knowingly have contact with the 2189  
loaded handgun by touching it with the licensee's hands or 2190  
fingers, in any manner in violation of division (E) of section 2191  
2923.16 of the Revised Code, after any law enforcement officer 2192  
begins approaching the licensee while stopped and before the 2193  
officer leaves. Additionally, if a licensee is the driver or an 2194  
occupant of a commercial motor vehicle that is stopped by an 2195  
employee of the motor carrier enforcement unit for the purposes 2196  
defined in section 5503.34 of the Revised Code and the licensee 2197  
is transporting or has a loaded handgun in the commercial motor 2198  
vehicle at that time, the licensee shall promptly inform the 2199  
employee of the unit who approaches the vehicle while stopped 2200  
that the licensee has been issued a basic competency license and 2201  
that the licensee currently possesses or has a loaded handgun. 2202

If a licensee is stopped for a law enforcement purpose and 2203  
if the licensee is carrying a concealed handgun at the time the 2204  
officer approaches, the licensee shall promptly inform any law 2205  
enforcement officer who approaches the licensee while stopped 2206  
that the licensee has been issued a basic competency license and 2207  
that the licensee currently is carrying a concealed handgun; the 2208  
licensee shall not knowingly disregard or fail to comply with 2209  
lawful orders of a law enforcement officer given while the 2210  
licensee is stopped, or knowingly fail to keep the licensee's 2211  
hands in plain sight after any law enforcement officer begins 2212  
approaching the licensee while stopped and before the officer 2213  
leaves, unless directed otherwise by a law enforcement officer; 2214  
and the licensee shall not knowingly remove, attempt to remove, 2215  
grasp, or hold the loaded handgun or knowingly have contact with 2216  
the loaded handgun by touching it with the licensee's hands or 2217  
fingers, in any manner in violation of division (B) of section 2218  
2923.12 of the Revised Code, after any law enforcement officer 2219  
begins approaching the licensee while stopped and before the 2220  
officer leaves. 2221

(B) A valid ~~concealed handgun~~ basic competency license 2222  
does not authorize the licensee to carry a concealed handgun in 2223  
any manner prohibited under division (B) of section 2923.12 of 2224  
the Revised Code or in any manner prohibited under section 2225  
2923.16 of the Revised Code. A valid license does not authorize 2226  
the licensee to carry a concealed handgun into any of the 2227  
following places: 2228

(1) A police station, sheriff's office, or state highway 2229  
patrol station, premises controlled by the bureau of criminal 2230  
identification and investigation; a state correctional 2231  
institution, jail, workhouse, or other detention facility; any 2232  
area of an airport passenger terminal that is beyond a passenger 2233

or property screening checkpoint or to which access is 2234  
restricted through security measures by the airport authority or 2235  
a public agency; or an institution that is maintained, operated, 2236  
managed, and governed pursuant to division (A) of section 2237  
5119.14 of the Revised Code or division (A)(1) of section 2238  
5123.03 of the Revised Code; 2239

(2) A school safety zone if the licensee's carrying the 2240  
concealed handgun is in violation of section 2923.122 of the 2241  
Revised Code; 2242

(3) A courthouse or another building or structure in which 2243  
a courtroom is located if the licensee's carrying the concealed 2244  
handgun is in violation of section 2923.123 of the Revised Code; 2245

(4) Any premises or open air arena for which a D permit 2246  
has been issued under Chapter 4303. of the Revised Code if the 2247  
licensee's carrying the concealed handgun is in violation of 2248  
section 2923.121 of the Revised Code; 2249

(5) Any premises owned or leased by any public or private 2250  
college, university, or other institution of higher education, 2251  
unless the handgun is in a locked motor vehicle or the licensee 2252  
is in the immediate process of placing the handgun in a locked 2253  
motor vehicle or unless the licensee is carrying the concealed 2254  
handgun pursuant to a written policy, rule, or other 2255  
authorization that is adopted by the institution's board of 2256  
trustees or other governing body and that authorizes specific 2257  
individuals or classes of individuals to carry a concealed 2258  
handgun on the premises; 2259

(6) Any church, synagogue, mosque, or other place of 2260  
worship, unless the church, synagogue, mosque, or other place of 2261  
worship posts or permits otherwise; 2262

(7) Any building that is a government facility of this 2263  
state or a political subdivision of this state and that is not a 2264  
building that is used primarily as a shelter, restroom, parking 2265  
facility for motor vehicles, or rest facility and is not a 2266  
courthouse or other building or structure in which a courtroom 2267  
is located that is subject to division (B)(3) of this section, 2268  
unless the governing body with authority over the building has 2269  
enacted a statute, ordinance, or policy that permits a licensee 2270  
to carry a concealed handgun into the building; 2271

(8) A place in which federal law prohibits the carrying of 2272  
handguns. 2273

(C) (1) Nothing in this section shall negate or restrict a 2274  
rule, policy, or practice of a private employer that is not a 2275  
private college, university, or other institution of higher 2276  
education concerning or prohibiting the presence of firearms on 2277  
the private employer's premises or property, including motor 2278  
vehicles owned by the private employer. Nothing in this section 2279  
shall require a private employer of that nature to adopt a rule, 2280  
policy, or practice concerning or prohibiting the presence of 2281  
firearms on the private employer's premises or property, 2282  
including motor vehicles owned by the private employer. 2283

(2) (a) A private employer shall be immune from liability 2284  
in a civil action for any injury, death, or loss to person or 2285  
property that allegedly was caused by or related to a licensee 2286  
bringing a handgun onto the premises or property of the private 2287  
employer, including motor vehicles owned by the private 2288  
employer, unless the private employer acted with malicious 2289  
purpose. A private employer is immune from liability in a civil 2290  
action for any injury, death, or loss to person or property that 2291  
allegedly was caused by or related to the private employer's 2292

decision to permit a licensee to bring, or prohibit a licensee 2293  
from bringing, a handgun onto the premises or property of the 2294  
private employer. 2295

(b) A political subdivision shall be immune from liability 2296  
in a civil action, to the extent and in the manner provided in 2297  
Chapter 2744. of the Revised Code, for any injury, death, or 2298  
loss to person or property that allegedly was caused by or 2299  
related to a licensee bringing a handgun onto any premises or 2300  
property owned, leased, or otherwise under the control of the 2301  
political subdivision. As used in this division, "political 2302  
subdivision" has the same meaning as in section 2744.01 of the 2303  
Revised Code. 2304

(c) An institution of higher education shall be immune 2305  
from liability in a civil action for any injury, death, or loss 2306  
to person or property that allegedly was caused by or related to 2307  
a licensee bringing a handgun onto the premises of the 2308  
institution, including motor vehicles owned by the institution, 2309  
unless the institution acted with malicious purpose. An 2310  
institution of higher education is immune from liability in a 2311  
civil action for any injury, death, or loss to person or 2312  
property that allegedly was caused by or related to the 2313  
institution's decision to permit a licensee or class of 2314  
licensees to bring a handgun onto the premises of the 2315  
institution. 2316

(d) A nonprofit corporation shall be immune from liability 2317  
in a civil action for any injury, death, or loss to person or 2318  
property that allegedly was caused by or related to a licensee 2319  
bringing a handgun onto the premises of the nonprofit 2320  
corporation, including any motor vehicle owned by the nonprofit 2321  
corporation, or to any event organized by the nonprofit 2322

corporation, unless the nonprofit corporation acted with 2323  
malicious purpose. A nonprofit corporation is immune from 2324  
liability in a civil action for any injury, death, or loss to 2325  
person or property that allegedly was caused by or related to 2326  
the nonprofit corporation's decision to permit a licensee to 2327  
bring a handgun onto the premises of the nonprofit corporation 2328  
or to any event organized by the nonprofit corporation. 2329

(3) (a) Except as provided in division (C) (3) (b) of this 2330  
section and section 2923.1214 of the Revised Code, the owner or 2331  
person in control of private land or premises, and a private 2332  
person or entity leasing land or premises owned by the state, 2333  
the United States, or a political subdivision of the state or 2334  
the United States, may post a sign in a conspicuous location on 2335  
that land or on those premises prohibiting persons from carrying 2336  
firearms or concealed firearms on or onto that land or those 2337  
premises. Except as otherwise provided in this division, a 2338  
person who knowingly violates a posted prohibition of that 2339  
nature is guilty of criminal trespass in violation of division 2340  
(A) (4) of section 2911.21 of the Revised Code and is guilty of a 2341  
misdemeanor of the fourth degree. If a person knowingly violates 2342  
a posted prohibition of that nature and the posted land or 2343  
premises primarily was a parking lot or other parking facility, 2344  
the person is not guilty of criminal trespass under section 2345  
2911.21 of the Revised Code or under any other criminal law of 2346  
this state or criminal law, ordinance, or resolution of a 2347  
political subdivision of this state, and instead is subject only 2348  
to a civil cause of action for trespass based on the violation. 2349

If a person knowingly violates a posted prohibition of the 2350  
nature described in this division and the posted land or 2351  
premises is a child care center, type A family child care home, 2352  
or type B family child care home, unless the person is a 2353



licensee who resides in a type A family child care home or type 2354  
B family child care home, the person is guilty of aggravated 2355  
trespass in violation of section 2911.211 of the Revised Code. 2356  
Except as otherwise provided in this division, the offender is 2357  
guilty of a misdemeanor of the first degree. If the person 2358  
previously has been convicted of a violation of this division or 2359  
of any offense of violence, if the weapon involved is a firearm 2360  
that is either loaded or for which the offender has ammunition 2361  
ready at hand, or if the weapon involved is dangerous ordnance, 2362  
the offender is guilty of a felony of the fourth degree. 2363

(b) A landlord may not prohibit or restrict a tenant who 2364  
is a licensee and who on or after September 9, 2008, enters into 2365  
a rental agreement with the landlord for the use of residential 2366  
premises, and the tenant's guest while the tenant is present, 2367  
from lawfully carrying or possessing a handgun on those 2368  
residential premises. 2369

(c) As used in division (C) (3) of this section: 2370

(i) "Residential premises" has the same meaning as in 2371  
section 5321.01 of the Revised Code, except "residential 2372  
premises" does not include a dwelling unit that is owned or 2373  
operated by a college or university. 2374

(ii) "Landlord," "tenant," and "rental agreement" have the 2375  
same meanings as in section 5321.01 of the Revised Code. 2376

(D) A person who holds a valid ~~concealed handgun~~ basic 2377  
competency license issued by another state that is recognized by 2378  
the attorney general pursuant to a reciprocity agreement entered 2379  
into pursuant to section 109.69 of the Revised Code or a person 2380  
who holds a valid ~~concealed handgun~~ basic competency license 2381  
under the circumstances described in division (B) of section 2382

109.69 of the Revised Code has the same right to carry a 2383  
concealed handgun in this state as a person who was issued a 2384  
~~concealed handgun basic competency~~ license under section 2385  
2923.125 of the Revised Code and is subject to the same 2386  
restrictions that apply to a person who ~~has been issued~~ carries 2387  
a license issued under that section ~~that is valid at the time in~~ 2388  
question. 2389

(E) (1) A peace officer has the same right to carry a 2390  
concealed handgun in this state as a person who was issued a 2391  
~~concealed handgun basic competency~~ license under section 2392  
2923.125 of the Revised Code, provided that the officer when 2393  
carrying a concealed handgun under authority of this division is 2394  
carrying validating identification. For purposes of reciprocity 2395  
with other states, a peace officer shall be considered to be a 2396  
licensee in this state. 2397

(2) An active duty member of the armed forces of the 2398  
United States who is carrying a valid military identification 2399  
card and documentation of successful completion of firearms 2400  
training that meets or exceeds the training requirements 2401  
described in division (G) (1) of section 2923.125 of the Revised 2402  
Code has the same right to carry a concealed handgun in this 2403  
state as a person who was issued a ~~concealed handgun basic~~ 2404  
competency license under section 2923.125 of the Revised Code 2405  
and is subject to the same restrictions as specified in this 2406  
section. 2407

(3) A tactical medical professional who is qualified to 2408  
carry firearms while on duty under section 109.771 of the 2409  
Revised Code has the same right to carry a concealed handgun in 2410  
this state as a person who was issued a ~~concealed handgun basic~~ 2411  
competency license under section 2923.125 of the Revised Code. 2412

(F) (1) A qualified retired peace officer who possesses a 2413  
retired peace officer identification card issued pursuant to 2414  
division (F) (2) of this section and a valid firearms 2415  
requalification certification issued pursuant to division (F) (3) 2416  
of this section has the same right to carry a concealed handgun 2417  
in this state as a person who was issued a ~~concealed handgun~~ 2418  
basic competency license under section 2923.125 of the Revised 2419  
Code and is subject to the same restrictions that apply to a 2420  
person who ~~has been issued~~ carries a license issued under that 2421  
section ~~that is valid at the time in question~~. For purposes of 2422  
reciprocity with other states, a qualified retired peace officer 2423  
who possesses a retired peace officer identification card issued 2424  
pursuant to division (F) (2) of this section and a valid firearms 2425  
requalification certification issued pursuant to division (F) (3) 2426  
of this section shall be considered to be a licensee in this 2427  
state. 2428

(2) (a) Each public agency of this state or of a political 2429  
subdivision of this state that is served by one or more peace 2430  
officers shall issue a retired peace officer identification card 2431  
to any person who retired from service as a peace officer with 2432  
that agency, if the issuance is in accordance with the agency's 2433  
policies and procedures and if the person, with respect to the 2434  
person's service with that agency, satisfies all of the 2435  
following: 2436

(i) The person retired in good standing from service as a 2437  
peace officer with the public agency, and the retirement was not 2438  
for reasons of mental instability. 2439

(ii) Before retiring from service as a peace officer with 2440  
that agency, the person was authorized to engage in or supervise 2441  
the prevention, detection, investigation, or prosecution of, or 2442

the incarceration of any person for, any violation of law and 2443  
the person had statutory powers of arrest. 2444

(iii) At the time of the person's retirement as a peace 2445  
officer with that agency, the person was trained and qualified 2446  
to carry firearms in the performance of the peace officer's 2447  
duties. 2448

(iv) Before retiring from service as a peace officer with 2449  
that agency, the person was regularly employed as a peace 2450  
officer for an aggregate of fifteen years or more, or, in the 2451  
alternative, the person retired from service as a peace officer 2452  
with that agency, after completing any applicable probationary 2453  
period of that service, due to a service-connected disability, 2454  
as determined by the agency. 2455

(b) A retired peace officer identification card issued to 2456  
a person under division (F)(2)(a) of this section shall identify 2457  
the person by name, contain a photograph of the person, identify 2458  
the public agency of this state or of the political subdivision 2459  
of this state from which the person retired as a peace officer 2460  
and that is issuing the identification card, and specify that 2461  
the person retired in good standing from service as a peace 2462  
officer with the issuing public agency and satisfies the 2463  
criteria set forth in divisions (F)(2)(a)(i) to (iv) of this 2464  
section. In addition to the required content specified in this 2465  
division, a retired peace officer identification card issued to 2466  
a person under division (F)(2)(a) of this section may include 2467  
the firearms requalification certification described in division 2468  
(F)(3) of this section, and if the identification card includes 2469  
that certification, the identification card shall serve as the 2470  
firearms requalification certification for the retired peace 2471  
officer. If the issuing public agency issues credentials to 2472

active law enforcement officers who serve the agency, the agency 2473  
may comply with division (F) (2) (a) of this section by issuing 2474  
the same credentials to persons who retired from service as a 2475  
peace officer with the agency and who satisfy the criteria set 2476  
forth in divisions (F) (2) (a) (i) to (iv) of this section, 2477  
provided that the credentials so issued to retired peace 2478  
officers are stamped with the word "RETIRED." 2479

(c) A public agency of this state or of a political 2480  
subdivision of this state may charge persons who retired from 2481  
service as a peace officer with the agency a reasonable fee for 2482  
issuing to the person a retired peace officer identification 2483  
card pursuant to division (F) (2) (a) of this section. 2484

(3) If a person retired from service as a peace officer 2485  
with a public agency of this state or of a political subdivision 2486  
of this state and the person satisfies the criteria set forth in 2487  
divisions (F) (2) (a) (i) to (iv) of this section, the public 2488  
agency may provide the retired peace officer with the 2489  
opportunity to attend a firearms requalification program that is 2490  
approved for purposes of firearms requalification required under 2491  
section 109.801 of the Revised Code. The retired peace officer 2492  
may be required to pay the cost of the course. 2493

If a retired peace officer who satisfies the criteria set 2494  
forth in divisions (F) (2) (a) (i) to (iv) of this section attends 2495  
a firearms requalification program that is approved for purposes 2496  
of firearms requalification required under section 109.801 of 2497  
the Revised Code, the retired peace officer's successful 2498  
completion of the firearms requalification program requalifies 2499  
the retired peace officer for purposes of division (F) of this 2500  
section for five years from the date on which the program was 2501  
successfully completed, and the requalification is valid during 2502

that five-year period. If a retired peace officer who satisfies 2503  
the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 2504  
section satisfactorily completes such a firearms requalification 2505  
program, the retired peace officer shall be issued a firearms 2506  
requalification certification that identifies the retired peace 2507  
officer by name, identifies the entity that taught the program, 2508  
specifies that the retired peace officer successfully completed 2509  
the program, specifies the date on which the course was 2510  
successfully completed, and specifies that the requalification 2511  
is valid for five years from that date of successful completion. 2512  
The firearms requalification certification for a retired peace 2513  
officer may be included in the retired peace officer 2514  
identification card issued to the retired peace officer under 2515  
division (F) (2) of this section. 2516

A retired peace officer who attends a firearms 2517  
requalification program that is approved for purposes of 2518  
firearms requalification required under section 109.801 of the 2519  
Revised Code may be required to pay the cost of the program. 2520

(G) As used in this section: 2521

(1) "Qualified retired peace officer" means a person who 2522  
satisfies all of the following: 2523

(a) The person satisfies the criteria set forth in 2524  
divisions (F) (2) (a) (i) to (v) of this section. 2525

(b) The person is not under the influence of alcohol or 2526  
another intoxicating or hallucinatory drug or substance. 2527

(c) The person is not prohibited by federal law from 2528  
receiving firearms. 2529

(2) "Retired peace officer identification card" means an 2530  
identification card that is issued pursuant to division (F) (2) 2531

of this section to a person who is a retired peace officer. 2532

(3) "Government facility of this state or a political 2533  
subdivision of this state" means any of the following: 2534

(a) A building or part of a building that is owned or 2535  
leased by the government of this state or a political 2536  
subdivision of this state and where employees of the government 2537  
of this state or the political subdivision regularly are present 2538  
for the purpose of performing their official duties as employees 2539  
of the state or political subdivision; 2540

(b) The office of a deputy registrar serving pursuant to 2541  
Chapter 4503. of the Revised Code that is used to perform deputy 2542  
registrar functions. 2543

(4) "Governing body" has the same meaning as in section 2544  
154.01 of the Revised Code. 2545

(5) "Tactical medical professional" has the same meaning 2546  
as in section 109.71 of the Revised Code. 2547

(6) "Validating identification" means photographic 2548  
identification issued by the agency for which an individual 2549  
serves as a peace officer that identifies the individual as a 2550  
peace officer of the agency. 2551

(7) "Nonprofit corporation" means any private organization 2552  
that is exempt from federal income taxation pursuant to 2553  
subsection 501(a) and described in subsection 501(c) of the 2554  
Internal Revenue Code. 2555

**Sec. 2923.127.** (A) If a sheriff denies an application for 2556  
a ~~concealed handgun~~ basic competency license under section 2557  
2923.125 of the Revised Code, denies the renewal of a ~~concealed~~ 2558  
~~handgun~~ basic competency license under that section, or denies 2559

an application for a ~~concealed handgun~~ basic competency license 2560  
on a temporary emergency basis under section 2923.1213 of the 2561  
Revised Code as a result of the criminal records check conducted 2562  
pursuant to section 311.41 of the Revised Code and if the 2563  
applicant believes the denial was based on incorrect information 2564  
reported by the source the sheriff used in conducting the 2565  
criminal records check, the applicant may challenge the criminal 2566  
records check results using whichever of the following is 2567  
applicable: 2568

(1) If the bureau of criminal identification and 2569  
investigation performed the criminal records check, by using the 2570  
bureau's existing challenge and review procedures; 2571

(2) If division (A) (1) of this section does not apply, by 2572  
using the existing challenge and review procedure of the sheriff 2573  
who denied the application or, if the sheriff does not have a 2574  
challenge and review procedure, by using the challenge and 2575  
review procedure prescribed by the bureau of criminal 2576  
identification and investigation pursuant to division (B) of 2577  
this section. 2578

(B) The bureau of criminal identification and 2579  
investigation shall prescribe a challenge and review procedure 2580  
for applicants to use to challenge criminal records checks under 2581  
division (A) (2) of this section in counties in which the sheriff 2582  
with whom an application of a type described in division (A) of 2583  
this section was filed or submitted does not have an existing 2584  
challenge and review procedure. 2585

**Sec. 2923.128.** (A) (1) (a) If a licensee holding a valid 2586  
~~concealed handgun~~ basic competency license is arrested for or 2587  
otherwise charged with an offense described in division (D) (1) 2588  
(d) of section 2923.125 of the Revised Code or with a violation 2589



of section 2923.15 of the Revised Code or becomes subject to a 2590  
temporary protection order or to a protection order issued by a 2591  
court of another state that is substantially equivalent to a 2592  
temporary protection order, the sheriff who issued the license 2593  
shall suspend it and shall comply with division (A) (3) of this 2594  
section upon becoming aware of the arrest, charge, or protection 2595  
order. Upon suspending the license, the sheriff also shall 2596  
comply with division (H) of section 2923.125 of the Revised 2597  
Code. 2598

(b) A suspension under division (A) (1) (a) of this section 2599  
shall be considered as beginning on the date that the licensee 2600  
is arrested for or otherwise charged with an offense described 2601  
in that division or on the date the appropriate court issued the 2602  
protection order described in that division, irrespective of 2603  
when the sheriff notifies the licensee under division (A) (3) of 2604  
this section. The suspension shall end on the date on which the 2605  
charges are dismissed or the licensee is found not guilty of the 2606  
offense described in division (A) (1) (a) of this section or, 2607  
subject to division (B) of this section, on the date the 2608  
appropriate court terminates the protection order described in 2609  
that division. If the suspension so ends, the sheriff shall 2610  
return the license or temporary emergency license to the 2611  
licensee. 2612

(2) (a) If a licensee holding a valid ~~concealed handgun~~ 2613  
basic competency license is convicted of or pleads guilty to a 2614  
misdemeanor violation of division ~~(B) (2)~~ (B) (1), (2), or (4) of 2615  
section 2923.12 of the Revised Code or of division ~~(E) (3)~~ (E) (1), 2616  
(2), (3), or (5) of section 2923.16 of the Revised Code, except 2617  
as provided in division (A) (2) (c) of this section and subject to 2618  
division (C) of this section, the sheriff who issued the license 2619  
shall suspend it and shall comply with division (A) (3) of this 2620

section upon becoming aware of the conviction or guilty plea. 2621  
Upon suspending the license, the sheriff also shall comply with 2622  
division (H) of section 2923.125 of the Revised Code. 2623

(b) A suspension under division (A) (2) (a) of this section 2624  
shall be considered as beginning on the date that the licensee 2625  
is convicted of or pleads guilty to the offense described in 2626  
that division, irrespective of when the sheriff notifies the 2627  
licensee under division (A) (3) of this section. If the 2628  
suspension is imposed for a misdemeanor violation of division 2629  
~~(B) (2)~~ (B) (1) or (2) of section 2923.12 of the Revised Code or of 2630  
division ~~(E) (3)~~ (E) (1), (2), or (3) of section 2923.16 of the 2631  
Revised Code, it shall end on the date that is one year after 2632  
the date that the licensee is convicted of or pleads guilty to 2633  
that violation. If the suspension is imposed for a misdemeanor 2634  
violation of division (B) (4) of section 2923.12 of the Revised 2635  
Code or of division (E) (5) of section 2923.16 of the Revised 2636  
Code, it shall end on the date that is two years after the date 2637  
that the licensee is convicted of or pleads guilty to that 2638  
violation. If the licensee's license was issued under section 2639  
2923.125 of the Revised Code and the license remains valid after 2640  
the suspension ends as described in this division, when the 2641  
suspension ends, the sheriff shall return the license to the 2642  
licensee. If the licensee's license was issued under section 2643  
2923.125 of the Revised Code and the license expires before the 2644  
suspension ends as described in this division, or if the 2645  
licensee's license was issued under section 2923.1213 of the 2646  
Revised Code, the licensee is not eligible to apply for a new 2647  
license under section 2923.125 or 2923.1213 of the Revised Code 2648  
or to renew the license under section 2923.125 of the Revised 2649  
Code until after the suspension ends as described in this 2650  
division. 2651

(c) The license of a licensee who is convicted of or 2652  
pleads guilty to a violation of division (B) (1) of section 2653  
2923.12 or division (E) (1) or (2) of section 2923.16 of the 2654  
Revised Code shall not be suspended pursuant to division (A) (2) 2655  
(a) of this section if, at the time of the stop of the licensee 2656  
for a law enforcement purpose, for a traffic stop, or for a 2657  
purpose defined in section 5503.34 of the Revised Code that was 2658  
the basis of the violation, any law enforcement officer involved 2659  
with the stop or the employee of the motor carrier enforcement 2660  
unit who made the stop had actual knowledge of the licensee's 2661  
status as a licensee. 2662

(3) Upon becoming aware of an arrest, charge, or 2663  
protection order described in division (A) (1) (a) of this section 2664  
with respect to a licensee who was issued a ~~concealed handgun~~ 2665  
basic competency license, or a conviction of or plea of guilty 2666  
to a misdemeanor offense described in division (A) (2) (a) of this 2667  
section with respect to a licensee who was issued a ~~concealed~~ 2668  
~~handgun~~ basic competency license and with respect to which 2669  
division (A) (2) (c) of this section does not apply, subject to 2670  
division (C) of this section, the sheriff who issued the 2671  
licensee's license shall notify the licensee, by certified mail, 2672  
return receipt requested, at the licensee's last known residence 2673  
address that the license has been suspended and that the 2674  
licensee is required to surrender the license at the sheriff's 2675  
office within ten days of the date on which the notice was 2676  
mailed. If the suspension is pursuant to division (A) (2) of this 2677  
section, the notice shall identify the date on which the 2678  
suspension ends. 2679

(B) (1) A sheriff who issues a ~~concealed handgun~~ basic 2680  
competency license to a licensee shall revoke the license in 2681  
accordance with division (B) (2) of this section upon becoming 2682

aware that the licensee satisfies any of the following:	2683
(a) The licensee is under twenty-one years of age.	2684
(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.	2685 2686 2687 2688
(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.	2689 2690 2691 2692 2693
(d) On or after the date on which the license was issued, the licensee becomes subject to a civil protection order or to a protection order issued by a court of another state that is substantially equivalent to a civil protection order.	2694 2695 2696 2697
(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.	2698 2699 2700 2701
(f) On or after the date on which the license was issued, the licensee is under adjudication of mental incompetence or is committed to a mental institution.	2702 2703 2704
(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.	2705 2706 2707 2708 2709
(h) Regarding a license issued under section 2923.125 of	2710

the Revised Code, the competency certificate the licensee 2711  
submitted was forged or otherwise was fraudulent. 2712

(2) Upon becoming aware of any circumstance listed in 2713  
division (B)(1) of this section that applies to a particular 2714  
licensee who was issued a ~~concealed handgun~~ basic competency 2715  
license, subject to division (C) of this section, the sheriff 2716  
who issued the license to the licensee shall notify the 2717  
licensee, by certified mail, return receipt requested, at the 2718  
licensee's last known residence address that the license is 2719  
subject to revocation and that the licensee may come to the 2720  
sheriff's office and contest the sheriff's proposed revocation 2721  
within fourteen days of the date on which the notice was mailed. 2722  
After the fourteen-day period and after consideration of any 2723  
information that the licensee provides during that period, if 2724  
the sheriff determines on the basis of the information of which 2725  
the sheriff is aware that the licensee is described in division 2726  
(B)(1) of this section and no longer satisfies the requirements 2727  
described in division (D)(1) of section 2923.125 of the Revised 2728  
Code that are applicable to the licensee's type of license, the 2729  
sheriff shall revoke the license, notify the licensee of that 2730  
fact, and require the licensee to surrender the license. Upon 2731  
revoking the license, the sheriff also shall comply with 2732  
division (H) of section 2923.125 of the Revised Code. 2733

(C) If a sheriff who issues a ~~concealed handgun~~ basic 2734  
competency license to a licensee becomes aware that at the time 2735  
of the issuance of the license the licensee had been convicted 2736  
of or pleaded guilty to an offense identified in division (D)(1) 2737  
(e), (f), or (h) of section 2923.125 of the Revised Code or had 2738  
been adjudicated a delinquent child for committing an act or 2739  
violation identified in any of those divisions or becomes aware 2740  
that on or after the date on which the license was issued the 2741

licensee has been convicted of or pleaded guilty to an offense 2742  
identified in division (A) (2) (a) or (B) (1) (c) of this section, 2743  
the sheriff shall not consider that conviction, guilty plea, or 2744  
adjudication as having occurred for purposes of divisions (A) 2745  
(2), (A) (3), (B) (1), and (B) (2) of this section if a court has 2746  
ordered the sealing or expungement of the records of that 2747  
conviction, guilty plea, or adjudication pursuant to sections 2748  
2151.355 to 2151.358, sections 2953.31 to 2953.35, or section 2749  
2953.39 of the Revised Code or the licensee has been relieved 2750  
under operation of law or legal process from the disability 2751  
imposed pursuant to section 2923.13 of the Revised Code relative 2752  
to that conviction, guilty plea, or adjudication. 2753

(D) As used in this section, "motor carrier enforcement 2754  
unit" has the same meaning as in section 2923.16 of the Revised 2755  
Code. 2756

**Sec. 2923.129.** (A) (1) If a sheriff, the superintendent of 2757  
the bureau of criminal identification and investigation, the 2758  
employees of the bureau, the Ohio peace officer training 2759  
commission, or the employees of the commission make a good faith 2760  
effort in performing the duties imposed upon the sheriff, the 2761  
superintendent, the bureau's employees, the commission, or the 2762  
commission's employees by sections 109.731, 311.41, and 2923.124 2763  
to 2923.1213 of the Revised Code, in addition to the personal 2764  
immunity provided by section 9.86 of the Revised Code or 2765  
division (A) (6) of section 2744.03 of the Revised Code and the 2766  
governmental immunity of sections 2744.02 and 2744.03 of the 2767  
Revised Code and in addition to any other immunity possessed by 2768  
the bureau, the commission, and their employees, the sheriff, 2769  
the sheriff's office, the county in which the sheriff has 2770  
jurisdiction, the bureau, the superintendent of the bureau, the 2771  
bureau's employees, the commission, and the commission's 2772

employees are immune from liability in a civil action for 2773  
injury, death, or loss to person or property that allegedly was 2774  
caused by or related to any of the following: 2775

(a) The issuance, renewal, suspension, or revocation of a 2776  
~~concealed handgun~~ basic competency license; 2777

(b) The failure to issue, renew, suspend, or revoke a 2778  
~~concealed handgun~~ basic competency license; 2779

(c) Any action or misconduct with a handgun committed by a 2780  
licensee. 2781

(2) Any action of a sheriff relating to the issuance, 2782  
renewal, suspension, or revocation of a ~~concealed handgun~~ basic  
competency license shall be considered to be a governmental 2783  
function for purposes of Chapter 2744. of the Revised Code. 2784  
2785

(3) An entity that or instructor who provides a competency 2786  
certification of a type described in division (B) (3) of section 2787  
2923.125 of the Revised Code is immune from civil liability that 2788  
might otherwise be incurred or imposed for any death or any 2789  
injury or loss to person or property that is caused by or 2790  
related to a person to whom the entity or instructor has issued 2791  
the competency certificate if all of the following apply: 2792

(a) The alleged liability of the entity or instructor 2793  
relates to the training provided in the course, class, or 2794  
program covered by the competency certificate. 2795

(b) The entity or instructor makes a good faith effort in 2796  
determining whether the person has satisfactorily completed the 2797  
course, class, or program and makes a good faith effort in 2798  
assessing the person in the competency examination conducted 2799  
pursuant to division (G) (2) of section 2923.125 of the Revised 2800  
Code. 2801

(c) The entity or instructor did not issue the competency certificate with malicious purpose, in bad faith, or in a wanton or reckless manner. 2802  
2803  
2804

(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: 2805  
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2813

(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. 2814  
2815  
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(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. 2819  
2820  
2821

(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~~ basic competency 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 2822  
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311.41 of the Revised Code, are confidential and are not public 2832  
records. No person shall release or otherwise disseminate 2833  
records that are confidential under this division unless 2834  
required to do so pursuant to a court order. 2835

(C) Each sheriff shall report to the Ohio peace officer 2836  
training commission the number of ~~concealed handgun basic~~ 2837  
competency licenses that the sheriff issued, renewed, suspended, 2838  
revoked, or denied under section 2923.125 of the Revised Code 2839  
during the previous quarter of the calendar year, the number of 2840  
applications for those licenses for which processing was 2841  
suspended in accordance with division (D)(3) of section 2923.125 2842  
of the Revised Code during the previous quarter of the calendar 2843  
year, and the number of ~~concealed handgun basic competency~~ 2844  
licenses on a temporary emergency basis that the sheriff issued, 2845  
suspended, revoked, or denied under section 2923.1213 of the 2846  
Revised Code during the previous quarter of the calendar year. 2847  
The sheriff shall not include in the report the name or any 2848  
other identifying information of an applicant or licensee. The 2849  
sheriff shall report that information in a manner that permits 2850  
the commission to maintain the statistics described in division 2851  
(C) of section 109.731 of the Revised Code and to timely prepare 2852  
the statistical report described in that division. The 2853  
information that is received by the commission under this 2854  
division is a public record kept by the commission for the 2855  
purposes of section 149.43 of the Revised Code. 2856

(D) Law enforcement agencies may use the information a 2857  
sheriff makes available through the use of the law enforcement 2858  
automated data system pursuant to division (H) of section 2859  
2923.125 or division (B)(2) or (D) of section 2923.1213 of the 2860  
Revised Code for law enforcement purposes only. The information 2861  
is confidential and is not a public record. Except as provided 2862

in section 5503.101 of the Revised Code, a person who releases 2863  
or otherwise disseminates this information obtained through the 2864  
law enforcement automated data system in a manner not described 2865  
in this division is guilty of a violation of section 2913.04 of 2866  
the Revised Code. 2867

(E) Whoever violates division (B) of this section is 2868  
guilty of illegal release of confidential ~~concealed handgun~~ 2869  
basic competency license records, a felony of the fifth degree. 2870  
In addition to any penalties imposed under Chapter 2929. of the 2871  
Revised Code for a violation of division (B) of this section or 2872  
a violation of section 2913.04 of the Revised Code described in 2873  
division (D) of this section, if the offender is a sheriff, an 2874  
employee of a sheriff, or any other public officer or employee, 2875  
and if the violation was willful and deliberate, the offender 2876  
shall be subject to a civil fine of one thousand dollars. Any 2877  
person who is harmed by a violation of division (B) or (C) of 2878  
this section or a violation of section 2913.04 of the Revised 2879  
Code described in division (D) of this section has a private 2880  
cause of action against the offender for any injury, death, or 2881  
loss to person or property that is a proximate result of the 2882  
violation and may recover court costs and attorney's fees 2883  
related to the action. 2884

**Sec. 2923.1210.** (A) A business entity, property owner, or 2885  
public or private employer may not establish, maintain, or 2886  
enforce a policy or rule that prohibits or has the effect of 2887  
prohibiting a person who has been issued a valid ~~concealed~~ 2888  
~~handgun~~ basic competency license from transporting or storing a 2889  
firearm or ammunition when both of the following conditions are 2890  
met: 2891

(1) Each firearm and all of the ammunition remains inside 2892

the person's privately owned motor vehicle while the person is 2893  
physically present inside the motor vehicle, or each firearm and 2894  
all of the ammunition is locked within the trunk, glove box, or 2895  
other enclosed compartment or container within or on the 2896  
person's privately owned motor vehicle; 2897

(2) The vehicle is in a location where it is otherwise 2898  
permitted to be. 2899

(B) A business entity, property owner, or public or 2900  
private employer that violates division (A) of this section may 2901  
be found liable in a civil action for injunctive relief brought 2902  
by any individual injured by the violation. The court may grant 2903  
any injunctive relief it finds appropriate. 2904

(C) No business entity, property owner, or public or 2905  
private employer shall be held liable in any civil action for 2906  
damages, injuries, or death resulting from or arising out of 2907  
another person's actions involving a firearm or ammunition 2908  
transported or stored pursuant to division (A) of this section 2909  
including the theft of a firearm from an employee's or invitee's 2910  
automobile, unless the business entity, property owner, or 2911  
public or private employer intentionally solicited or procured 2912  
the other person's injurious actions. 2913

**Sec. 2923.1211.** (A) No person shall alter a ~~concealed~~ 2914  
~~handgun~~ basic competency license or create a fictitious document 2915  
that purports to be a license of that nature. 2916

(B) No person, except in the performance of official 2917  
duties, shall possess a ~~concealed handgun~~ basic competency 2918  
license that was issued and that has been revoked or suspended. 2919

(C) Whoever violates division (A) of this section is 2920  
guilty of falsification of a ~~concealed handgun~~ basic competency 2921

license, a felony of the fifth degree. Whoever violates division 2922  
(B) of this section is guilty of possessing a revoked or 2923  
suspended ~~concealed handgun~~ basic competency license, a 2924  
misdemeanor of the third degree. 2925

**Sec. 2923.1213.** (A) As used in this section: 2926

(1) "Evidence of imminent danger" means any of the 2927  
following: 2928

(a) A statement sworn by the person seeking to carry a 2929  
concealed handgun that is made under threat of perjury and that 2930  
states that the person has reasonable cause to fear a criminal 2931  
attack upon the person or a member of the person's family, such 2932  
as would justify a prudent person in going armed; 2933

(b) A written document prepared by a governmental entity 2934  
or public official describing the facts that give the person 2935  
seeking to carry a concealed handgun reasonable cause to fear a 2936  
criminal attack upon the person or a member of the person's 2937  
family, such as would justify a prudent person in going armed. 2938  
Written documents of this nature include, but are not limited 2939  
to, any temporary protection order, civil protection order, 2940  
protection order issued by another state, or other court order, 2941  
any court report, and any report filed with or made by a law 2942  
enforcement agency or prosecutor. 2943

(2) "Prosecutor" has the same meaning as in section 2944  
2935.01 of the Revised Code. 2945

(B) (1) A person seeking a ~~concealed handgun~~ basic 2946  
competency license on a temporary emergency basis shall submit 2947  
to the sheriff of the county in which the person resides or, if 2948  
the person usually resides in another state, to the sheriff of 2949  
the county in which the person is temporarily staying, all of 2950

the following: 2951

(a) Evidence of imminent danger to the person or a member 2952  
of the person's family; 2953

(b) A sworn affidavit that contains all of the information 2954  
required to be on the license and attesting that the person is 2955  
legally living in the United States; is at least twenty-one 2956  
years of age; is not a fugitive from justice; is not under 2957  
indictment for or otherwise charged with an offense identified 2958  
in division (D) (1) (d) of section 2923.125 of the Revised Code; 2959  
has not been convicted of or pleaded guilty to an offense, and 2960  
has not been adjudicated a delinquent child for committing an 2961  
act, identified in division (D) (1) (e) of that section and to 2962  
which division (B) (3) of this section does not apply; within 2963  
three years of the date of the submission, has not been 2964  
convicted of or pleaded guilty to an offense, and has not been 2965  
adjudicated a delinquent child for committing an act, identified 2966  
in division (D) (1) (f) of that section and to which division (B) 2967  
(3) of this section does not apply; within five years of the 2968  
date of the submission, has not been convicted of, pleaded 2969  
guilty, or adjudicated a delinquent child for committing two or 2970  
more violations identified in division (D) (1) (g) of that 2971  
section; within ten years of the date of the submission, has not 2972  
been convicted of, pleaded guilty, or adjudicated a delinquent 2973  
child for committing a violation identified in division (D) (1) 2974  
(h) of that section and to which division (B) (3) of this section 2975  
does not apply; has not been committed to any mental 2976  
institution, is not under adjudication of mental incompetence, 2977  
has not been found by a court to be a person with a mental 2978  
illness subject to court order, and is not an involuntary 2979  
patient other than one who is a patient only for purposes of 2980  
observation, as described in division (D) (1) (i) of that section; 2981

is not currently subject to a civil protection order, a 2982  
temporary protection order, or a protection order issued by a 2983  
court of another state, as described in division (D) (1) (j) of 2984  
that section; is not currently subject to a suspension imposed 2985  
under division (A) (2) of section 2923.128 of the Revised Code of 2986  
a ~~concealed handgun~~ basic competency license that previously was 2987  
issued to the person or a similar suspension imposed by another 2988  
state regarding a ~~concealed handgun~~ basic competency license 2989  
issued by that state; is not an unlawful user of or addicted to 2990  
any controlled substance as defined in 21 U.S.C. 802; if 2991  
applicable, is an alien and has not been admitted to the United 2992  
States under a nonimmigrant visa, as defined in the "Immigration 2993  
and Nationality Act," 8 U.S.C. 1101(a) (26); has not been 2994  
discharged from the armed forces of the United States under 2995  
dishonorable conditions; if applicable, has not renounced the 2996  
applicant's United States citizenship; and has not been 2997  
convicted of, pleaded guilty to, or been adjudicated a 2998  
delinquent child for committing a violation identified in 2999  
division (D) (1) (s) of section 2923.125 of the Revised Code; 3000

(c) A nonrefundable temporary emergency license fee as 3001  
described in either of the following: 3002

(i) For an applicant who has been a resident of this state 3003  
for five or more years, a fee of fifteen dollars plus the actual 3004  
cost of having a background check performed by the bureau of 3005  
criminal identification and investigation pursuant to section 3006  
311.41 of the Revised Code; 3007

(ii) For an applicant who has been a resident of this 3008  
state for less than five years or who is not a resident of this 3009  
state, but is temporarily staying in this state, a fee of 3010  
fifteen dollars plus the actual cost of having background checks 3011

performed by the federal bureau of investigation and the bureau 3012  
of criminal identification and investigation pursuant to section 3013  
311.41 of the Revised Code. 3014

(d) A set of fingerprints of the applicant provided as 3015  
described in section 311.41 of the Revised Code through use of 3016  
an electronic fingerprint reading device or, if the sheriff to 3017  
whom the application is submitted does not possess and does not 3018  
have ready access to the use of an electronic fingerprint 3019  
reading device, on a standard impression sheet prescribed 3020  
pursuant to division (C) (2) of section 109.572 of the Revised 3021  
Code. If the fingerprints are provided on a standard impression 3022  
sheet, the person also shall provide the person's social 3023  
security number to the sheriff. 3024

(2) A sheriff shall accept the evidence of imminent 3025  
danger, the sworn affidavit, the fee, and the set of 3026  
fingerprints required under division (B) (1) of this section at 3027  
the times and in the manners described in division (I) of this 3028  
section. Upon receipt of the evidence of imminent danger, the 3029  
sworn affidavit, the fee, and the set of fingerprints required 3030  
under division (B) (1) of this section, the sheriff, in the 3031  
manner specified in section 311.41 of the Revised Code, 3032  
immediately shall conduct or cause to be conducted the criminal 3033  
records check and the incompetency records check described in 3034  
section 311.41 of the Revised Code. Immediately upon receipt of 3035  
the results of the records checks, the sheriff shall review the 3036  
information and shall determine whether the criteria set forth 3037  
in divisions (D) (1) (a) to (j) and (m) to (s) of section 2923.125 3038  
of the Revised Code apply regarding the person. If the sheriff 3039  
determines that all of the criteria set forth in divisions (D) 3040  
(1) (a) to (j) and (m) to (s) of section 2923.125 of the Revised 3041  
Code apply regarding the person, the sheriff shall immediately 3042

make available through the law enforcement automated data system 3043  
all information that will be contained on the temporary 3044  
emergency license for the person if one is issued, and the 3045  
superintendent of the state highway patrol shall ensure that the 3046  
system is so configured as to permit the transmission through 3047  
the system of that information. Upon making that information 3048  
available through the law enforcement automated data system, the 3049  
sheriff shall immediately issue to the person a ~~concealed-~~ 3050  
~~handgun-~~basic competency license on a temporary emergency basis. 3051

If the sheriff denies the issuance of a license on a 3052  
temporary emergency basis to the person, the sheriff shall 3053  
specify the grounds for the denial in a written notice to the 3054  
person. The person may appeal the denial, or challenge criminal 3055  
records check results that were the basis of the denial if 3056  
applicable, in the same manners specified in division (D) (2) of 3057  
section 2923.125 and in section 2923.127 of the Revised Code, 3058  
regarding the denial of an application for a ~~concealed handgun-~~ 3059  
basic competency license under that section. 3060

The license on a temporary emergency basis issued under 3061  
this division shall be in the form, and shall include all of the 3062  
information, described in divisions (A) (2) (a) and (d) of section 3063  
109.731 of the Revised Code, and also shall include a unique 3064  
combination of identifying letters and numbers in accordance 3065  
with division (A) (2) (c) of that section. 3066

The license on a temporary emergency basis issued under 3067  
this division is valid for ninety days and may not be renewed. A 3068  
person who has been issued a license on a temporary emergency 3069  
basis under this division shall not be issued another license on 3070  
a temporary emergency basis unless at least four years has 3071  
expired since the issuance of the prior license on a temporary 3072



emergency basis. 3073

(3) If a person seeking a ~~concealed handgun~~ basic 3074  
competency license on a temporary emergency basis has been 3075  
convicted of or pleaded guilty to an offense identified in 3076  
division (D) (1) (e), (f), or (h) of section 2923.125 of the 3077  
Revised Code or has been adjudicated a delinquent child for 3078  
committing an act or violation identified in any of those 3079  
divisions, and if a court has ordered the sealing or expungement 3080  
of the records of that conviction, guilty plea, or adjudication 3081  
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 3082  
2953.35, or section 2953.39 of the Revised Code or the applicant 3083  
has been relieved under operation of law or legal process from 3084  
the disability imposed pursuant to section 2923.13 of the 3085  
Revised Code relative to that conviction, guilty plea, or 3086  
adjudication, the conviction, guilty plea, or adjudication shall 3087  
not be relevant for purposes of the sworn affidavit described in 3088  
division (B) (1) (b) of this section, and the person may complete, 3089  
and swear to the truth of, the affidavit as if the conviction, 3090  
guilty plea, or adjudication never had occurred. 3091

(4) The sheriff shall waive the payment pursuant to 3092  
division (B) (1) (c) of this section of the license fee in 3093  
connection with an application that is submitted by an applicant 3094  
who is a retired peace officer, a retired person described in 3095  
division (B) (1) (b) of section 109.77 of the Revised Code, or a 3096  
retired federal law enforcement officer who, prior to 3097  
retirement, was authorized under federal law to carry a firearm 3098  
in the course of duty, unless the retired peace officer, person, 3099  
or federal law enforcement officer retired as the result of a 3100  
mental disability. 3101

The sheriff shall deposit all fees paid by an applicant 3102

under division (B) (1) (c) of this section into the sheriff's 3103  
~~concealed handgun basic competency~~ license issuance fund 3104  
established pursuant to section 311.42 of the Revised Code. 3105

(C) A person who holds a ~~concealed handgun basic~~ 3106  
competency license on a temporary emergency basis has the same 3107  
right to carry a concealed handgun as a person who was issued a 3108  
~~concealed handgun basic competency~~ license under section 3109  
2923.125 of the Revised Code, and any exceptions to the 3110  
prohibitions contained in section 1547.69 and sections 2923.12 3111  
to 2923.16 of the Revised Code for a licensee under section 3112  
2923.125 of the Revised Code apply to a licensee under this 3113  
section. The person is subject to the same restrictions, and to 3114  
all other procedures, duties, and sanctions, that apply to a 3115  
person who carries a license issued under section 2923.125 of 3116  
the Revised Code, other than the license renewal procedures set 3117  
forth in that section. 3118

(D) A sheriff who issues a ~~concealed handgun basic~~ 3119  
competency license on a temporary emergency basis under this 3120  
section shall not require a person seeking to carry a concealed 3121  
handgun in accordance with this section to submit a competency 3122  
certificate as a prerequisite for issuing the license and shall 3123  
comply with division (H) of section 2923.125 of the Revised Code 3124  
in regards to the license. The sheriff shall suspend or revoke 3125  
the license in accordance with section 2923.128 of the Revised 3126  
Code. In addition to the suspension or revocation procedures set 3127  
forth in section 2923.128 of the Revised Code, the sheriff may 3128  
revoke the license upon receiving information, verifiable by 3129  
public documents, that the person is not eligible to possess a 3130  
firearm under either the laws of this state or of the United 3131  
States or that the person committed perjury in obtaining the 3132  
license; if the sheriff revokes a license under this additional 3133

authority, the sheriff shall notify the person, by certified 3134  
mail, return receipt requested, at the person's last known 3135  
residence address that the license has been revoked and that the 3136  
person is required to surrender the license at the sheriff's 3137  
office within ten days of the date on which the notice was 3138  
mailed. Division (H) of section 2923.125 of the Revised Code 3139  
applies regarding any suspension or revocation of a ~~concealed-~~ 3140  
~~handgun-~~basic competency license on a temporary emergency basis. 3141

(E) A sheriff who issues a ~~concealed handgun-~~basic 3142  
competency license on a temporary emergency basis under this 3143  
section shall retain, for the entire period during which the 3144  
license is in effect, the evidence of imminent danger that the 3145  
person submitted to the sheriff and that was the basis for the 3146  
license, or a copy of that evidence, as appropriate. 3147

(F) If a ~~concealed handgun-~~basic competency license on a 3148  
temporary emergency basis issued under this section is lost or 3149  
is destroyed, the licensee may obtain from the sheriff who 3150  
issued that license a duplicate license upon the payment of a 3151  
fee of fifteen dollars and the submission of an affidavit 3152  
attesting to the loss or destruction of the license. The 3153  
sheriff, in accordance with the procedures prescribed in section 3154  
109.731 of the Revised Code, shall place on the replacement 3155  
license a combination of identifying numbers different from the 3156  
combination on the license that is being replaced. 3157

(G) The attorney general shall prescribe, and shall make 3158  
available to sheriffs, a standard form to be used under division 3159  
(B) of this section by a person who applies for a ~~concealed-~~ 3160  
~~handgun-~~basic competency license on a temporary emergency basis 3161  
on the basis of imminent danger of a type described in division 3162  
(A) (1) (a) of this section. The attorney general shall design the 3163

form to enable applicants to provide the information that is 3164  
required by law to be collected, and shall update the form as 3165  
necessary. Burdens or restrictions to obtaining a ~~concealed-~~ 3166  
~~handgun~~-basic competency license that are not expressly 3167  
prescribed in law shall not be incorporated into the form. The 3168  
attorney general shall post a printable version of the form on 3169  
the web site of the attorney general and shall provide the 3170  
address of the web site to any person who requests the form. 3171

(H) A sheriff who receives any fees paid by a person under 3172  
this section shall deposit all fees so paid into the sheriff's 3173  
~~concealed handgun~~-basic competency license issuance expense fund 3174  
established under section 311.42 of the Revised Code. 3175

(I) A sheriff shall accept evidence of imminent danger, a 3176  
sworn affidavit, the fee, and the set of fingerprints specified 3177  
in division (B) (1) of this section at any time during normal 3178  
business hours. In no case shall a sheriff require an 3179  
appointment, or designate a specific period of time, for the 3180  
submission or acceptance of evidence of imminent danger, a sworn 3181  
affidavit, the fee, and the set of fingerprints specified in 3182  
division (B) (1) of this section, or for the provision to any 3183  
person of a standard form to be used for a person to apply for a 3184  
~~concealed handgun~~-basic competency license on a temporary 3185  
emergency basis. 3186

**Sec. 2923.16.** (A) No person shall knowingly discharge a 3187  
firearm while in or on a motor vehicle. 3188

(B) No person shall knowingly transport or have a loaded 3189  
firearm in a motor vehicle in such a manner that the firearm is 3190  
accessible to the operator or any passenger without leaving the 3191  
vehicle. 3192

(C) No person shall knowingly transport or have a firearm 3193  
in a motor vehicle, unless the person may lawfully possess that 3194  
firearm under applicable law of this state or the United States, 3195  
the firearm is unloaded, and the firearm is carried in one of 3196  
the following ways: 3197

(1) In a closed package, box, or case; 3198

(2) In a compartment that can be reached only by leaving 3199  
the vehicle; 3200

(3) In plain sight and secured in a rack or holder made 3201  
for the purpose; 3202

(4) If the firearm is at least twenty-four inches in 3203  
overall length as measured from the muzzle to the part of the 3204  
stock furthest from the muzzle and if the barrel is at least 3205  
eighteen inches in length, either in plain sight with the action 3206  
open or the weapon stripped, or, if the firearm is of a type on 3207  
which the action will not stay open or which cannot easily be 3208  
stripped, in plain sight. 3209

(D) No person shall knowingly transport or have a loaded 3210  
handgun in a motor vehicle if, at the time of that 3211  
transportation or possession, any of the following applies: 3212

(1) The person is under the influence of alcohol, a drug 3213  
of abuse, or a combination of them. 3214

(2) The person's whole blood, blood serum or plasma, 3215  
breath, or urine contains a concentration of alcohol, a listed 3216  
controlled substance, or a listed metabolite of a controlled 3217  
substance prohibited for persons operating a vehicle, as 3218  
specified in division (A) of section 4511.19 of the Revised 3219  
Code, regardless of whether the person at the time of the 3220  
transportation or possession as described in this division is 3221

the operator of or a passenger in the motor vehicle. 3222

(E) No person who has been issued a ~~concealed handgun~~ 3223  
basic competency license or who is an active duty member of the 3224  
armed forces of the United States and is carrying a valid 3225  
military identification card and documentation of successful 3226  
completion of firearms training that meets or exceeds the 3227  
training requirements described in division (G) (1) of section 3228  
2923.125 of the Revised Code, who is the driver or an occupant 3229  
of a motor vehicle that is stopped as a result of a traffic stop 3230  
or a stop for another law enforcement purpose or is the driver 3231  
or an occupant of a commercial motor vehicle that is stopped by 3232  
an employee of the motor carrier enforcement unit for the 3233  
purposes defined in section 5503.34 of the Revised Code, and who 3234  
is transporting or has a loaded handgun in the motor vehicle or 3235  
commercial motor vehicle in any manner, shall do any of the 3236  
following: 3237

(1) ~~Before or at the time a law enforcement officer asks~~ 3238  
~~if the person is carrying a concealed handgun, knowingly fail to~~ 3239  
~~disclose~~ Fail to promptly inform any law enforcement officer 3240  
who approaches the vehicle while stopped that the person has 3241  
been issued a basic competency license or is authorized to carry 3242  
a concealed handgun as an active duty member of the armed forces 3243  
of the United States and that the person then possesses or has a 3244  
loaded handgun in the motor vehicle, ~~provided that it is not a~~ 3245  
~~violation of this division if the person fails to disclose that~~ 3246  
~~fact to an officer during the stop and the person already has~~ 3247  
~~notified another officer of that fact during the same stop;~~ 3248

(2) ~~Before or at the time an employee of the motor carrier~~ 3249  
~~enforcement unit asks if the person is carrying a concealed~~ 3250  
~~handgun, knowingly fail to disclose~~ Fail to promptly inform the 3251

employee of the unit who approaches the vehicle while stopped 3252  
that the person has been issued a basic competency license or is 3253  
authorized to carry a concealed handgun as an active duty member 3254  
of the armed forces of the United States and that the person 3255  
then possesses or has a loaded handgun in the commercial motor 3256  
vehicle, ~~provided that it is not a violation of this division if~~ 3257  
~~the person fails to disclose that fact to an employee of the~~ 3258  
~~unit during the stop and the person already has notified another~~ 3259  
~~employee of the unit of that fact during the same stop;~~ 3260

(3) Knowingly fail to remain in the motor vehicle while 3261  
stopped or knowingly fail to keep the person's hands in plain 3262  
sight at any time after any law enforcement officer begins 3263  
approaching the person while stopped and before the law 3264  
enforcement officer leaves, unless the failure is pursuant to 3265  
and in accordance with directions given by a law enforcement 3266  
officer; 3267

(4) Knowingly have contact with the loaded handgun by 3268  
touching it with the person's hands or fingers in the motor 3269  
vehicle at any time after the law enforcement officer begins 3270  
approaching and before the law enforcement officer leaves, 3271  
unless the person has contact with the loaded handgun pursuant 3272  
to and in accordance with directions given by the law 3273  
enforcement officer; 3274

(5) Knowingly disregard or fail to comply with any lawful 3275  
order of any law enforcement officer given while the motor 3276  
vehicle is stopped, including, but not limited to, a specific 3277  
order to the person to keep the person's hands in plain sight. 3278

(F) (1) Divisions (A), (B), (C), and (E) of this section do 3279  
not apply to any of the following: 3280

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

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

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

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

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

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



property. 3310

(d) The person does not discharge the firearm in any of 3311  
the following manners: 3312

(i) While under the influence of alcohol, a drug of abuse, 3313  
or alcohol and a drug of abuse; 3314

(ii) In the direction of a street, highway, or other 3315  
public or private property used by the public for vehicular 3316  
traffic or parking; 3317

(iii) At or into an occupied structure that is a permanent 3318  
or temporary habitation; 3319

(iv) In the commission of any violation of law, including, 3320  
but not limited to, a felony that includes, as an essential 3321  
element, purposely or knowingly causing or attempting to cause 3322  
the death of or physical harm to another and that was committed 3323  
by discharging a firearm from a motor vehicle. 3324

(3) Division (A) of this section does not apply to a 3325  
person if all of the following apply: 3326

(a) The person possesses a valid all-purpose vehicle 3327  
permit issued under section 1533.103 of the Revised Code by the 3328  
chief of the division of wildlife. 3329

(b) The person discharges a firearm at a wild quadruped or 3330  
game bird as defined in section 1531.01 of the Revised Code 3331  
during the open hunting season for the applicable wild quadruped 3332  
or game bird. 3333

(c) The person discharges a firearm from a stationary all- 3334  
purpose vehicle as defined in section 1531.01 of the Revised 3335  
Code from private or publicly owned lands or from a motor 3336  
vehicle that is parked on a road that is owned or administered 3337

by the division of wildlife. 3338

(d) The person does not discharge the firearm in any of 3339  
the following manners: 3340

(i) While under the influence of alcohol, a drug of abuse, 3341  
or alcohol and a drug of abuse; 3342

(ii) In the direction of a street, a highway, or other 3343  
public or private property that is used by the public for 3344  
vehicular traffic or parking; 3345

(iii) At or into an occupied structure that is a permanent 3346  
or temporary habitation; 3347

(iv) In the commission of any violation of law, including, 3348  
but not limited to, a felony that includes, as an essential 3349  
element, purposely or knowingly causing or attempting to cause 3350  
the death of or physical harm to another and that was committed 3351  
by discharging a firearm from a motor vehicle. 3352

(4) Divisions (B) and (C) of this section do not apply to 3353  
a person if all of the following circumstances apply: 3354

(a) At the time of the alleged violation of either of 3355  
those divisions, the person is the operator of or a passenger in 3356  
a motor vehicle. 3357

(b) The motor vehicle is on real property that is located 3358  
in an unincorporated area of a township and that either is zoned 3359  
for agriculture or is used for agriculture. 3360

(c) The person owns the real property described in 3361  
division (F) (4) (b) of this section, is the spouse or a child of 3362  
another person who owns that real property, is a tenant of 3363  
another person who owns that real property, or is the spouse or 3364  
a child of a tenant of another person who owns that real 3365

property. 3366

(d) The person, prior to arriving at the real property 3367  
described in division (F) (4) (b) of this section, did not 3368  
transport or possess a firearm in the motor vehicle in a manner 3369  
prohibited by division (B) or (C) of this section while the 3370  
motor vehicle was being operated on a street, highway, or other 3371  
public or private property used by the public for vehicular 3372  
traffic or parking. 3373

(5) Divisions (B) and (C) of this section do not apply to 3374  
a person who transports or possesses a handgun in a motor 3375  
vehicle if, at the time of that transportation or possession, 3376  
both of the following apply: 3377

(a) The person transporting or possessing the handgun ~~has~~ 3378  
~~been issued a~~ is either carrying a valid concealed handgun basic 3379  
competency license that is valid at the time in question or the 3380  
~~person~~ is an active duty member of the armed forces of the 3381  
United States and is carrying a valid military identification 3382  
card and documentation of successful completion of firearms 3383  
training that meets or exceeds the training requirements 3384  
described in division (G) (1) of section 2923.125 of the Revised 3385  
Code. 3386

(b) The person transporting or possessing the handgun is 3387  
not knowingly in a place described in division (B) of section 3388  
2923.126 of the Revised Code. 3389

(6) Divisions (B) and (C) of this section do not apply to 3390  
a person if all of the following apply: 3391

(a) The person possesses a valid all-purpose vehicle 3392  
permit issued under section 1533.103 of the Revised Code by the 3393  
chief of the division of wildlife. 3394

(b) The person is on or in an all-purpose vehicle as 3395  
defined in section 1531.01 of the Revised Code or a motor 3396  
vehicle during the open hunting season for a wild quadruped or 3397  
game bird. 3398

(c) The person is on or in an all-purpose vehicle as 3399  
defined in section 1531.01 of the Revised Code on private or 3400  
publicly owned lands or on or in a motor vehicle that is parked 3401  
on a road that is owned or administered by the division of 3402  
wildlife. 3403

(7) Nothing in this section prohibits or restricts a 3404  
person from possessing, storing, or leaving a firearm in a 3405  
locked motor vehicle that is parked in the state underground 3406  
parking garage at the state capitol building or in the parking 3407  
garage at the Riffe center for government and the arts in 3408  
Columbus, if the person's transportation and possession of the 3409  
firearm in the motor vehicle while traveling to the premises or 3410  
facility was not in violation of division (A), (B), (C), (D), or 3411  
(E) of this section or any other provision of the Revised Code. 3412

(G) (1) The affirmative defenses authorized in divisions 3413  
(D) (1) and (2) of section 2923.12 of the Revised Code are 3414  
affirmative defenses to a charge under division (B) or (C) of 3415  
this section that involves a firearm other than a handgun. 3416

(2) It is an affirmative defense to a charge under 3417  
division (B) or (C) of this section of improperly handling 3418  
firearms in a motor vehicle that the actor transported or had 3419  
the firearm in the motor vehicle for any lawful purpose and 3420  
while the motor vehicle was on the actor's own property, 3421  
provided that this affirmative defense is not available unless 3422  
the person, immediately prior to arriving at the actor's own 3423  
property, did not transport or possess the firearm in a motor 3424

vehicle in a manner prohibited by division (B) or (C) of this 3425  
section while the motor vehicle was being operated on a street, 3426  
highway, or other public or private property used by the public 3427  
for vehicular traffic. 3428

(H) (1) No person who is charged with a violation of 3429  
division (B), (C), or (D) of this section shall be required to 3430  
obtain a ~~concealed handgun~~ basic competency license as a 3431  
condition for the dismissal of the charge. 3432

(2) (a) If a person is convicted of, was convicted of, 3433  
pleads guilty to, or has pleaded guilty to a violation of 3434  
division (E) of this section as it existed prior to September 3435  
30, 2011, and if the conduct that was the basis of the violation 3436  
no longer would be a violation of division (E) of this section 3437  
on or after September 30, 2011, ~~or if a person is convicted of,~~ 3438  
~~was convicted of, pleads guilty to, or has pleaded guilty to a~~ 3439  
~~violation of division (E) (1) or (2) of this section as it~~ 3440  
~~existed prior to June 13, 2022,~~ the person may file an 3441  
application under section 2953.35 of the Revised Code requesting 3442  
the expungement of the record of conviction. 3443

If a person is convicted of, was convicted of, pleads 3444  
guilty to, or has pleaded guilty to a violation of division (B) 3445  
or (C) of this section as the division existed prior to 3446  
September 30, 2011, and if the conduct that was the basis of the 3447  
violation no longer would be a violation of division (B) or (C) 3448  
of this section on or after September 30, 2011, due to the 3449  
application of division (F) (5) of this section as it exists on 3450  
and after September 30, 2011, the person may file an application 3451  
under section 2953.35 of the Revised Code requesting the 3452  
expungement of the record of conviction. 3453

(b) The attorney general shall develop a public media 3454

advisory that summarizes the expungement procedure established 3455  
under section 2953.35 of the Revised Code and the offenders 3456  
identified in division (H) (2) (a) of this section ~~and those~~ 3457  
~~identified in division (E) (2) of section 2923.12 of the Revised~~ 3458  
~~Code~~ who are authorized to apply for the expungement. Within 3459  
thirty days after September 30, 2011, ~~with respect to violations~~ 3460  
~~of division (B), (C), or (E) of this section as they existed~~ 3461  
~~prior to that date, and within thirty days after June 13, 2022,~~ 3462  
~~with respect to a violation of division (E) (1) or (2) of this~~ 3463  
~~section or division (B) (1) of section 2923.12 of the Revised~~ 3464  
~~Code as they existed prior to June 13, 2022,~~ the attorney 3465  
general shall provide a copy of the advisory to each daily 3466  
newspaper published in this state and each television station 3467  
that broadcasts in this state. The attorney general may provide 3468  
the advisory in a tangible form, an electronic form, or in both 3469  
tangible and electronic forms. 3470

(I) Whoever violates this section is guilty of improperly 3471  
handling firearms in a motor vehicle. ~~A violation~~ Violation of 3472  
division (A) of this section is a felony of the fourth degree. ~~A~~ 3473  
~~violation~~ Violation of division (C) of this section is a 3474  
misdemeanor of the fourth degree. A violation of division (D) of 3475  
this section is a felony of the fifth degree or, if the loaded 3476  
handgun is concealed on the person's person, a felony of the 3477  
fourth degree. ~~A~~ Except as otherwise provided in this division, 3478  
a violation of division (E) (1) or (2) of this section is a 3479  
misdemeanor of the ~~second~~ first degree, and, in addition to any 3480  
other penalty or sanction imposed for the violation, the 3481  
offender's basic competency license shall be suspended pursuant 3482  
to division (A) (2) of section 2923.128 of the Revised Code. If 3483  
at the time of the stop of the offender for a traffic stop, for 3484  
another law enforcement purpose, or for a purpose defined in 3485

section 5503.34 of the Revised Code that was the basis of the 3486  
violation any law enforcement officer involved with the stop or 3487  
the employee of the motor carrier enforcement unit who made the 3488  
stop had actual knowledge of the offender's status as a 3489  
licensee, a violation of division (E) (1) or (2) of this section 3490  
is a minor misdemeanor, and the offender's basic competency 3491  
license shall not be suspended pursuant to division (A) (2) of 3492  
section 2923.128 of the Revised Code. A violation of division 3493  
(E) (4) of this section is a felony of the fifth degree. A 3494  
violation of division (E) (3) or (5) of this section is a 3495  
misdemeanor of the first degree or, if the offender previously 3496  
has been convicted of or pleaded guilty to a violation of 3497  
division (E) (3) or (5) of this section, a felony of the fifth 3498  
degree. In addition to any other penalty or sanction imposed for 3499  
a misdemeanor violation of division (E) (3) or (5) of this 3500  
section, the offender's ~~concealed handgun~~ basic competency 3501  
license shall be suspended pursuant to division (A) (2) of 3502  
section 2923.128 of the Revised Code. A violation of division 3503  
(B) of this section is a felony of the fourth degree. 3504

(J) If a law enforcement officer stops a motor vehicle for 3505  
a traffic stop or any other purpose, if any person in the motor 3506  
vehicle surrenders a firearm to the officer, either voluntarily 3507  
or pursuant to a request or demand of the officer, and if the 3508  
officer does not charge the person with a violation of this 3509  
section or arrest the person for any offense, the person is not 3510  
otherwise prohibited by law from possessing the firearm, and the 3511  
firearm is not contraband, the officer shall return the firearm 3512  
to the person at the termination of the stop. If a court orders 3513  
a law enforcement officer to return a firearm to a person 3514  
pursuant to the requirement set forth in this division, division 3515  
(B) of section 2923.163 of the Revised Code applies. 3516

(K) As used in this section:	3517
(1) "Motor vehicle," "street," and "highway" have the same meanings as in section 4511.01 of the Revised Code.	3518 3519
(2) "Occupied structure" has the same meaning as in section 2909.01 of the Revised Code.	3520 3521
(3) "Agriculture" has the same meaning as in section 519.01 of the Revised Code.	3522 3523
(4) "Tenant" has the same meaning as in section 1531.01 of the Revised Code.	3524 3525
(5) (a) "Unloaded" means, with respect to a firearm other than a firearm described in division (K) (6) of this section, that no ammunition is in the firearm in question, no magazine or speed loader containing ammunition is inserted into the firearm in question, and one of the following applies:	3526 3527 3528 3529 3530
(i) There is no ammunition in a magazine or speed loader that is in the vehicle in question and that may be used with the firearm in question.	3531 3532 3533
(ii) Any magazine or speed loader that contains ammunition and that may be used with the firearm in question is stored in a compartment within the vehicle in question that cannot be accessed without leaving the vehicle or is stored in a container that provides complete and separate enclosure.	3534 3535 3536 3537 3538
(b) For the purposes of division (K) (5) (a) (ii) of this section, a "container that provides complete and separate enclosure" includes, but is not limited to, any of the following:	3539 3540 3541 3542
(i) A package, box, or case with multiple compartments, as long as the loaded magazine or speed loader and the firearm in	3543 3544



question either are in separate compartments within the package, 3545  
box, or case, or, if they are in the same compartment, the 3546  
magazine or speed loader is contained within a separate 3547  
enclosure in that compartment that does not contain the firearm 3548  
and that closes using a snap, button, buckle, zipper, hook and 3549  
loop closing mechanism, or other fastener that must be opened to 3550  
access the contents or the firearm is contained within a 3551  
separate enclosure of that nature in that compartment that does 3552  
not contain the magazine or speed loader; 3553

(ii) A pocket or other enclosure on the person of the 3554  
person in question that closes using a snap, button, buckle, 3555  
zipper, hook and loop closing mechanism, or other fastener that 3556  
must be opened to access the contents. 3557

(c) For the purposes of divisions (K) (5) (a) and (b) of 3558  
this section, ammunition held in stripper-clips or in en-bloc 3559  
clips is not considered ammunition that is loaded into a 3560  
magazine or speed loader. 3561

(6) "Unloaded" means, with respect to a firearm employing 3562  
a percussion cap, flintlock, or other obsolete ignition system, 3563  
when the weapon is uncapped or when the priming charge is 3564  
removed from the pan. 3565

(7) "Commercial motor vehicle" has the same meaning as in 3566  
division (A) of section 4506.25 of the Revised Code. 3567

(8) "Motor carrier enforcement unit" means the motor 3568  
carrier enforcement unit in the department of public safety, 3569  
division of state highway patrol, that is created by section 3570  
5503.34 of the Revised Code. 3571

(L) Divisions (K) (5) (a) and (b) of this section do not 3572  
affect the authority of a person who ~~has been issued~~ is carrying 3573

~~a valid concealed handgun basic competency license that is valid~~ 3574  
~~at the time in question~~ to have one or more magazines or speed 3575  
loaders containing ammunition anywhere in a vehicle, without 3576  
being transported as described in those divisions, as long as no 3577  
ammunition is in a firearm, other than a handgun, in the vehicle 3578  
other than as permitted under any other provision of this 3579  
chapter. A person who ~~has been issued~~ is carrying a valid 3580  
~~concealed handgun basic competency license that is valid at the~~ 3581  
~~time in question~~ may have one or more magazines or speed loaders 3582  
containing ammunition anywhere in a vehicle without further 3583  
restriction, as long as no ammunition is in a firearm, other 3584  
than a handgun, in the vehicle other than as permitted under any 3585  
provision of this chapter. 3586

**Sec. 2953.35.** (A) Any person who is convicted of, was 3587  
convicted of, pleads guilty to, or has pleaded guilty to a 3588  
violation of division (B), (C), or (E) of section 2923.16 of the 3589  
Revised Code as the division existed prior to September 30, 3590  
2011, ~~or a violation of division (E) (1) or (2) of section~~ 3591  
~~2923.16 of the Revised Code as the division existed prior to~~ 3592  
~~June 13, 2022,~~ and who is authorized by division (H) (2) (a) of 3593  
that section to file an application under this section for the 3594  
expungement of the conviction record may apply to the sentencing 3595  
court for the expungement of the record of conviction. ~~Any~~ 3596  
~~person who is convicted of, was convicted of, pleads guilty to,~~ 3597  
~~or has pleaded guilty to a violation of division (B) (1) of~~ 3598  
~~section 2923.12 of the Revised Code as it existed prior to June~~ 3599  
~~13, 2022, and who is authorized by division (E) (2) of that~~ 3600  
~~section may apply to the sentencing court for the expungement of~~ 3601  
~~the record of conviction.~~ The person may file the application at 3602  
any time on or after September 30, 2011, ~~with respect to~~ 3603  
~~violations of division (B), (C), or (E) of section 2923.16 of~~ 3604

~~the Revised Code as they existed prior to that date, or at any~~ 3605  
~~time on or after June 13, 2022, with respect to a violation of~~ 3606  
~~division (B) (1) of section 2923.12 of the Revised Code or of~~ 3607  
~~division (E) (1) or (2) of section 2923.16 of the Revised Code as~~ 3608  
~~the particular division existed prior to June 13, 2022. The~~ 3609  
application shall do all of the following: 3610

(1) Identify the applicant, the offense for which the 3611  
expungement is sought, the date of the conviction of or plea of 3612  
guilty to that offense, and the court in which the conviction 3613  
occurred or the plea of guilty was entered; 3614

(2) Include evidence that the offense was a violation of 3615  
division (B), (C), or (E) of section 2923.16 of the Revised Code 3616  
as the division existed prior to September 30, 2011, ~~or was a~~ 3617  
~~violation of division (B) (1) of section 2923.12 of the Revised~~ 3618  
~~Code or of division (E) (1) or (2) of section 2923.16 of the~~ 3619  
~~Revised Code as the particular division existed prior to June~~ 3620  
~~13, 2022, and that the applicant is authorized by division (H)~~ 3621  
(2) (a) of that section 2923.16 or division (E) (2) of section 3622  
2923.12 of the Revised Code, whichever is applicable, to file an 3623  
application under this section; 3624

(3) Include a request for expungement of the record of 3625  
conviction of that offense under this section. 3626

(B) Upon the filing of an application under division (A) 3627  
of this section and the payment of the fee described in division 3628  
(C) (3) of this section if applicable, the court shall set a date 3629  
for a hearing and shall notify the prosecutor for the case of 3630  
the hearing on the application. The prosecutor may object to the 3631  
granting of the application by filing an objection with the 3632  
court prior to the date set for the hearing. The prosecutor 3633  
shall specify in the objection the reasons for believing a 3634

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.

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

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

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

~~(c) Determine whether the applicant has been convicted of  
or pleaded guilty to a violation of division (B) (1) of section  
2923.12 of the Revised Code or of division (E) (1) or (2) of  
section 2923.16 of the Revised Code as the particular division  
existed prior to June 13, 2022;~~

~~(d) If the prosecutor has filed an objection in accordance  
with division (B) of this section, consider the reasons against~~

granting the application specified by the prosecutor in the 3664  
objection; 3665

~~(e)~~ (d) Weigh the interests of the applicant in having the 3666  
records pertaining to the applicant's conviction or guilty plea 3667  
expunged against the legitimate needs, if any, of the government 3668  
to maintain those records. 3669

(2) (a) The court may order the expungement of all official 3670  
records pertaining to the case and the deletion of all index 3671  
references to the case and, if it does order the expungement, 3672  
shall send notice of the order to each public office or agency 3673  
that the court has reason to believe may have an official record 3674  
pertaining to the case if the court, after complying with 3675  
division (C) (1) of this section, determines both of the 3676  
following: 3677

(i) That the applicant has been convicted of or pleaded 3678  
guilty to a violation of division (E) of section 2923.16 of the 3679  
Revised Code as it existed prior to September 30, 2011, and the 3680  
conduct that was the basis of the violation no longer would be a 3681  
violation of that division on or after September 30, 2011~~, or~~ 3682  
that the applicant has been convicted of or pleaded guilty to a 3683  
violation of division (B) or (C) of section 2923.16 of the 3684  
Revised Code as the division existed prior to September 30, 3685  
2011, and the conduct that was the basis of the violation no 3686  
longer would be a violation of that division on or after 3687  
September 30, 2011, due to the application of division (F) (5) of 3688  
that section as it exists on and after September 30, 2011~~, or~~ 3689  
~~that the applicant has been convicted of or pleaded guilty to a~~ 3690  
~~violation of division (B) (1) of section 2923.12 of the Revised~~ 3691  
~~Code or of division (E) (1) or (2) of section 2923.16 of the~~ 3692  
~~Revised Code as the particular division existed prior to June~~ 3693

~~13, 2022;~~

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(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.

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(b) The proceedings in the case that is the subject of an order issued under division (C) (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 basic competency~~ license. The applicant may, and the court shall, reply that no record exists with respect to the applicant upon any inquiry into the matter.

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(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.

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**Sec. 5502.411.** (A) As used in this section:

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(1) "Ammunition" has the same meaning as in section 2305.401 of the Revised Code.

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(2) "~~Concealed handgun Basic competency license,~~" "deadly weapon," "firearm," and "valid ~~concealed handgun basic competency license~~" have the same meanings as in section 2923.11 of the Revised Code.

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(3) "Licensee" has the same meaning as in section 2923.124 3723  
of the Revised Code. 3724

(B) The transport, storage, sale, transfer, commerce in, 3725  
import and export of, distribution, repair, maintenance, and 3726  
manufacture of deadly weapons or firearms, ammunition, and 3727  
accessories and components related to deadly weapons or 3728  
firearms, shooting ranges, and other goods and services directly 3729  
related to lawful deadly weapon or firearm possession, use, 3730  
storage, repair, maintenance, sale, transfer, and training in 3731  
the use of deadly weapons or firearms, are declared to be life- 3732  
sustaining "essential" businesses and services for the purposes 3733  
of safety and security in times of declared emergency or any 3734  
other statutorily authorized response to any disaster, war, act 3735  
of terrorism, riot, civil disorder, public health crisis, public 3736  
nuisance, or emergency of whatever kind or nature. 3737

(C) Except as provided in this section, no state agency, 3738  
political subdivision, elected or appointed official or employee 3739  
of this state or any political subdivision, or agent of this 3740  
state or of any political subdivision, board, commission, 3741  
bureau, or other public body established by law may, under any 3742  
governmental authority or color of law exercised as part of any 3743  
statutorily authorized response to any disaster, war, act of 3744  
terrorism, riot, civil disorder, public health crisis, public 3745  
nuisance, or emergency of whatever kind or nature, do any of the 3746  
following: 3747

(1) Prohibit, regulate, or curtail the otherwise lawful 3748  
possession, carrying, display, sale, transportation, transfer, 3749  
defensive use, or other lawful use of any of the following: 3750

(a) Any firearm, including any component or accessory of a 3751  
firearm; 3752

(b) Any ammunition, including any component or accessory of ammunition;	3753 3754
(c) Any ammunition-reloading equipment, component, or supplies;	3755 3756
(d) Any deadly weapon, including any component or accessory of a deadly weapon.	3757 3758
(2) Require registration of deadly weapon or firearm owners, of any firearms, including any component or accessory of a firearm, of any ammunition, including any component or accessory of ammunition, or of any deadly weapon, including any component or accessory of a deadly weapon;	3759 3760 3761 3762 3763
(3) Seize, commandeer, or confiscate in any manner, any of the following items that are possessed, carried, displayed, sold, transferred, transported, stored, or used in connection with otherwise lawful conduct:	3764 3765 3766 3767
(a) Any firearm, including any component or accessory of a firearm;	3768 3769
(b) Any ammunition, including any component or accessory of ammunition;	3770 3771
(c) Any ammunition-reloading equipment, component, or supplies;	3772 3773
(d) Any deadly weapon, including any component or accessory of a deadly weapon.	3774 3775
(4) Suspend or revoke a valid <del>concealed handgun</del> <u>basic competency license</u> , except as expressly authorized in Chapter 2923. of the Revised Code;	3776 3777 3778
(5) Refuse to accept or process an application for a	3779



~~concealed handgun basic competency~~ license or for renewal of a 3780  
~~concealed handgun basic competency~~ license, provided the 3781  
application for the license has been properly completed and 3782  
submitted in accordance with section 2923.125 or 2923.1213 of 3783  
the Revised Code and the application for the renewal has been 3784  
properly completed and submitted in accordance with section 3785  
2923.125 of the Revised Code; 3786

(6) Prohibit, suspend, or limit the business operations of 3787  
any entity engaged in the lawful selling or servicing of any 3788  
firearms or ammunition, including any components or accessories 3789  
of firearms or ammunition, any ammunition-reloading equipment, 3790  
component, or supplies, or any deadly weapons, including any 3791  
component or accessory of deadly weapons; 3792

(7) Prohibit, suspend, or limit the business operations of 3793  
any legally established indoor or outdoor shooting range, 3794  
whether located on state lands or on land other than state 3795  
lands, or of any entity engaged in providing deadly weapon or 3796  
firearms safety, deadly weapon or firearms training, firearms 3797  
license qualification or requalification, firearms safety 3798  
instructor courses, or any similar class, course, or program; 3799

(8) Place restrictions or quantity limitations on any 3800  
entity regarding the lawful sale or servicing of any of the 3801  
following: 3802

(a) Any firearm, including any component or accessory of a 3803  
firearm; 3804

(b) Any ammunition, including any component or accessory 3805  
of ammunition; 3806

(c) Any ammunition-reloading equipment, component, or 3807  
supplies; 3808

(d) Any deadly weapon, including any component or 3809  
accessory of a deadly weapon. 3810

(9) Suspend, restrict, or prohibit otherwise lawful 3811  
hunting, fishing, or trapping activities or business entities 3812  
conducting or directly facilitating lawful hunting, trapping, or 3813  
fishing activities, whether conducted on state lands and waters 3814  
or on land and waters other than state lands and waters. 3815

(D) (1) If a ~~concealed handgun~~ basic competency license has 3816  
been issued to a licensee under either section 2923.125 or 3817  
2923.1213 of the Revised Code, if the governor issues an 3818  
executive order declaring an emergency, and if the date that the 3819  
valid and existing license would or is scheduled to expire falls 3820  
within the period of emergency declared by the governor's 3821  
executive order or the thirty days immediately preceding the 3822  
date of that declaration, then, notwithstanding the date of 3823  
scheduled expiration, the license is automatically extended 3824  
throughout the duration of the period of the emergency plus an 3825  
additional ninety days. If, during the period of the emergency 3826  
or during the additional ninety days, a licensee issued a 3827  
license under section 2923.125 of the Revised Code submits an 3828  
application for renewal of the license or schedules an 3829  
appointment with the issuing authority or another authority 3830  
authorized to renew the license, the license is further 3831  
automatically extended until the renewal application is accepted 3832  
and fully processed. 3833

(2) If division (D) (1) of this section applies with 3834  
respect to a ~~concealed handgun~~ basic competency license, during 3835  
the extension period described in that division that is 3836  
applicable to that license, all of the following apply: 3837

(a) The license shall be valid for all purposes under the 3838

laws of this state and the person to whom the license was issued 3839  
shall be considered for all purposes under the laws of this 3840  
state to be the holder of a valid license to carry a concealed 3841  
handgun, and the license shall be valid for all purposes under 3842  
section 2923.128 of the Revised Code~~r~~. 3843

(b) The license remains subject to the operation of 3844  
section 2923.128 of the Revised Code during the extended period 3845  
of the license and at any other time~~r~~. 3846

(c) Except for the date of scheduled expiration, all other 3847  
conditions and restrictions otherwise applicable to the license 3848  
and the license holder continue to apply during the extended 3849  
period of the license and at any other time. 3850

(E) Notwithstanding any inconsistent provision of law, 3851  
including sections 5502.30 and 5502.35 of the Revised Code: 3852

(1) A person, group, or entity adversely affected by any 3853  
manner of law, ordinance, rule, regulation, resolution, 3854  
practice, or other action enacted or enforced in violation of 3855  
this section may file an action for damages, injunctive relief, 3856  
declaratory relief, or other appropriate redress in the court of 3857  
common pleas of the county in which the aggrieved person resides 3858  
or the group or entity is located, or in which the violation 3859  
occurred, unless the action is for damages and filed against any 3860  
state agency, any elected or appointed official or employee of 3861  
the state, or any other agent of the state. 3862

(2) In an action brought under authority of division (E) 3863  
(1) of this section: 3864

(a) A person, group, or entity adversely affected by any 3865  
manner of law, ordinance, rule, regulation, resolution, 3866  
practice, or other action enacted or enforced by any political 3867

subdivision, any elected or appointed official or employee of a 3868  
political subdivision, or any agent of any political 3869  
subdivision, bureau, or other public body established by law in 3870  
conflict with this section may bring a civil action against the 3871  
political subdivision, elected or appointed official or employee 3872  
of the political subdivision, or agent of the political 3873  
subdivision, bureau, or other public body seeking damages, 3874  
declaratory relief, injunctive relief, or a combination of those 3875  
remedies. Any damages awarded shall be awarded against, and paid 3876  
by, the political subdivision, or the bureau, or other public 3877  
body. In addition to any actual damages awarded against the 3878  
agency, the political subdivision, or the board, commission, 3879  
bureau, or other public body and any other relief provided with 3880  
respect to such an action, the court shall award reasonable 3881  
expenses to any person, group, or entity that brings the action, 3882  
to be paid by the political subdivision, bureau, or other public 3883  
body, if either of the following applies: 3884

(i) The person, group, or entity prevails in a challenge 3885  
to the law, ordinance, rule, regulation, resolution, practice, 3886  
or action as being in conflict with this section. 3887

(ii) The law, ordinance, rule, regulation, resolution, 3888  
practice, or action or the manner of its enforcement is repealed 3889  
or rescinded after the civil action was filed but prior to a 3890  
final court determination of the action. 3891

(b) In addition to any other remedy available at law or in 3892  
equity, a person, group, or entity aggrieved by the seizure or 3893  
confiscation, in violation of this section, of one or more items 3894  
listed in division (C) (3) of this section may apply to the court 3895  
of common pleas of the county in which the item or items were 3896  
seized or confiscated for the immediate return of the item or 3897

items, unless the action is for damages and filed against any 3898  
state agency, any elected or appointed official or employee of 3899  
the state, or any other agent of the state. Except as otherwise 3900  
provided in division (E) (2) (a) of this section, upon receipt of 3901  
the application and a determination by the court that the 3902  
seizure or confiscation of the item or items was in violation of 3903  
this section, the court shall order the immediate return of the 3904  
item or items by the seizing or confiscating state agency, 3905  
political subdivision, board, commission, bureau, or other 3906  
public body and that entity's employed officials. If a court 3907  
orders the return of the seized or confiscated item or items 3908  
under this division and the item or items are not returned in 3909  
accordance with the order, the aggrieved party may claim 3910  
reasonable costs and attorney fees for the loss and, the cost of 3911  
reclaiming the item or items, or the cost of any damages to the 3912  
item or items. 3913

(3) Any claim filed against any state agency, any elected 3914  
or appointed official or employee of the state, or any other 3915  
agent of the state for damages shall be filed with the court of 3916  
claims. 3917

(4) Nothing in this section shall be interpreted to mean 3918  
the state intends to waive its right to federal immunity under 3919  
the eleventh amendment of the United States Constitution. 3920

(F) The provisions contained in the amendments to section 3921  
3761.16 of the Revised Code and the enactment of this section by 3922  
S.B. 16 of the 134th general assembly are severable, as provided 3923  
in section 1.50 of the Revised Code. In particular, it is the 3924  
intent of the general assembly that any invalidity or potential 3925  
invalidity of a provision contained in those amendments or this 3926  
section is not to impair the immediate and continuing 3927

enforceability of the remaining provisions. 3928

**Section 2.** That existing sections 109.69, 109.731, 311.41, 3929  
311.42, 311.43, 1547.69, 2921.13, 2923.11, 2923.12, 2923.121, 3930  
2923.122, 2923.123, 2923.124, 2923.125, 2923.126, 2923.127, 3931  
2923.128, 2923.129, 2923.1210, 2923.1211, 2923.1213, 2923.16, 3932  
2953.35, and 5502.411 of the Revised Code are hereby repealed. 3933

**Section 3.** That section 2923.111 of the Revised Code is 3934  
hereby repealed. 3935

**Section 4.** The General Assembly, applying the principle 3936  
stated in division (B) of section 1.52 of the Revised Code that 3937  
amendments are to be harmonized if reasonably capable of 3938  
simultaneous operation, finds that the following sections, 3939  
presented in this act as composites of the sections as amended 3940  
by the acts indicated, are the resulting versions of the 3941  
sections in effect prior to the effective date of the sections 3942  
as presented in this act: 3943

Section 2923.125 of the Revised Code as amended by both 3944  
H.B. 281 and S.B. 288 of the 134th General Assembly. 3945

Section 2923.128 of the Revised Code as amended by H.B. 3946  
281, S.B. 215, and S.B. 288, all of the 134th General Assembly. 3947

Section 2923.1213 of the Revised Code as amended by both 3948  
H.B. 281 and S.B. 288 of the 134th General Assembly. 3949