

As Introduced

134th General Assembly

Regular Session

2021-2022

H. B. No. 505

Representatives Grendell, Gross

**Cosponsors: Representatives Dean, Ferguson, Brinkman, Stoltzfus, Hall, Vitale,
Johnson, Cross, Powell, Edwards, Creech, Merrin**

A BILL

To amend sections 9.68, 109.69, 109.731, 311.41, 1
311.42, 311.43, 1547.69, 2921.13, 2923.11, 2
2923.12, 2923.121, 2923.122, 2923.123, 2923.124, 3
2923.125, 2923.126, 2923.127, 2923.128, 4
2923.129, 2923.1210, 2923.1211, 2923.1212, 5
2923.1213, 2923.16, 2953.37, and 4749.10 of the 6
Revised Code to rename a concealed handgun 7
license a concealed weapons license, to allow a 8
concealed weapons licensee to carry a concealed 9
deadly weapon, and to allow a person who is age 10
21 or older to carry concealed deadly weapons 11
without a license. 12

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

Section 1. That sections 9.68, 109.69, 109.731, 311.41, 13
311.42, 311.43, 1547.69, 2921.13, 2923.11, 2923.12, 2923.121, 14
2923.122, 2923.123, 2923.124, 2923.125, 2923.126, 2923.127, 15
2923.128, 2923.129, 2923.1210, 2923.1211, 2923.1212, 2923.1213, 16
2923.16, 2953.37, and 4749.10 of the Revised Code be amended to 17
read as follows: 18

Sec. 9.68. (A) The individual right to keep and bear arms, 19
being a fundamental individual right that predates the United 20
States Constitution and Ohio Constitution, and being a 21
constitutionally protected right in every part of Ohio, the 22
general assembly finds the need to provide uniform laws 23
throughout the state regulating the ownership, possession, 24
purchase, other acquisition, transport, storage, carrying, sale, 25
other transfer, manufacture, taxation, keeping, and reporting of 26
loss or theft of deadly weapons, including firearms, and their 27
components, accessories, attachments, and ~~their~~ ammunition. The 28
general assembly also finds and declares that it is proper for 29
law-abiding people to protect themselves, their families, and 30
others from intruders and attackers without fear of prosecution 31
or civil action for acting in defense of themselves or others. 32
Except as specifically provided by the United States 33
Constitution, Ohio Constitution, state law, or federal law, a 34
person, without further license, permission, restriction, delay, 35
or process, including by any ordinance, rule, regulation, 36
resolution, practice, or other action or any threat of citation, 37
prosecution, or other legal process, may own, possess, purchase, 38
acquire, transport, store, carry, sell, transfer, manufacture, 39
or keep any deadly weapon, including any firearm, part of a 40
firearm, and its components, accessories, attachments, and its- 41
ammunition. Any such further license, permission, restriction, 42
delay, or process interferes with the fundamental individual 43
right described in this division and unduly inhibits law-abiding 44
people from protecting themselves, their families, and others 45
from intruders and attackers and from other legitimate uses of 46
constitutionally protected firearms, including hunting and 47
sporting activities, and the state by this section preempts, 48
supersedes, and declares null and void any such further license, 49
permission, restriction, delay, or process. 50

(B) A person, group, or entity adversely affected by any 51
manner of ordinance, rule, regulation, resolution, practice, or 52
other action enacted or enforced by a political subdivision in 53
conflict with division (A) of this section may bring a civil 54
action against the political subdivision seeking damages from 55
the political subdivision, declaratory relief, injunctive 56
relief, or a combination of those remedies. Any damages awarded 57
shall be awarded against, and paid by, the political 58
subdivision. In addition to any actual damages awarded against 59
the political subdivision and other relief provided with respect 60
to such an action, the court shall award reasonable expenses to 61
any person, group, or entity that brings the action, to be paid 62
by the political subdivision, if either of the following 63
applies: 64

(1) The person, group, or entity prevails in a challenge 65
to the ordinance, rule, regulation, resolution, practice, or 66
action as being in conflict with division (A) of this section. 67

(2) The ordinance, rule, regulation, resolution, practice, 68
or action or the manner of its enforcement is repealed or 69
rescinded after the civil action was filed but prior to a final 70
court determination of the action. 71

(C) As used in this section: 72

(1) The possession, transporting, or carrying of deadly 73
weapons, including firearms, their components, or their 74
ammunition, include, but are not limited to, the possession, 75
transporting, or carrying, openly or concealed on a person's 76
person or concealed ready at hand, of deadly weapons, including 77
firearms, their components, or their ammunition. 78

(2) "Firearm" ~~has~~ and "deadly weapon" have the same 79

~~meaning meanings~~ as in section 2923.11 of the Revised Code. 80

(3) "Reasonable expenses" include, but are not limited to, 81
reasonable attorney's fees, court costs, expert witness fees, 82
and compensation for loss of income. 83

(D) This section does not apply to either of the 84
following: 85

(1) A zoning ordinance that regulates or prohibits the 86
commercial sale of deadly weapons, including firearms, firearm 87
components, or ammunition for firearms, in areas zoned for 88
residential or agricultural uses; 89

(2) A zoning ordinance that specifies the hours of 90
operation or the geographic areas where the commercial sale of 91
deadly weapons, including firearms, firearm components, or 92
ammunition for firearms, may occur, provided that the zoning 93
ordinance is consistent with zoning ordinances for other retail 94
establishments in the same geographic area and does not result 95
in a de facto prohibition of the commercial sale of deadly 96
weapons, including firearms, firearm components, or ammunition 97
for firearms, in areas zoned for commercial, retail, or 98
industrial uses. 99

Sec. 109.69. (A) (1) The attorney general shall negotiate 100
and enter into a reciprocity agreement with any other license- 101
issuing state under which a ~~concealed handgun~~ license that is 102
issued by the other state and that authorizes the carrying of 103
concealed handguns, firearms, or deadly weapons is recognized in 104
this state, except as provided in division (B) of this section, 105
if the attorney general determines that both of the following 106
apply: 107

(a) The eligibility requirements imposed by that license- 108

issuing state for that license are substantially comparable to 109
the eligibility requirements for a concealed ~~handgun-weapons~~ 110
license issued under section 2923.125 of the Revised Code. 111

(b) That license-issuing state recognizes a concealed 112
~~handgun-weapons~~ license issued under section 2923.125 of the 113
Revised Code. 114

(2) A reciprocity agreement entered into under division 115
(A)(1) of this section also may provide for the recognition in 116
this state of a ~~concealed handgun~~ license issued on a temporary 117
or emergency basis by the other license-issuing state that 118
authorizes the carrying of concealed handguns, firearms, or 119
deadly weapons, if the eligibility requirements imposed by that 120
license-issuing state for the temporary or emergency license are 121
substantially comparable to the eligibility requirements for a 122
concealed ~~handgun-weapons~~ license issued under section 2923.125 123
or 2923.1213 of the Revised Code and if that license-issuing 124
state recognizes a concealed ~~handgun-weapons~~ license issued 125
under section 2923.1213 of the Revised Code. 126

(3) The attorney general shall not negotiate any agreement 127
with any other license-issuing state under which a ~~concealed-~~ 128
~~handgun~~ license that is issued by the other state and that 129
authorizes the carrying of concealed handguns, firearms, or 130
deadly weapons is recognized in this state other than as 131
provided in divisions (A)(1) and (2) of this section. 132

(B)(1) If, on or after ~~the effective date of this~~ 133
~~amendment~~ March 23, 2015, a person who is a resident of this 134
state has a valid ~~concealed handgun~~ license that was issued by 135
another license-issuing state and that authorizes the carrying 136
of concealed handguns, firearms, or deadly weapons and the other 137
state has entered into a reciprocity agreement with the attorney 138

general under division (A) (1) of this section or the attorney 139
general determines that the eligibility requirements imposed by 140
that license-issuing state for that license are substantially 141
comparable to the eligibility requirements for a concealed 142
~~handgun-weapons~~ license issued under section 2923.125 of the 143
Revised Code, the license issued by the other license-issuing 144
state shall be recognized in this state, shall be accepted and 145
valid in this state, and grants the person the same right to 146
carry a concealed ~~handgun-deadly weapon~~ in this state as a 147
person who was issued a concealed ~~handgun-weapons~~ license under 148
section 2923.125 of the Revised Code prior to, on, or after the 149
effective date of this amendment. 150

(2) If, on or after ~~the effective date of this~~ 151
~~amendment~~ March 23, 2015, a person who is a resident of this 152
state has a valid ~~concealed handgun~~ license that was issued by 153
another license-issuing state and that authorizes the carrying 154
of concealed handguns, firearms, or deadly weapons and the other 155
state has not entered into a reciprocity agreement with the 156
attorney general under division (A) (1) of this section, the 157
license issued by the other license-issuing state shall be 158
recognized in this state, shall be accepted and valid in this 159
state, and grants the person the same right to carry a concealed 160
~~handgun-deadly weapon~~ in this state as a person who was issued a 161
concealed ~~handgun-weapons~~ license under section 2923.125 of the 162
Revised Code prior to, on, or after the effective date of this 163
amendment, for a period of six months after the person became a 164
resident of this state. After that six-month period, if the 165
person wishes to obtain a concealed ~~handgun-weapons~~ license, the 166
person shall apply for a concealed ~~handgun-weapons~~ license 167
pursuant to section 2923.125 of the Revised Code. 168

(3) If, on or after ~~the effective date of this~~ 169

~~amendment~~ March 23, 2015, a person who is not a resident of this 170
state has a valid ~~concealed handgun~~-license that was issued by 171
another license-issuing state and that authorizes the carrying 172
of concealed handguns, firearms, or deadly weapons, regardless 173
of whether the other license-issuing state has entered into a 174
reciprocity agreement with the attorney general under division 175
(A) (1) of this section, and if the person is temporarily in this 176
state, during the time that the person is temporarily in this 177
state the license issued by the other license-issuing state 178
shall be recognized in this state, shall be accepted and valid 179
in this state, and grants the person the same right to carry a 180
concealed ~~handgun~~-deadly weapon in this state as a person who 181
was issued a concealed ~~handgun~~-weapons license under section 182
2923.125 of the Revised Code prior to, on, or after the 183
effective date of this amendment. 184

(C) The attorney general shall publish each determination 185
described in division (B) (1) of this section that the attorney 186
general makes in the same manner that written agreements entered 187
into under division (A) (1) or (2) of this section are published. 188

(D) As used in this section: 189

(1) "Handgun," "firearm," "concealed ~~handgun~~-weapons 190
license," "deadly weapon," and "valid concealed ~~handgun~~-weapons 191
license" have the same meanings as in section 2923.11 of the 192
Revised Code. 193

(2) "License-issuing state" means a state other than this 194
state that, pursuant to law, provides for the issuance of a 195
license to carry a concealed ~~handgun~~-weapon, to carry a 196
concealed firearm, or to carry a concealed deadly weapon. 197

Sec. 109.731. (A) (1) The attorney general shall prescribe, 198

and shall make available to sheriffs an application form that is 199
to be used under section 2923.125 of the Revised Code by a 200
person who applies for a concealed ~~handgun-weapons~~ license and 201
an application form that is to be used under section 2923.125 of 202
the Revised Code by a person who applies for the renewal of a 203
license of that nature. The attorney general shall design the 204
form to enable applicants to provide the information that is 205
required by law to be collected, and shall update the form as 206
necessary. Burdens or restrictions to obtaining a concealed 207
~~handgun-weapons~~ license that are not expressly prescribed in law 208
shall not be incorporated into the form. The attorney general 209
shall post a printable version of the form on the web site of 210
the attorney general and shall provide the address of the web 211
site to any person who requests the form. 212

(2) The Ohio peace officer training commission shall 213
prescribe, and shall make available to sheriffs, all of the 214
following: 215

(a) A form for the concealed ~~handgun-weapons~~ license that 216
is to be issued by sheriffs to persons who qualify for a 217
concealed ~~handgun-weapons~~ license under section 2923.125 of the 218
Revised Code and that conforms to the following requirements: 219

(i) It has space for the licensee's full name, residence 220
address, and date of birth and for a color photograph of the 221
licensee. 222

(ii) It has space for the date of issuance of the license, 223
its expiration date, its county of issuance, the name of the 224
sheriff who issues the license, and the unique combination of 225
letters and numbers that identify the county of issuance and the 226
license given to the licensee by the sheriff in accordance with 227
division (A) (2) (c) of this section. 228

(iii) It has space for the signature of the licensee and 229
the signature or a facsimile signature of the sheriff who issues 230
the license. 231

(iv) It does not require the licensee to include serial 232
numbers of ~~handguns~~ firearms or other deadly weapons, other 233
identification related to ~~handguns~~ firearms or other deadly 234
weapons, or similar data that is not pertinent or relevant to 235
obtaining the license and that could be used as a de facto means 236
of registration of ~~handguns~~ firearms or other deadly weapons 237
owned by the licensee. 238

(b) A series of three-letter county codes that identify 239
each county in this state; 240

(c) A procedure by which a sheriff shall give each 241
concealed ~~handgun~~ weapons license, replacement concealed ~~handgun~~ 242
weapons license, or renewal concealed ~~handgun~~ weapons license 243
and each concealed ~~handgun~~ weapons license on a temporary 244
emergency basis or replacement concealed weapons license on a 245
temporary emergency basis the sheriff issues under section 246
2923.125 or 2923.1213 of the Revised Code a unique combination 247
of letters and numbers that identifies the county in which the 248
license was issued and that uses the county code and a unique 249
number for each license the sheriff of that county issues; 250

(d) A form for a concealed ~~handgun~~ weapons license on a 251
temporary emergency basis that is to be issued by sheriffs to 252
persons who qualify for such a license under section 2923.1213 253
of the Revised Code, which form shall conform to all the 254
requirements set forth in divisions (A) (2) (a) (i) to (iv) of this 255
section and shall additionally conspicuously specify that the 256
license is issued on a temporary emergency basis and the date of 257
its issuance. 258

(B) (1) The Ohio peace officer training commission, in 259
consultation with the attorney general, shall prepare a pamphlet 260
that does all of the following, in everyday language: 261

(a) Explains the ~~firearms~~deadly weapons laws of this 262
state, including the aspects of those laws with respect to 263
firearms; 264

(b) Instructs the reader in dispute resolution and 265
explains the laws of this state related to that matter; 266

(c) Provides information to the reader regarding all 267
aspects of the use of deadly force with a ~~firearm~~deadly weapon, 268
including, but not limited to, the steps that should be taken 269
before contemplating the use of, or using, deadly force with a 270
~~firearm~~deadly weapon, possible alternatives to using deadly 271
force with a ~~firearm~~deadly weapon, and the law governing the 272
use of deadly force with a ~~firearm~~deadly weapon. The 273
information provided as described in this division shall cover 274
all deadly weapons, including firearms. 275

(2) The attorney general shall consult with and assist the 276
commission in the preparation of the pamphlet described in 277
division (B) (1) of this section and, as necessary, shall 278
recommend to the commission changes in the pamphlet to reflect 279
changes in the law that are relevant to it. The attorney general 280
shall publish the pamphlet on the web site of the attorney 281
general and shall provide the address of the web site to any 282
person who requests the pamphlet. 283

(3) The attorney general shall create and maintain a 284
section on the attorney general's web site that provides 285
information on ~~firearms~~deadly weapons laws of this state, 286
including the aspects of those laws with respect to firearms, 287

that are specifically applicable to members of the armed forces 288
of the United States and a link to the pamphlet described in 289
division (B) (1) of this section. 290

(C) The Ohio peace officer training commission shall 291
maintain statistics with respect to the issuance, renewal, 292
suspension, revocation, and denial of concealed ~~handgun-weapons~~ 293
licenses under section 2923.125 of the Revised Code and the 294
suspension of processing of applications for those licenses, and 295
with respect to the issuance, suspension, revocation, and denial 296
of concealed ~~handgun-weapons~~ licenses on a temporary emergency 297
basis under section 2923.1213 of the Revised Code, as reported 298
by the sheriffs pursuant to division (C) of section 2923.129 of 299
the Revised Code. Not later than the first day of March in each 300
year, the commission shall submit a statistical report to the 301
governor, the president of the senate, and the speaker of the 302
house of representatives indicating the number of concealed 303
~~handgun-weapons~~ licenses that were issued, renewed, suspended, 304
revoked, and denied under section 2923.125 of the Revised Code 305
in the previous calendar year, the number of applications for 306
those licenses for which processing was suspended in accordance 307
with division (D) (3) of that section in the previous calendar 308
year, and the number of concealed ~~handgun-weapons~~ licenses on a 309
temporary emergency basis that were issued, suspended, revoked, 310
or denied under section 2923.1213 of the Revised Code in the 311
previous calendar year. Nothing in the statistics or the 312
statistical report shall identify, or enable the identification 313
of, any individual who was issued or denied a license, for whom 314
a license was renewed, whose license was suspended or revoked, 315
or for whom application processing was suspended. The statistics 316
and the statistical report are public records for the purpose of 317
section 149.43 of the Revised Code. The requirements of this 318

division apply regarding all concealed weapons licenses, 319
regardless of whether the issuance, renewal, suspension, 320
revocation, or denial in question occurred prior to, on, or 321
after the effective date of this amendment. 322

(D) As used in this section, "concealed ~~handgun-weapons~~ 323
license" and "deadly weapon" and "~~handgun~~" have the same 324
meanings as in section 2923.11 of the Revised Code. 325

Sec. 311.41. (A) (1) Upon receipt of an application for a 326
concealed ~~handgun-weapons~~ license under division (C) of section 327
2923.125 of the Revised Code, an application to renew a 328
concealed ~~handgun-weapons~~ license under division (F) of that 329
section, or an application for a concealed ~~handgun-weapons~~ 330
license on a temporary emergency basis under section 2923.1213 331
of the Revised Code, the sheriff shall conduct a criminal 332
records check and an incompetency check of the applicant to 333
determine whether the applicant fails to meet the criteria 334
described in division (D) (1) of section 2923.125 of the Revised 335
Code. As part of any such criminal records check, the sheriff 336
shall contact the national instant criminal background check 337
system to verify that the applicant is eligible lawfully to 338
receive or possess a firearm in the United States. The sheriff 339
shall conduct the criminal records check and the incompetency 340
records check required by this division through use of an 341
electronic fingerprint reading device or, if the sheriff does 342
not possess and does not have ready access to the use of an 343
electronic fingerprint reading device, by requesting the bureau 344
of criminal identification and investigation to conduct the 345
checks as described in this division. 346

In order to conduct the criminal records check and the 347
incompetency records check, the sheriff shall obtain the 348

fingerprints of at least four fingers of the applicant by using 349
an electronic fingerprint reading device for the purpose of 350
conducting the criminal records check and the incompetency 351
records check or, if the sheriff does not possess and does not 352
have ready access to the use of an electronic fingerprint 353
reading device, shall obtain from the applicant a completed 354
standard fingerprint impression sheet prescribed pursuant to 355
division (C) (2) of section 109.572 of the Revised Code. The 356
fingerprints so obtained, along with the applicant's social 357
security number, shall be used to conduct the criminal records 358
check and the incompetency records check. If the sheriff does 359
not use an electronic fingerprint reading device to obtain the 360
fingerprints and conduct the records checks, the sheriff shall 361
submit the completed standard fingerprint impression sheet of 362
the applicant, along with the applicant's social security 363
number, to the superintendent of the bureau of criminal 364
identification and investigation and shall request the bureau to 365
conduct the criminal records check and the incompetency records 366
check of the applicant and, if necessary, shall request the 367
superintendent of the bureau to obtain information from the 368
federal bureau of investigation as part of the criminal records 369
check for the applicant. If it is not possible to use an 370
electronic fingerprint reading device to conduct an incompetency 371
records check, the sheriff shall submit the completed standard 372
fingerprint impression sheet of the applicant, along with the 373
applicant's social security number, to the superintendent of the 374
bureau of criminal identification and investigation and shall 375
request the bureau to conduct the incompetency records check. 376
The sheriff shall not retain the applicant's fingerprints as 377
part of the application. 378

(2) Except as otherwise provided in this division, if at 379

any time the applicant decides not to continue with the 380
application process, the sheriff immediately shall cease any 381
investigation that is being conducted under division (A) (1) of 382
this section. The sheriff shall not cease that investigation if, 383
at the time of the applicant's decision not to continue with the 384
application process, the sheriff had determined from any of the 385
sheriff's investigations that the applicant then was engaged in 386
activity of a criminal nature. 387

(B) If a criminal records check and an incompetency 388
records check conducted under division (A) of this section do 389
not indicate that the applicant fails to meet the criteria 390
described in division (D) (1) of section 2923.125 of the Revised 391
Code, except as otherwise provided in this division, the sheriff 392
shall destroy or cause a designated employee to destroy all 393
records other than the application for a concealed ~~handgun-~~ 394
weapons license, the application to renew a concealed ~~handgun-~~ 395
weapons license, or the affidavit submitted regarding an 396
application for a concealed ~~handgun-~~weapons license on a 397
temporary emergency basis that were made in connection with the 398
criminal records check and incompetency records check within 399
twenty days after conducting the criminal records check and 400
incompetency records check. If an applicant appeals a denial of 401
an application as described in division (D) (2) of section 402
2923.125 of the Revised Code or challenges the results of a 403
criminal records check pursuant to section 2923.127 of the 404
Revised Code, records of fingerprints of the applicant shall not 405
be destroyed during the pendency of the appeal or the challenge 406
and review. When an applicant appeals a denial as described in 407
that division, the twenty-day period described in this division 408
commences regarding the fingerprints upon the determination of 409
the appeal. When required as a result of a challenge and review 410

performed pursuant to section 2923.127 of the Revised Code, the 411
source the sheriff used in conducting the criminal records check 412
shall destroy or the chief operating officer of the source shall 413
cause an employee of the source designated by the chief to 414
destroy all records other than the application for a concealed 415
~~handgun-weapons~~ license, the application to renew a concealed 416
~~handgun-weapons~~ license, or the affidavit submitted regarding an 417
application for a concealed ~~handgun-weapons~~ license on a 418
temporary emergency basis that were made in connection with the 419
criminal records check within twenty days after completion of 420
that challenge and review. 421

(C) If division (B) of this section applies to a 422
particular criminal records check or incompetency records check, 423
no sheriff, employee of a sheriff designated by the sheriff to 424
destroy records under that division, source the sheriff used in 425
conducting the criminal records check or incompetency records 426
check, or employee of the source designated by the chief 427
operating officer of the source to destroy records under that 428
division shall fail to destroy or cause to be destroyed within 429
the applicable twenty-day period specified in that division all 430
records other than the application for a concealed ~~handgun-~~ 431
~~weapons~~ license, the application to renew a concealed ~~handgun-~~ 432
~~weapons~~ license, or the affidavit submitted regarding an 433
application for a concealed ~~handgun-weapons~~ license on a 434
temporary emergency basis made in connection with the particular 435
criminal records check or incompetency records check. 436

(D) Divisions (B) and (C) of this section apply with 437
respect to all applications for a concealed weapons license, 438
regardless of whether the application was made prior to, on, or 439
after the effective date of this amendment. 440

(E) Whoever violates division (C) of this section is 441
guilty of failure to destroy records, a misdemeanor of the 442
second degree. 443

~~(E)~~ (F) As used in this section: 444

(1) "Concealed ~~handgun-weapons license~~" and "~~deadly~~ 445
~~weapon~~" and "~~handgun~~" have the same meanings as in section 446
2923.11 of the Revised Code. 447

(2) "National instant criminal background check system" 448
means the system established by the United States attorney 449
general pursuant to section 103 of the "Brady Handgun Violence 450
Prevention Act," Pub. L. No. 103-159. 451

Sec. 311.42. (A) Each county shall establish in the county 452
treasury a sheriff's concealed ~~handgun-weapons license~~ issuance 453
expense fund. The sheriff of that county shall deposit into that 454
fund all fees paid by applicants for the issuance or renewal of 455
a concealed ~~handgun-weapons license~~ or duplicate concealed 456
~~handgun-weapons license~~ under section 2923.125 of the Revised 457
Code ~~and all fees paid or by the a person~~ seeking a concealed 458
~~handgun-weapons license~~ on a temporary emergency basis under 459
section 2923.1213 of the Revised Code. The county shall 460
distribute all fees deposited into the fund except forty dollars 461
of each fee paid by an applicant under division (B) of section 462
2923.125 of the Revised Code, fifteen dollars of each fee paid 463
under section 2923.1213 of the Revised Code, and thirty-five 464
dollars of each fee paid under division (F) of section 2923.125 465
of the Revised Code to the attorney general to be used to pay 466
the cost of background checks performed by the bureau of 467
criminal identification and investigation and the federal bureau 468
of investigation and to cover administrative costs associated 469
with issuing the license. This division applies with respect to 470

all applications for issuance or renewal of a concealed weapons license, regardless of whether the application occurred prior to, on, or after the effective date of this amendment. 471
472
473

(B) The sheriff, with the approval of the board of county commissioners, may expend any county portion of the fees deposited into the sheriff's concealed ~~handgun-weapons~~ license issuance expense fund for any of the following: 474
475
476
477

(1) Any costs incurred by the sheriff in connection with performing any administrative functions related to the issuance of concealed ~~handgun-weapons~~ licenses under section 2923.125 or 2923.1213 of the Revised Code, including, but not limited to, personnel expenses and any costs associated with a firearm safety education program, or a firearm training or qualification program that the sheriff chooses to fund; 478
479
480
481
482
483
484

(2) Ammunition and firearms to be used by the sheriff and the sheriff's employees; 485
486

(3) Any costs incurred in constructing, maintaining, or renovating a shooting range to be used by the sheriff or the sheriff's employees, including costs incurred for equipment associated with the shooting range; 487
488
489
490

(4) Any costs incurred for nonlethal weapons and supplies to be used by the sheriff or the sheriff's employees, including costs incurred for training on the use of nonlethal weapons; 491
492
493

(5) Any costs incurred for a sheriff's employee to attend a basic peace officer training academy or a basic correction officer academy approved by the Ohio peace officer training commission. 494
495
496
497

(C) As used in this section, "concealed weapons license" and "deadly weapon" have the same meanings as in section 2923.11 498
499

<u>of the Revised Code.</u>	500
Sec. 311.43. (A) As used in this section:	501
(1) "Certification" means the participation and assent of	502
the chief law enforcement officer necessary under federal law	503
for the approval of an application to make or transfer a	504
firearm.	505
(2) "Chief law enforcement officer" means any official the	506
bureau of alcohol, tobacco, firearms, and explosives, or any	507
successor agency, identifies by regulation or otherwise as	508
eligible to provide any required certification for the making or	509
transfer of a firearm.	510
(3) "Concealed handgun <u>weapons license</u> " has the same	511
meaning as in section 2923.11 of the Revised Code.	512
(B) A resident of this state may submit to the sheriff of	513
the county in which the resident resides or to the sheriff of	514
any county adjacent to the county in which the resident resides	515
any federal form that requires a law enforcement certification	516
by a chief law enforcement officer.	517
(C) The sheriff shall accept and process the certification	518
in the same manner as an application for a concealed handgun	519
<u>weapons license</u> is processed under section 2923.125 of the	520
Revised Code, including the requirement for a background check,	521
except as follows:	522
(1) If a resident of this state submits one or more	523
federal forms, the sheriff shall charge the resident no more	524
than the applicable fee described in division (B) (1) (a) of	525
section 2923.125 of the Revised Code, without regard to how many	526
federal forms are submitted at the same time.	527

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

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

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

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

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

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

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

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

(2) In plain sight with the action opened or the weapon stripped, or, if the firearm is of a type on which the action

will not stay open or that cannot easily be stripped, in plain 556
sight. 557

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

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

(F) Divisions (B), (C), and (D) of this section do not 581
apply to the possession or discharge of a United States coast 582
guard approved signaling device required to be carried aboard a 583
vessel under section 1547.251 of the Revised Code when the 584
signaling device is possessed or used for the purpose of giving 585

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

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

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

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

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

(c) Any person legally engaged in hunting. 607

(2) (a) Divisions (C) and (D) of this section do not apply 608
to a person who transports or possesses in a vessel a firearm 609
that is not a restricted firearm and to whom, at the time of 610
that transportation or possession, any of the following applies: 611

(i) The person who transports or possesses a handgun in a 612
vessel and who, at the time of that transportation or 613
possession, either is carrying a valid has been issued a 614

concealed ~~handgun-weapons~~ license that is valid at the time of 615
the transportation or possession ~~of~~; 616

(ii) The person is an active duty member of the armed 617
forces of the United States and ~~is carrying~~ has been issued a 618
valid military identification card and documentation of 619
successful completion of firearms training that meets or exceeds 620
the training requirements described in division (G) (1) of 621
section 2923.125 of the Revised Code, ~~unless~~ that are valid at 622
the time of the transportation or possession; 623

(iii) The person is at least twenty-one years of age and 624
is not prohibited under the law of this state or the United 625
States from possessing a firearm. 626

(b) The exemptions specified in division (H) (2) (a) of this 627
section do not apply to a person if, at the time of the person's 628
transport or possession of a firearm, the person knowingly is in 629
a place on the vessel described in division (B) of section 630
2923.126 of the Revised Code. 631

(I) If a law enforcement officer stops a vessel for a 632
violation of this section or any other law enforcement purpose, 633
if any person on the vessel surrenders a ~~firearm~~ deadly weapon 634
to the officer, either voluntarily or pursuant to a request or 635
demand of the officer, and if the officer does not charge the 636
person with a violation of this section or arrest the person for 637
any offense, the person is not otherwise prohibited by law from 638
possessing the ~~firearm~~ deadly weapon, and the ~~firearm~~ deadly 639
weapon is not contraband, the officer shall return the ~~firearm~~ 640
deadly weapon to the person at the termination of the stop. 641

(J) Division (L) of section 2923.16 of the Revised Code 642
applies with respect to division (A) (2) of this section, except 643

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

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

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

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

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

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

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

(6) The statement is sworn or affirmed before a notary

public or another person empowered to administer oaths. 673

(7) The statement is in writing on or in connection with a 674
report or return that is required or authorized by law. 675

(8) The statement is in writing and is made with purpose 676
to induce another to extend credit to or employ the offender, to 677
confer any degree, diploma, certificate of attainment, award of 678
excellence, or honor on the offender, or to extend to or bestow 679
upon the offender any other valuable benefit or distinction, 680
when the person to whom the statement is directed relies upon it 681
to that person's detriment. 682

(9) The statement is made with purpose to commit or 683
facilitate the commission of a theft offense. 684

(10) The statement is knowingly made to a probate court in 685
connection with any action, proceeding, or other matter within 686
its jurisdiction, either orally or in a written document, 687
including, but not limited to, an application, petition, 688
complaint, or other pleading, or an inventory, account, or 689
report. 690

(11) The statement is made on an account, form, record, 691
stamp, label, or other writing that is required by law. 692

(12) The statement is made in connection with the purchase 693
of a firearm, as defined in section 2923.11 of the Revised Code, 694
and in conjunction with the furnishing to the seller of the 695
firearm of a fictitious or altered driver's or commercial 696
driver's license or permit, a fictitious or altered 697
identification card, or any other document that contains false 698
information about the purchaser's identity. 699

(13) The statement is made in a document or instrument of 700
writing that purports to be a judgment, lien, or claim of 701

indebtedness and is filed or recorded with the secretary of 702
state, a county recorder, or the clerk of a court of record. 703

(14) The statement is made in an application filed with a 704
county sheriff pursuant to section 2923.125 of the Revised Code 705
in order to obtain or renew a concealed ~~handgun-weapons~~ license 706
or ~~is made~~ in an affidavit submitted to a county sheriff to 707
obtain a concealed ~~handgun-weapons~~ license on a temporary 708
emergency basis under section 2923.1213 of the Revised Code, 709
regardless of whether the application was made or affidavit was 710
submitted prior to, on, or after the effective date of this 711
amendment. 712

(15) The statement is required under section 5743.71 of 713
the Revised Code in connection with the person's purchase of 714
cigarettes or tobacco products in a delivery sale. 715

(B) No person, in connection with the purchase of a 716
firearm, as defined in section 2923.11 of the Revised Code, 717
shall knowingly furnish to the seller of the firearm a 718
fictitious or altered driver's or commercial driver's license or 719
permit, a fictitious or altered identification card, or any 720
other document that contains false information about the 721
purchaser's identity. 722

(C) No person, in an attempt to obtain a concealed ~~handgun-~~ 723
~~weapons~~ license under section 2923.125 of the Revised Code, 724
shall knowingly present to a sheriff a fictitious or altered 725
document that purports to be certification of the person's 726
competence in handling a ~~handgun-~~firearm as described in 727
division (B) (3) of that section. 728

(D) It is no defense to a charge under division (A) (6) of 729
this section that the oath or affirmation was administered or 730

taken in an irregular manner. 731

(E) If contradictory statements relating to the same fact 732
are made by the offender within the period of the statute of 733
limitations for falsification, it is not necessary for the 734
prosecution to prove which statement was false but only that one 735
or the other was false. 736

(F) (1) Whoever violates division (A) (1), (2), (3), (4), 737
(5), (6), (7), (8), (10), (11), (13), or (15) of this section is 738
guilty of falsification. Except as otherwise provided in this 739
division, falsification is a misdemeanor of the first degree. 740

(2) Whoever violates division (A) (9) of this section is 741
guilty of falsification in a theft offense. Except as otherwise 742
provided in this division, falsification in a theft offense is a 743
misdemeanor of the first degree. If the value of the property or 744
services stolen is one thousand dollars or more and is less than 745
seven thousand five hundred dollars, falsification in a theft 746
offense is a felony of the fifth degree. If the value of the 747
property or services stolen is seven thousand five hundred 748
dollars or more and is less than one hundred fifty thousand 749
dollars, falsification in a theft offense is a felony of the 750
fourth degree. If the value of the property or services stolen 751
is one hundred fifty thousand dollars or more, falsification in 752
a theft offense is a felony of the third degree. 753

(3) Whoever violates division (A) (12) or (B) of this 754
section is guilty of falsification to purchase a firearm, a 755
felony of the fifth degree. 756

(4) Whoever violates division (A) (14) or (C) of this 757
section is guilty of falsification to obtain a concealed ~~handgun-~~ 758
weapons license, a felony of the fourth degree. 759

(5) Whoever violates division (A) of this section in 760
removal proceedings under section 319.26, 321.37, 507.13, or 761
733.78 of the Revised Code is guilty of falsification regarding 762
a removal proceeding, a felony of the third degree. 763

(G) A person who violates this section is liable in a 764
civil action to any person harmed by the violation for injury, 765
death, or loss to person or property incurred as a result of the 766
commission of the offense and for reasonable attorney's fees, 767
court costs, and other expenses incurred as a result of 768
prosecuting the civil action commenced under this division. A 769
civil action under this division is not the exclusive remedy of 770
a person who incurs injury, death, or loss to person or property 771
as a result of a violation of this section. 772

(H) As used in this section, "concealed weapons license" 773
has the same meaning as in section 2923.11 of the Revised Code. 774

Sec. 2923.11. As used in sections 2923.11 to 2923.24 of 775
the Revised Code: 776

(A) "Deadly weapon" means any instrument, device, or thing 777
capable of inflicting death, and designed or specially adapted 778
for use as a weapon, or possessed, carried, or used as a weapon. 779

(B) (1) "Firearm" means any deadly weapon capable of 780
expelling or propelling one or more projectiles by the action of 781
an explosive or combustible propellant. "Firearm" includes an 782
unloaded firearm, and any firearm that is inoperable but that 783
can readily be rendered operable. 784

(2) When determining whether a firearm is capable of 785
expelling or propelling one or more projectiles by the action of 786
an explosive or combustible propellant, the trier of fact may 787
rely upon circumstantial evidence, including, but not limited 788

to, the representations and actions of the individual exercising control over the firearm.	789 790
(C) "Handgun" means any of the following:	791
(1) Any firearm that has a short stock and is designed to be held and fired by the use of a single hand;	792 793
(2) Any combination of parts from which a firearm of a type described in division (C) (1) of this section can be assembled.	794 795 796
(D) "Semi-automatic firearm" means any firearm designed or specially adapted to fire a single cartridge and automatically chamber a succeeding cartridge ready to fire, with a single function of the trigger.	797 798 799 800
(E) "Automatic firearm" means any firearm designed or specially adapted to fire a succession of cartridges with a single function of the trigger.	801 802 803
(F) "Sawed-off firearm" means a shotgun with a barrel less than eighteen inches long, or a rifle with a barrel less than sixteen inches long, or a shotgun or rifle less than twenty-six inches long overall. "Sawed-off firearm" does not include any firearm with an overall length of at least twenty-six inches that is approved for sale by the federal bureau of alcohol, tobacco, firearms, and explosives under the "Gun Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a) (3), but that is found by the bureau not to be regulated under the "National Firearms Act," 68A Stat. 725 (1934), 26 U.S.C. 5845(a).	804 805 806 807 808 809 810 811 812 813
(G) "Zip-gun" means any of the following:	814
(1) Any firearm of crude and extemporized manufacture;	815
(2) Any device, including without limitation a starter's	816

pistol, that is not designed as a firearm, but that is specially adapted for use as a firearm; 817
818

(3) Any industrial tool, ~~signalling~~signaling device, or safety device, that is not designed as a firearm, but that as designed is capable of use as such, when possessed, carried, or used as a firearm. 819
820
821
822

(H) "Explosive device" means any device designed or specially adapted to cause physical harm to persons or property by means of an explosion, and consisting of an explosive substance or agency and a means to detonate it. "Explosive device" includes without limitation any bomb, any explosive demolition device, any blasting cap or detonator containing an explosive charge, and any pressure vessel that has been knowingly tampered with or arranged so as to explode. 823
824
825
826
827
828
829
830

(I) "Incendiary device" means any firebomb, and any device designed or specially adapted to cause physical harm to persons or property by means of fire, and consisting of an incendiary substance or agency and a means to ignite it. 831
832
833
834

(J) "Ballistic knife" means a knife with a detachable blade that is propelled by a spring-operated mechanism. 835
836

(K) "Dangerous ordnance" means any of the following, except as provided in division (L) of this section: 837
838

(1) Any automatic or sawed-off firearm, zip-gun, or ballistic knife; 839
840

(2) Any explosive device or incendiary device; 841

(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, cyclonite, TNT, picric acid, and other high explosives; amatol, tritonal, tetrytol, pentolite, pecretol, cyclotol, and other 842
843
844

high explosive compositions; plastic explosives; dynamite, 845
blasting gelatin, gelatin dynamite, sensitized ammonium nitrate, 846
liquid-oxygen blasting explosives, blasting powder, and other 847
blasting agents; and any other explosive substance having 848
sufficient brisance or power to be particularly suitable for use 849
as a military explosive, or for use in mining, quarrying, 850
excavating, or demolitions; 851

(4) Any firearm, rocket launcher, mortar, artillery piece, 852
grenade, mine, bomb, torpedo, or similar weapon, designed and 853
manufactured for military purposes, and the ammunition for that 854
weapon; 855

(5) Any firearm muffler or suppressor; 856

(6) Any combination of parts that is intended by the owner 857
for use in converting any firearm or other device into a 858
dangerous ordnance. 859

(L) "Dangerous ordnance" does not include any of the 860
following: 861

(1) Any firearm, including a military weapon and the 862
ammunition for that weapon, and regardless of its actual age, 863
that employs a percussion cap or other obsolete ignition system, 864
or that is designed and safe for use only with black powder; 865

(2) Any pistol, rifle, or shotgun, designed or suitable 866
for sporting purposes, including a military weapon as issued or 867
as modified, and the ammunition for that weapon, unless the 868
firearm is an automatic or sawed-off firearm; 869

(3) Any cannon or other artillery piece that, regardless 870
of its actual age, is of a type in accepted use prior to 1887, 871
has no mechanical, hydraulic, pneumatic, or other system for 872
absorbing recoil and returning the tube into battery without 873

displacing the carriage, and is designed and safe for use only 874
with black powder; 875

(4) Black powder, priming quills, and percussion caps 876
possessed and lawfully used to fire a cannon of a type defined 877
in division (L) (3) of this section during displays, 878
celebrations, organized matches or shoots, and target practice, 879
and smokeless and black powder, primers, and percussion caps 880
possessed and lawfully used as a propellant or ignition device 881
in small-arms or small-arms ammunition; 882

(5) Dangerous ordnance that is inoperable or inert and 883
cannot readily be rendered operable or activated, and that is 884
kept as a trophy, souvenir, curio, or museum piece; 885

(6) Any device that is expressly excepted from the 886
definition of a destructive device pursuant to the "Gun Control 887
Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a) (4), as amended, 888
and regulations issued under that act; 889

(7) Any firearm with an overall length of at least twenty- 890
six inches that is approved for sale by the federal bureau of 891
alcohol, tobacco, firearms, and explosives under the "Gun 892
Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a) (3), but 893
that is found by the bureau not to be regulated under the 894
"National Firearms Act," 68A Stat. 725 (1934), 26 U.S.C. 895
5845(a). 896

(M) "Explosive" means any chemical compound, mixture, or 897
device, the primary or common purpose of which is to function by 898
explosion. "Explosive" includes all materials that have been 899
classified as division 1.1, division 1.2, division 1.3, or 900
division 1.4 explosives by the United States department of 901
transportation in its regulations and includes, but is not 902

limited to, dynamite, black powder, pellet powders, initiating 903
explosives, blasting caps, electric blasting caps, safety fuses, 904
fuse igniters, squibs, cordeau detonant fuses, instantaneous 905
fuses, and igniter cords and igniters. "Explosive" does not 906
include "fireworks," as defined in section 3743.01 of the 907
Revised Code, or any substance or material otherwise meeting the 908
definition of explosive set forth in this section that is 909
manufactured, sold, possessed, transported, stored, or used in 910
any activity described in section 3743.80 of the Revised Code, 911
provided the activity is conducted in accordance with all 912
applicable laws, rules, and regulations, including, but not 913
limited to, the provisions of section 3743.80 of the Revised 914
Code and the rules of the fire marshal adopted pursuant to 915
section 3737.82 of the Revised Code. 916

(N) (1) "Concealed ~~handgun weapons~~ license" or "license to 917
carry a concealed ~~handgun weapon~~" means, subject to division (N) 918
(2) of this section, ~~a~~ any of the following: 919

(a) A license or temporary emergency license to carry a 920
concealed handgun issued on or after the effective date of this 921
amendment under section 2923.125 or 2923.1213 of the Revised 922
Code or a that authorizes the person to whom it is issued to 923
carry a concealed deadly weapon other than a restricted deadly 924
weapon; 925

(b) A license or temporary emergency license to carry a 926
concealed weapon issued prior to the effective date of this 927
amendment under section 2923.125 or 2923.1213 of the Revised 928
Code as those sections existed prior to that date that, when 929
issued, authorized the person to whom it was issued to carry a 930
concealed handgun and that, on and after the effective date of 931
this amendment, authorizes the person to whom it was issued to 932

carry a concealed deadly weapon other than a restricted deadly 933
weapon; 934

(c) A license to carry a concealed handgun issued by 935
another state with which the attorney general has entered into a 936
reciprocity agreement under section 109.69 of the Revised Code 937
that authorizes the person to whom it is issued to carry a 938
concealed handgun, concealed firearm, or concealed deadly 939
weapon. 940

(2) A reference in any provision of the Revised Code to a 941
concealed ~~handgun~~ weapons license issued under section 2923.125 942
of the Revised Code or a license to carry a concealed ~~handgun~~ 943
weapon issued under section 2923.125 of the Revised Code means 944
only a license of the type that is specified in that section or 945
a license of the type described in division (N)(1)(b) of this 946
section issued under section 2923.125 of the Revised Code as it 947
existed prior to the effective date of this amendment. ~~A~~ 948

A reference in any provision of the Revised Code to a 949
concealed ~~handgun~~ weapons license issued under section 2923.1213 950
of the Revised Code, a license to carry a concealed ~~handgun~~ 951
weapon issued under section 2923.1213 of the Revised Code, or a 952
license to carry a concealed ~~handgun~~ weapon on a temporary 953
emergency basis means only a license of the type that is 954
specified in that section 2923.1213 of the Revised Code or a 955
license of the type described in division (N)(1)(b) of this 956
section issued under section 2923.1213 of the Revised Code as it 957
existed prior to the effective date of this amendment. ~~A~~ 958

A reference in any provision of the Revised Code to a 959
~~concealed handgun~~ license issued by another state or a license 960
to carry a concealed handgun issued by another state that 961
authorizes the carrying of concealed handguns, firearms, or 962

deadly weapons means only a license issued by another state with 963
which the attorney general has entered into a reciprocity 964
agreement under section 109.69 of the Revised Code. 965

(O) "Valid concealed ~~handgun-weapons license~~" or "valid 966
license to carry a concealed ~~handgun weapon~~" means ~~a~~ any of the 967
following: 968

(1) A concealed ~~handgun-weapons license~~ of the type 969
described in division (N)(1)(a) or (c) of this section that is 970
currently valid, that is not under a suspension under division 971
(A)(1) of section 2923.128 of the Revised Code, under section 972
2923.1213 of the Revised Code, or under a suspension provision 973
of the state other than this state in which the license was 974
issued, and that has not been revoked under division (B)(1) of 975
section 2923.128 of the Revised Code, under section 2923.1213 of 976
the Revised Code, or under a revocation provision of the state 977
other than this state in which the license was issued; 978

(2) A concealed weapons license of the type described in 979
division (N)(1)(b) of this section that is currently valid, that 980
is not under a suspension of any type described in division (O) 981
(1) of this section, and that has not been revoked in any manner 982
described in division (O)(1) of this section. 983

(P) "Misdemeanor punishable by imprisonment for a term 984
exceeding one year" does not include any of the following: 985

(1) Any federal or state offense pertaining to antitrust 986
violations, unfair trade practices, restraints of trade, or 987
other similar offenses relating to the regulation of business 988
practices; 989

(2) Any misdemeanor offense punishable by a term of 990
imprisonment of two years or less. 991

(Q) "Alien registration number" means the number issued by 992
the United States citizenship and immigration services agency 993
that is located on the alien's permanent resident card and may 994
also be commonly referred to as the "USCIS number" or the "alien 995
number." 996

(R) "Active duty" has the same meaning as defined in 10 997
U.S.C. 101. 998

(S) "Restricted firearm" means a firearm that is a 999
dangerous ordnance or that is a firearm that any law of this 1000
state or the United States prohibits the subject person from 1001
possessing, having, or carrying. 1002

(T) "Restricted deadly weapon" means a deadly weapon that 1003
is a restricted firearm or that is a deadly weapon that any law 1004
of this state or the United States prohibits the subject person 1005
from possessing, having, or carrying. 1006

Sec. 2923.12. (A) No person shall knowingly carry or have, 1007
concealed on the person's person or concealed ready at hand, any 1008
of the following: 1009

(1) A deadly weapon other than a handgun; 1010

(2) A handgun other than a dangerous ordnance; 1011

(3) A dangerous ordnance. 1012

(B) No person who has been issued a concealed ~~handgun~~ 1013
weapons license or who is at least twenty-one years of age and 1014
is not prohibited under the law of this state or the United 1015
States from possessing a deadly weapon, shall do any of the 1016
following: 1017

(1) If the person is stopped for a law enforcement purpose 1018
and is carrying a concealed ~~handgun~~ deadly weapon that is not a 1019

restricted deadly weapon, before or at the time a law 1020
enforcement officer asks if the person is carrying a concealed 1021
deadly weapon, fail to promptly inform any law enforcement 1022
officer who approaches the person after the person has been 1023
stopped that the person has been issued a concealed handgun 1024
license and disclose that the person then is carrying a 1025
concealed handgun deadly weapon; 1026

(2) If the person is stopped for a law enforcement purpose 1027
and is carrying a concealed ~~handgun~~ deadly weapon that is not a 1028
restricted deadly weapon, knowingly fail to keep the person's 1029
hands in plain sight at any time after any law enforcement 1030
officer begins approaching the person while stopped and before 1031
the law enforcement officer leaves, unless the failure is 1032
pursuant to and in accordance with directions given by a law 1033
enforcement officer; 1034

(3) If the person is stopped for a law enforcement 1035
purpose, if the person is carrying a concealed ~~handgun~~ deadly 1036
weapon that is not a restricted deadly weapon and that is a 1037
loaded firearm, and if the person is approached by any law 1038
enforcement officer while stopped, knowingly remove or attempt 1039
to remove the loaded ~~handgun~~ firearm from the holster, pocket, 1040
or other place in which the person is carrying it, knowingly 1041
grasp or hold the loaded ~~handgun~~ firearm, or knowingly have 1042
contact with the loaded ~~handgun~~ firearm by touching it with the 1043
person's hands or fingers at any time after the law enforcement 1044
officer begins approaching and before the law enforcement 1045
officer leaves, unless the person removes, attempts to remove, 1046
grasps, holds, or has contact with the loaded ~~handgun~~ firearm 1047
pursuant to and in accordance with directions given by the law 1048
enforcement officer; 1049

(4) If the person is stopped for a law enforcement purpose 1050
and is carrying a concealed ~~handgun~~ deadly weapon that is not a 1051
restricted firearm, knowingly disregard or fail to comply with 1052
any lawful order of any law enforcement officer given while the 1053
person is stopped, including, but not limited to, a specific 1054
order to the person to keep the person's hands in plain sight. 1055

(C) (1) This section does not apply to any of the 1056
following: 1057

(a) An officer, agent, or employee of this or any other 1058
state or the United States, or to a law enforcement officer, who 1059
is authorized to carry concealed weapons or dangerous ordnance 1060
or is authorized to carry ~~handguns~~ firearms or other deadly 1061
weapons and is acting within the scope of the officer's, 1062
agent's, or employee's duties; 1063

(b) Any person who is employed in this state, who is 1064
authorized to carry concealed weapons or dangerous ordnance or 1065
is authorized to carry ~~handguns~~ firearms or other deadly 1066
weapons, and who is subject to and in compliance with the 1067
requirements of section 109.801 of the Revised Code, unless the 1068
appointing authority of the person has expressly specified that 1069
the exemption provided in division (C) (1) (b) of this section 1070
does not apply to the person; 1071

(c) A person's transportation or storage of a ~~firearm~~ 1072
deadly weapon, other than a firearm described in divisions (G) 1073
to (M) of section 2923.11 of the Revised Code, in a motor 1074
vehicle for any lawful purpose if the firearm is not on the 1075
actor's person; 1076

(d) A person's storage or possession of a ~~firearm~~ deadly 1077
weapon, other than a firearm described in divisions (G) to (M) 1078

of section 2923.11 of the Revised Code, in the actor's own home 1079
for any lawful purpose. 1080

~~(2) Division (A) (2)~~ (2) (a) Divisions (A) (1) and (2) of 1081
this section does do not apply to any person who with respect to 1082
the carrying or possession of any deadly weapon that is not a 1083
restricted deadly weapon if, at the time of the alleged carrying 1084
or possession of a handgun deadly weapon, either any of the 1085
following applies: 1086

(i) The person is carrying has been issued a valid 1087
concealed handgun weapons license or that is valid at the time 1088
of the transportation or possession. 1089

(ii) The person is an active duty member of the armed 1090
forces of the United States and is carrying has been issued a 1091
valid military identification card and documentation of 1092
successful completion of firearms training that meets or exceeds 1093
the training requirements described in division (G) (1) of 1094
section 2923.125 of the Revised Code, unless the person 1095
knowingly is in a place described in division (B) of section 1096
2923.126 of the Revised Code that are valid at the time of the 1097
transportation or possession. 1098

(iii) The person is at least twenty-one years of age and 1099
is not prohibited under the law of this state or the United 1100
States from possessing a deadly weapon. 1101

(b) The exemptions specified in division (C) (2) (a) of this 1102
section do not apply to a person if, at the time of the alleged 1103
carrying or possession of a handgun, the person knowingly is in 1104
a place described in division (B) of section 2923.126 of the 1105
Revised Code. 1106

(D) It is an affirmative defense to a charge under 1107

division (A) (1) of this section of carrying or having control of 1108
a deadly weapon other than a handgun and other than a dangerous 1109
ordnance that the actor was not otherwise prohibited by law from 1110
having the weapon and that any of the following applies: 1111

(1) The weapon was carried or kept ready at hand by the 1112
actor for defensive purposes while the actor was engaged in or 1113
was going to or from the actor's lawful business or occupation, 1114
which business or occupation was of a character or was 1115
necessarily carried on in a manner or at a time or place as to 1116
render the actor particularly susceptible to criminal attack, 1117
such as would justify a prudent person in going armed. 1118

(2) The weapon was carried or kept ready at hand by the 1119
actor for defensive purposes while the actor was engaged in a 1120
lawful activity and had reasonable cause to fear a criminal 1121
attack upon the actor, a member of the actor's family, or the 1122
actor's home, such as would justify a prudent person in going 1123
armed. 1124

(3) The weapon was carried or kept ready at hand by the 1125
actor for any lawful purpose and while in the actor's own home. 1126

(E) No person who is charged with a violation of this 1127
section shall be required to obtain a concealed ~~handgun~~ weapons 1128
license as a condition for the dismissal of the charge. 1129

(F) (1) Whoever violates this section is guilty of carrying 1130
concealed weapons. 1131

(2) Except as otherwise provided in this division ~~or~~ 1132
~~divisions (F) (2), (6), and (7) of this section,~~ carrying 1133
concealed weapons in violation of division (A) of this section 1134
is a misdemeanor of the first degree. Except as otherwise 1135
provided in this division, if the offender is a concealed 1136

weapons licensee and has been issued a concealed weapons license 1137
that is valid at the time of the violation, is an active duty 1138
member of the armed forces of the United States and has been 1139
issued a valid military identification card and documentation of 1140
successful completion of firearms training that meets or exceeds 1141
the training requirements described in division (G) (1) of 1142
section 2923.125 of the Revised Code that are valid at the time 1143
of the violation, or is at least twenty-one years of age and is 1144
not prohibited under the law of this state or the United States 1145
from possessing a deadly weapon, carrying concealed deadly 1146
weapons in violation of division (A) of this section is a minor 1147
misdemeanor. Except as otherwise provided in this division ~~or~~ 1148
~~divisions (F) (2), (6), and (7) of this section,~~ if the offender 1149
previously has been convicted of a violation of this section or 1150
of any offense of violence, if the weapon involved is a firearm 1151
that is either loaded or for which the offender has ammunition 1152
ready at hand, or if the weapon involved is dangerous ordnance, 1153
carrying concealed weapons in violation of division (A) of this 1154
section is a felony of the fourth degree. Except as otherwise 1155
provided in ~~divisions (F) (2) and (6) of this section~~ this 1156
division, if the offense is committed aboard an aircraft, or 1157
with purpose to carry a concealed weapon aboard an aircraft, 1158
regardless of the weapon involved, carrying concealed weapons in 1159
violation of division (A) of this section is a felony of the 1160
third degree. 1161

~~(2) Except as provided in division (F) (6) of this section,~~ 1162
~~if a person being arrested for a violation of division (A) (2) of~~ 1163
~~this section promptly produces a valid concealed handgun~~ 1164
~~license, and if at the time of the violation the person was not~~ 1165
~~knowingly in a place described in division (B) of section~~ 1166
~~2923.126 of the Revised Code, the officer shall not arrest the~~ 1167

~~person for a violation of that division. If the person is not-~~ 1168
~~able to promptly produce any concealed handgun license and if-~~ 1169
~~the person is not in a place described in that section, the-~~ 1170
~~officer may arrest the person for a violation of that division,-~~ 1171
~~and the offender shall be punished as follows:~~ 1172

~~(a) The offender shall be guilty of a minor misdemeanor if-~~ 1173
~~both of the following apply:~~ 1174

~~(i) Within ten days after the arrest, the offender-~~ 1175
~~presents a concealed handgun license, which license was valid at-~~ 1176
~~the time of the arrest to the law enforcement agency that-~~ 1177
~~employs the arresting officer.~~ 1178

~~(ii) At the time of the arrest, the offender was not-~~ 1179
~~knowingly in a place described in division (B) of section-~~ 1180
~~2923.126 of the Revised Code.~~ 1181

~~(b) The offender shall be guilty of a misdemeanor and-~~ 1182
~~shall be fined five hundred dollars if all of the following-~~ 1183
~~apply:~~ 1184

~~(i) The offender previously had been issued a concealed-~~ 1185
~~handgun license, and that license expired within the two years-~~ 1186
~~immediately preceding the arrest.~~ 1187

~~(ii) Within forty-five days after the arrest, the offender-~~ 1188
~~presents a concealed handgun license to the law enforcement-~~ 1189
~~agency that employed the arresting officer, and the offender-~~ 1190
~~waives in writing the offender's right to a speedy trial on the-~~ 1191
~~charge of the violation that is provided in section 2945.71 of-~~ 1192
~~the Revised Code.~~ 1193

~~(iii) At the time of the commission of the offense, the-~~ 1194
~~offender was not knowingly in a place described in division (B)-~~ 1195
~~of section 2923.126 of the Revised Code.~~ 1196

~~(c) If divisions (F) (2) (a) and (b) and (F) (6) of this section do not apply, the offender shall be punished under division (F) (1) or (7) of this section.~~ 1197
1198
1199

~~(3) Except as otherwise provided in this division, carrying concealed weapons in violation of division (B) (1) of this section is a misdemeanor of the first degree, and, in addition to any other penalty or sanction imposed for a violation of division (B) (1) of this section, the offender's concealed handgun license shall be suspended pursuant to division (A) (2) of section 2923.128 of the Revised Code. If, at the time of the stop of the offender for a law enforcement purpose that was the basis of the violation, any law enforcement officer involved with the stop had actual knowledge that the offender has been issued a concealed handgun license, carrying concealed weapons in violation of division (B) (1) of this section is a minor misdemeanor, and the offender's concealed handgun license shall not be suspended pursuant to division (A) (2) of section 2923.128 of the Revised Code.~~ 1200
1201
1202
1203
1204
1205
1206
1207
1208
1209
1210
1211
1212
1213
1214

~~(4)~~ (3) Carrying concealed weapons in violation of division (B) (2) or (4) of this section is a misdemeanor of the first degree or, if the offender previously has been convicted of or pleaded guilty to a violation of division (B) (2) or (4) of this section, a felony of the fifth degree. In addition to any other penalty or sanction imposed for a misdemeanor violation of division (B) (2) or (4) of this section, if the offender has been issued a concealed weapons license, the offender's ~~concealed handgun~~ license shall be suspended pursuant to division (A) (2) of section 2923.128 of the Revised Code. 1215
1216
1217
1218
1219
1220
1221
1222
1223
1224

~~(5)~~ (4) Carrying concealed weapons in violation of division (B) (3) of this section is a felony of the fifth degree. 1225
1226

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

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

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

~~(7) If a person being arrested for a violation of division
(A) (2) of this section is knowingly in a place described in
division (B) (5) of section 2923.126 of the Revised Code and is
not authorized to carry a handgun or have a handgun concealed on
the person's person or concealed ready at hand under that
division, the penalty shall be as follows:~~ 1257
1258
1259
1260
1261
1262

~~(a) Except as otherwise provided in this division, if the
person produces a valid concealed handgun license within ten
days after the arrest and has not previously been convicted or
pleaded guilty to a violation of division (A) (2) of this
section, the person is guilty of a minor misdemeanor;~~ 1263
1264
1265
1266
1267

~~(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;~~ 1268
1269
1270
1271

~~(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;~~ 1272
1273
1274
1275

~~(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.~~ 1276
1277
1278
1279
1280
1281
1282
1283

(G) If a law enforcement officer stops a person to 1284
question the person regarding a possible violation of this 1285

section, for a traffic stop, or for any other law enforcement 1286
purpose, if the person surrenders a ~~firearm~~ deadly weapon to the 1287
officer, either voluntarily or pursuant to a request or demand 1288
of the officer, and if the officer does not charge the person 1289
with a violation of this section or arrest the person for any 1290
offense, the person is not otherwise prohibited by law from 1291
possessing the ~~firearm~~ deadly weapon, and the ~~firearm~~ deadly 1292
weapon is not contraband, the officer shall return the ~~firearm~~ 1293
deadly weapon to the person at the termination of the stop. If a 1294
court orders a law enforcement officer to return a ~~firearm~~ 1295
deadly weapon to a person pursuant to the requirement set forth 1296
in this division, division (B) of section 2923.163 of the 1297
Revised Code applies. 1298

(H) For purposes of this section, "deadly weapon" or 1299
"weapon" does not include any knife, razor, or cutting 1300
instrument if the instrument was not used as a weapon. 1301

Sec. 2923.121. (A) No person shall possess a firearm in 1302
any room in which any person is consuming beer or intoxicating 1303
liquor in a premises for which a D permit has been issued under 1304
Chapter 4303. of the Revised Code or in an open air arena for 1305
which a permit of that nature has been issued. 1306

(B) (1) This section does not apply to any of the 1307
following: 1308

(a) An officer, agent, or employee of this or any other 1309
state or the United States, or a law enforcement officer, who is 1310
authorized to carry firearms and is acting within the scope of 1311
the officer's, agent's, or employee's duties; 1312

(b) A law enforcement officer or investigator who is 1313
authorized to carry firearms but is not acting within the scope 1314

of the officer's or investigator's duties, as long as all of the 1315
following apply: 1316

(i) The officer or investigator is carrying validating 1317
identification. 1318

(ii) If the firearm the officer or investigator possesses 1319
is a firearm issued or approved by the law enforcement agency 1320
served by the officer or by the bureau of criminal 1321
identification and investigation with respect to an 1322
investigator, the agency or bureau does not have a restrictive 1323
firearms carrying policy. 1324

(iii) The officer or investigator is not consuming beer or 1325
intoxicating liquor and is not under the influence of alcohol or 1326
a drug of abuse. 1327

(c) Any room used for the accommodation of guests of a 1328
hotel, as defined in section 4301.01 of the Revised Code; 1329

(d) The principal holder of a D permit issued for a 1330
premises or an open air arena under Chapter 4303. of the Revised 1331
Code while in the premises or open air arena for which the 1332
permit was issued if ~~the principal~~ any of the following applies: 1333

(i) The holder of the D permit also possesses has been 1334
issued a valid concealed handgun weapons license that is valid 1335
at the time of the possession and as long as the principal 1336
holder firearm is not a restricted firearm and the principal 1337
holder is not consuming beer or intoxicating liquor or under the 1338
influence of alcohol or a drug of abuse, or any. 1339

(ii) The holder is an active duty member of the armed 1340
forces of the United States and has been issued a valid military 1341
identification card and documentation of successful completion 1342
of firearms training that meets or exceeds the training 1343

requirements described in division (G) (1) of section 2923.125 of 1344
the Revised Code that are valid at the time of the possession, 1345
as long as the firearm is not a restricted firearm and the 1346
holder is not consuming beer or intoxicating liquor or under the 1347
influence of alcohol or a drug of abuse. 1348

(iii) The holder is at least twenty-one years of age, is 1349
not prohibited under the law of this state or the United States 1350
from possessing a firearm, as long as the firearm is not a 1351
restricted firearm, and the holder is not consuming beer or 1352
intoxicating liquor or under the influence of alcohol or a drug 1353
of abuse. 1354

(e) An agent or employee of ~~that~~ the principal holder 1355
who of a D permit issued for a premises or an open air arena 1356
under Chapter 4303. of the Revised Code if the agent or employee 1357
also is a peace officer, as defined in section 2151.3515 of the 1358
Revised Code, who is off duty, and who otherwise is authorized 1359
to carry firearms while in the course of the officer's official 1360
duties and while in the premises or open air arena for which the 1361
permit was issued and as long as the firearm is not a restricted 1362
firearm and the agent or employee of that holder is not 1363
consuming beer or intoxicating liquor or under the influence of 1364
alcohol or a drug of abuse. 1365

~~(e)~~ (f) Any person who ~~is carrying~~ has been issued a valid 1366
concealed handgun weapons license ~~or~~ that is valid at the time 1367
of the possession, any person who is an active duty member of 1368
the armed forces of the United States and ~~is carrying~~ has been 1369
issued a valid military identification card and documentation of 1370
successful completion of firearms training that meets or exceeds 1371
the training requirements described in division (G) (1) of 1372
section 2923.125 of the Revised Code that are valid at the time 1373

of the possession, or any person who is at least twenty-one 1374
years of age and is not prohibited under the law of this state 1375
or the United States from possessing a firearm, as long as the 1376
firearm is not a restricted firearm and the person is not 1377
consuming beer or intoxicating liquor or under the influence of 1378
alcohol or a drug of abuse. 1379

(2) This section does not prohibit any person who is a 1380
member of a veteran's organization, as defined in section 1381
2915.01 of the Revised Code, from possessing a rifle in any room 1382
in any premises owned, leased, or otherwise under the control of 1383
the veteran's organization, if the rifle is not loaded with live 1384
ammunition and if the person otherwise is not prohibited by law 1385
from having the rifle. 1386

(3) This section does not apply to any person possessing 1387
or displaying firearms in any room used to exhibit unloaded 1388
firearms for sale or trade in a soldiers' memorial established 1389
pursuant to Chapter 345. of the Revised Code, in a convention 1390
center, or in any other public meeting place, if the person is 1391
an exhibitor, trader, purchaser, or seller of firearms and is 1392
not otherwise prohibited by law from possessing, trading, 1393
purchasing, or selling the firearms. 1394

(C) It is an affirmative defense to a charge under this 1395
section of illegal possession of a firearm in a liquor permit 1396
premises that involves the possession of a firearm other than a 1397
handgun, that the actor was not otherwise prohibited by law from 1398
having the firearm, and that any of the following apply: 1399

(1) The firearm was carried or kept ready at hand by the 1400
actor for defensive purposes, while the actor was engaged in or 1401
was going to or from the actor's lawful business or occupation, 1402
which business or occupation was of such character or was 1403

necessarily carried on in such manner or at such a time or place 1404
as to render the actor particularly susceptible to criminal 1405
attack, such as would justify a prudent person in going armed. 1406

(2) The firearm was carried or kept ready at hand by the 1407
actor for defensive purposes, while the actor was engaged in a 1408
lawful activity, and had reasonable cause to fear a criminal 1409
attack upon the actor or a member of the actor's family, or upon 1410
the actor's home, such as would justify a prudent person in 1411
going armed. 1412

(D) No person who is charged with a violation of this 1413
section shall be required to obtain a concealed ~~handgun~~-weapons 1414
license as a condition for the dismissal of the charge. 1415

(E) Whoever violates this section is guilty of illegal 1416
possession of a firearm in a liquor permit premises. Except as 1417
otherwise provided in this division, illegal possession of a 1418
firearm in a liquor permit premises is a felony of the fifth 1419
degree. If the offender commits the violation of this section by 1420
knowingly carrying or having the firearm concealed on the 1421
offender's person or concealed ready at hand, illegal possession 1422
of a firearm in a liquor permit premises is a felony of the 1423
third degree. 1424

(F) As used in this section: 1425

(1) "Beer" and "intoxicating liquor" have the same 1426
meanings as in section 4301.01 of the Revised Code. 1427

(2) "Investigator" has the same meaning as in section 1428
109.541 of the Revised Code. 1429

(3) "Restrictive firearms carrying policy" means a 1430
specific policy of a law enforcement agency or the bureau of 1431
criminal identification and investigation that prohibits all 1432

officers of the agency or all investigators of the bureau, while 1433
not acting within the scope of the officer's or investigator's 1434
duties, from doing either of the following: 1435

(a) Carrying a firearm issued or approved by the agency or 1436
bureau in any room, premises, or arena described in division (A) 1437
of this section; 1438

(b) Carrying a firearm issued or approved by the agency or 1439
bureau in premises described in division (A) of section 1440
2923.1214 of the Revised Code. 1441

(4) "Law enforcement officer" has the same meaning as in 1442
section 9.69 of the Revised Code. 1443

(5) "Validating identification" means one of the 1444
following: 1445

(a) Photographic identification issued by the law 1446
enforcement agency for which an individual serves as a law 1447
enforcement officer that identifies the individual as a law 1448
enforcement officer of the agency; 1449

(b) Photographic identification issued by the bureau of 1450
criminal identification and investigation that identifies an 1451
individual as an investigator of the bureau. 1452

Sec. 2923.122. (A) No person shall knowingly convey, or 1453
attempt to convey, a deadly weapon or dangerous ordnance into a 1454
school safety zone. 1455

(B) No person shall knowingly possess a deadly weapon or 1456
dangerous ordnance in a school safety zone. 1457

(C) No person shall knowingly possess an object in a 1458
school safety zone if both of the following apply: 1459

(1) The object is indistinguishable from a firearm, 1460
whether or not the object is capable of being fired. 1461

(2) The person indicates that the person possesses the 1462
object and that it is a firearm, or the person knowingly 1463
displays or brandishes the object and indicates that it is a 1464
firearm. 1465

(D) (1) This section does not apply to any of the 1466
following: 1467

(a) An officer, agent, or employee of this or any other 1468
state or the United States who is authorized to carry deadly 1469
weapons or dangerous ordnance and is acting within the scope of 1470
the officer's, agent's, or employee's duties, a law enforcement 1471
officer who is authorized to carry deadly weapons or dangerous 1472
ordnance, a security officer employed by a board of education or 1473
governing body of a school during the time that the security 1474
officer is on duty pursuant to that contract of employment, or 1475
any other person who has written authorization from the board of 1476
education or governing body of a school to convey deadly weapons 1477
or dangerous ordnance into a school safety zone or to possess a 1478
deadly weapon or dangerous ordnance in a school safety zone and 1479
who conveys or possesses the deadly weapon or dangerous ordnance 1480
in accordance with that authorization; 1481

(b) Any person who is employed in this state, who is 1482
authorized to carry deadly weapons or dangerous ordnance, and 1483
who is subject to and in compliance with the requirements of 1484
section 109.801 of the Revised Code, unless the appointing 1485
authority of the person has expressly specified that the 1486
exemption provided in division (D) (1) (b) of this section does 1487
not apply to the person. 1488

(2) Division (C) of this section does not apply to 1489
premises upon which home schooling is conducted. Division (C) of 1490
this section also does not apply to a school administrator, 1491
teacher, or employee who possesses an object that is 1492
indistinguishable from a firearm for legitimate school purposes 1493
during the course of employment, a student who uses an object 1494
that is indistinguishable from a firearm under the direction of 1495
a school administrator, teacher, or employee, or any other 1496
person who with the express prior approval of a school 1497
administrator possesses an object that is indistinguishable from 1498
a firearm for a legitimate purpose, including the use of the 1499
object in a ceremonial activity, a play, reenactment, or other 1500
dramatic presentation, school safety training, or a ROTC 1501
activity or another similar use of the object. 1502

(3) This section does not apply to a person who conveys or 1503
attempts to convey a ~~handgun~~ deadly weapon that is not a 1504
restricted deadly weapon into, or possesses a ~~handgun~~ deadly 1505
weapon that is not a restricted deadly weapon in, a school 1506
safety zone if, at the time of that conveyance, attempted 1507
conveyance, or possession of the ~~handgun~~ deadly weapon that is 1508
not a restricted deadly weapon, all of the following apply: 1509

(a) The person does not enter into a school building or 1510
onto school premises and is not at a school activity. 1511

(b) The person ~~is carrying~~ has been issued a valid 1512
concealed ~~handgun~~ weapons license that is valid at the time of 1513
the conveyance, attempted conveyance, or possession ~~or~~, the 1514
person is an active duty member of the armed forces of the 1515
United States and ~~is carrying~~ has been issued a valid military 1516
identification card and documentation of successful completion 1517
of firearms training that meets or exceeds the training 1518

requirements described in division (G) (1) of section 2923.125 of 1519
the Revised Code that are valid at the time of the conveyance, 1520
attempted conveyance, or possession, or the person is at least 1521
twenty-one years of age and is not prohibited under the law of 1522
this state or the United States from possessing a deadly weapon. 1523

(c) ~~The~~ One of the following applies: 1524

(i) The person is in the school safety zone in accordance 1525
with 18 U.S.C. 922 (q) (2) (B) ~~;~~ 1526

~~(d) The person~~ and is not knowingly in a place described 1527
in division (B) (1) or (B) (3) to (8) of section 2923.126 of the 1528
Revised Code. 1529

~~(4) This section does not apply to a person who conveys or~~ 1530
~~attempts to convey a handgun into, or possesses a handgun in, a~~ 1531
~~school safety zone if at the time of that conveyance, attempted~~ 1532
~~conveyance, or possession of the handgun all of the following~~ 1533
~~apply:~~ 1534

~~(a) The person is carrying a valid concealed handgun~~ 1535
~~license or the person is an active duty member of the armed~~ 1536
~~forces of the United States and is carrying a valid military~~ 1537
~~identification card and documentation of successful completion~~ 1538
~~of firearms training that meets or exceeds the training~~ 1539
~~requirements described in division (G) (1) of section 2923.125 of~~ 1540
~~the Revised Code.~~ 1541

~~(b) (ii) The person leaves the handgun~~ deadly weapon in a 1542
motor vehicle ~~;~~ 1543

~~(c) The,~~ the handgun deadly weapon does not leave the 1544
motor vehicle ~~;~~ 1545

~~(d) If,~~ and, if the person exits the motor vehicle, the 1546

person locks the motor vehicle. 1547

(E) (1) Whoever violates division (A) or (B) of this 1548
section is guilty of illegal conveyance or possession of a 1549
deadly weapon or dangerous ordnance in a school safety zone. 1550
Except as otherwise provided in this division, illegal 1551
conveyance or possession of a deadly weapon or dangerous 1552
ordnance in a school safety zone is a felony of the fifth 1553
degree. If the offender previously has been convicted of a 1554
violation of this section, illegal conveyance or possession of a 1555
deadly weapon or dangerous ordnance in a school safety zone is a 1556
felony of the fourth degree. 1557

(2) Whoever violates division (C) of this section is 1558
guilty of illegal possession of an object indistinguishable from 1559
a firearm in a school safety zone. Except as otherwise provided 1560
in this division, illegal possession of an object 1561
indistinguishable from a firearm in a school safety zone is a 1562
misdemeanor of the first degree. If the offender previously has 1563
been convicted of a violation of this section, illegal 1564
possession of an object indistinguishable from a firearm in a 1565
school safety zone is a felony of the fifth degree. 1566

(F) (1) In addition to any other penalty imposed upon a 1567
person who is convicted of or pleads guilty to a violation of 1568
this section and subject to division (F) (2) of this section, if 1569
the offender has not attained nineteen years of age, regardless 1570
of whether the offender is attending or is enrolled in a school 1571
operated by a board of education or for which the state board of 1572
education prescribes minimum standards under section 3301.07 of 1573
the Revised Code, the court shall impose upon the offender a 1574
class four suspension of the offender's probationary driver's 1575
license, restricted license, driver's license, commercial 1576

driver's license, temporary instruction permit, or probationary 1577
commercial driver's license that then is in effect from the 1578
range specified in division (A) (4) of section 4510.02 of the 1579
Revised Code and shall deny the offender the issuance of any 1580
permit or license of that type during the period of the 1581
suspension. 1582

If the offender is not a resident of this state, the court 1583
shall impose a class four suspension of the nonresident 1584
operating privilege of the offender from the range specified in 1585
division (A) (4) of section 4510.02 of the Revised Code. 1586

(2) If the offender shows good cause why the court should 1587
not suspend one of the types of licenses, permits, or privileges 1588
specified in division (F) (1) of this section or deny the 1589
issuance of one of the temporary instruction permits specified 1590
in that division, the court in its discretion may choose not to 1591
impose the suspension, revocation, or denial required in that 1592
division, but the court, in its discretion, instead may require 1593
the offender to perform community service for a number of hours 1594
determined by the court. 1595

(G) As used in this section, "object that is 1596
indistinguishable from a firearm" means an object made, 1597
constructed, or altered so that, to a reasonable person without 1598
specialized training in firearms, the object appears to be a 1599
firearm. 1600

Sec. 2923.123. (A) No person shall knowingly convey or 1601
attempt to convey a deadly weapon or dangerous ordnance into a 1602
courthouse or into another building or structure in which a 1603
courtroom is located. 1604

(B) No person shall knowingly possess or have under the 1605

person's control a deadly weapon or dangerous ordnance in a 1606
courthouse or in another building or structure in which a 1607
courtroom is located. 1608

(C) This section does not apply to any of the following: 1609

(1) Except as provided in division (E) of this section, a 1610
judge of a court of record of this state or a magistrate; 1611

(2) A peace officer, officer of a law enforcement agency, 1612
or person who is in either of the following categories: 1613

(a) Except as provided in division (E) of this section, a 1614
peace officer, or an officer of a law enforcement agency of 1615
another state, a political subdivision of another state, or the 1616
United States, who is authorized to carry a deadly weapon or 1617
dangerous ordnance, who possesses or has under that individual's 1618
control a deadly weapon or dangerous ordnance as a requirement 1619
of that individual's duties, and who is acting within the scope 1620
of that individual's duties at the time of that possession or 1621
control; 1622

(b) Except as provided in division (E) of this section, a 1623
person who is employed in this state, who is authorized to carry 1624
a deadly weapon or dangerous ordnance, who possesses or has 1625
under that individual's control a deadly weapon or dangerous 1626
ordnance as a requirement of that person's duties, and who is 1627
subject to and in compliance with the requirements of section 1628
109.801 of the Revised Code, unless the appointing authority of 1629
the person has expressly specified that the exemption provided 1630
in division (C) (2) (b) of this section does not apply to the 1631
person. 1632

(3) A person who conveys, attempts to convey, possesses, 1633
or has under the person's control a deadly weapon or dangerous 1634

ordnance that is to be used as evidence in a pending criminal or 1635
civil action or proceeding; 1636

(4) Except as provided in division (E) of this section, a 1637
bailiff or deputy bailiff of a court of record of this state who 1638
is authorized to carry a firearm pursuant to section 109.77 of 1639
the Revised Code, who possesses or has under that individual's 1640
control a firearm as a requirement of that individual's duties, 1641
and who is acting within the scope of that individual's duties 1642
at the time of that possession or control; 1643

(5) Except as provided in division (E) of this section, a 1644
prosecutor, or a secret service officer appointed by a county 1645
prosecuting attorney, who is authorized to carry a deadly weapon 1646
or dangerous ordnance in the performance of the individual's 1647
duties, who possesses or has under that individual's control a 1648
deadly weapon or dangerous ordnance as a requirement of that 1649
individual's duties, and who is acting within the scope of that 1650
individual's duties at the time of that possession or control; 1651

(6) Except as provided in division (E) of this section, a 1652
person who conveys or attempts to convey a ~~handgun~~ deadly weapon 1653
that is not a restricted deadly weapon into a courthouse or into 1654
another building or structure in which a courtroom is located, 1655
and who, at the time of the conveyance or attempt, either is 1656
carrying has been issued a valid concealed handgun weapons 1657
license that is valid at the time of the conveyance or attempt 1658
or, is an active duty member of the armed forces of the United 1659
States and is carrying has been issued a valid military 1660
identification card and documentation of successful completion 1661
of firearms training that meets or exceeds the training 1662
requirements described in division (G) (1) of section 2923.125 of 1663
the Revised Code that are valid at the time of the conveyance or 1664

attempt, or is at least twenty-one years of age and is not 1665
prohibited under the law of this state or the United States from 1666
possessing a deadly weapon, and who transfers possession of the 1667
~~handgun~~ deadly weapon that is not a restricted deadly weapon to 1668
the officer or officer's designee who has charge of the 1669
courthouse or building. The officer shall secure the ~~handgun~~ 1670
deadly weapon that is not a restricted deadly weapon until the 1671
licensee or other person who transferred it is prepared to leave 1672
the premises. The exemption described in this division applies 1673
only if the officer who has charge of the courthouse or building 1674
provides services of the nature described in this division. An 1675
officer who has charge of the courthouse or building is not 1676
required to offer services of the nature described in this 1677
division. 1678

(D) (1) Whoever violates division (A) of this section is 1679
guilty of illegal conveyance of a deadly weapon or dangerous 1680
ordnance into a courthouse. Except as otherwise provided in this 1681
division, illegal conveyance of a deadly weapon or dangerous 1682
ordnance into a courthouse is a felony of the fifth degree. If 1683
the offender previously has been convicted of a violation of 1684
division (A) or (B) of this section, illegal conveyance of a 1685
deadly weapon or dangerous ordnance into a courthouse is a 1686
felony of the fourth degree. 1687

(2) Whoever violates division (B) of this section is 1688
guilty of illegal possession or control of a deadly weapon or 1689
dangerous ordnance in a courthouse. Except as otherwise provided 1690
in this division, illegal possession or control of a deadly 1691
weapon or dangerous ordnance in a courthouse is a felony of the 1692
fifth degree. If the offender previously has been convicted of a 1693
violation of division (A) or (B) of this section, illegal 1694
possession or control of a deadly weapon or dangerous ordnance 1695

in a courthouse is a felony of the fourth degree. 1696

(E) The exemptions described in divisions (C) (1), (2) (a), 1697
(2) (b), (4), (5), and (6) of this section do not apply to any 1698
judge, magistrate, peace officer, officer of a law enforcement 1699
agency, bailiff, deputy bailiff, prosecutor, secret service 1700
officer, or other person described in any of those divisions if 1701
a rule of superintendence or another type of rule adopted by the 1702
supreme court pursuant to Article IV, Ohio Constitution, or an 1703
applicable local rule of court prohibits all persons from 1704
conveying or attempting to convey a deadly weapon or dangerous 1705
ordnance into a courthouse or into another building or structure 1706
in which a courtroom is located or from possessing or having 1707
under one's control a deadly weapon or dangerous ordnance in a 1708
courthouse or in another building or structure in which a 1709
courtroom is located. 1710

(F) As used in this section: 1711

(1) "Magistrate" means an individual who is appointed by a 1712
court of record of this state and who has the powers and may 1713
perform the functions specified in Civil Rule 53, Criminal Rule 1714
19, or Juvenile Rule 40. 1715

(2) "Peace officer" and "prosecutor" have the same 1716
meanings as in section 2935.01 of the Revised Code. 1717

Sec. 2923.124. As used in sections 2923.124 to 2923.1213 1718
of the Revised Code: 1719

(A) "Application form" means the application form 1720
prescribed pursuant to division (A) (1) of section 109.731 of the 1721
Revised Code and includes a copy of that form. 1722

(B) "Competency certification" and "competency 1723
certificate" mean a document of the type described in division 1724

- (B) (3) of section 2923.125 of the Revised Code. 1725
- (C) "Detention facility" has the same meaning as in 1726
section 2921.01 of the Revised Code. 1727
- (D) "Licensee" means a person to whom a concealed ~~handgun-~~ 1728
weapons license has been issued under section 2923.125 of the 1729
Revised Code prior to, on, or after the effective date of this 1730
amendment and, except when the context clearly indicates 1731
otherwise, includes a person to whom a concealed ~~handgun-~~ weapons 1732
license on a temporary emergency basis has been issued under 1733
section 2923.1213 of the Revised Code ~~and prior to, on, or after~~ 1734
the effective date of this amendment, and a person to whom a 1735
concealed ~~handgun-~~ weapons license has been issued by another 1736
state. 1737
- (E) "License fee" or "license renewal fee" means the fee 1738
for a concealed ~~handgun-~~ weapons license or the fee to renew that 1739
license that is to be paid by an applicant for a license of that 1740
type. 1741
- (F) "Peace officer" has the same meaning as in section 1742
2935.01 of the Revised Code. 1743
- (G) "State correctional institution" has the same meaning 1744
as in section 2967.01 of the Revised Code. 1745
- (H) "Civil protection order" means a protection order 1746
issued, or consent agreement approved, under section 2903.214 or 1747
3113.31 of the Revised Code. 1748
- (I) "Temporary protection order" means a protection order 1749
issued under section 2903.213 or 2919.26 of the Revised Code. 1750
- (J) "Protection order issued by a court of another state" 1751
has the same meaning as in section 2919.27 of the Revised Code. 1752

(K) "Child day-care center," "type A family day-care home" 1753
and "type B family day-care home" have the same meanings as in 1754
section 5104.01 of the Revised Code. 1755

(L) "Foreign air transportation," "interstate air 1756
transportation," and "intrastate air transportation" have the 1757
same meanings as in 49 U.S.C. 40102, as now or hereafter 1758
amended. 1759

(M) "Commercial motor vehicle" has the same meaning as in 1760
division (A) of section 4506.25 of the Revised Code. 1761

(N) "Motor carrier enforcement unit" has the same meaning 1762
as in section 2923.16 of the Revised Code. 1763

Sec. 2923.125. (A)(1) It is the intent of the general 1764
assembly that Ohio concealed ~~handgun-weapons~~ license law be 1765
compliant with the national instant criminal background check 1766
system, that the bureau of alcohol, tobacco, firearms, and 1767
explosives is able to determine that Ohio law is compliant with 1768
the national instant criminal background check system, and that 1769
no person shall be eligible to receive a concealed ~~handgun-~~ 1770
weapons license permit under section 2923.125 or 2923.1213 of 1771
the Revised Code unless the person is eligible lawfully to 1772
receive or possess a firearm in the United States. 1773

~~(A)(2)~~ This section applies with respect to the 1774
application for and issuance by this state of concealed ~~handgun-~~ 1775
weapons licenses other than concealed ~~handgun-weapons~~ licenses 1776
on a temporary emergency basis that are issued under section 1777
2923.1213 of the Revised Code. Upon the request of a person who 1778
wishes to obtain a concealed ~~handgun-weapons~~ license with 1779
respect to which this section applies or to renew a concealed 1780
~~handgun-weapons~~ license with respect to which this section 1781

applies, a sheriff, as provided in division (I) of this section, 1782
shall provide to the person free of charge an application form 1783
and the web site address at which a printable version of the 1784
application form that can be downloaded and the pamphlet 1785
described in division (B) of section 109.731 of the Revised Code 1786
may be found. A sheriff shall accept a completed application 1787
form and the fee, items, materials, and information specified in 1788
divisions (B)(1) to (5) of this section at the times and in the 1789
manners described in division (I) of this section. 1790

(B) An applicant for a concealed ~~handgun~~ weapons license 1791
who is a resident of this state shall submit a completed 1792
application form and all of the material and information 1793
described in divisions (B)(1) to (6) of this section to the 1794
sheriff of ~~the county in which the applicant resides or to the~~ 1795
~~sheriff of any county adjacent to the county in which the~~ 1796
~~applicant resides~~. An applicant for a license who resides in 1797
another state shall submit a completed application form and all 1798
of the material and information described in divisions (B)(1) to 1799
(7) of this section to the sheriff of the county in which the 1800
applicant is employed or to the sheriff of any county adjacent 1801
to the county in which the applicant is employed: 1802

(1)(a) A nonrefundable license fee as described in either 1803
of the following: 1804

(i) For an applicant who has been a resident of this state 1805
for five or more years, a fee of sixty-seven dollars; 1806

(ii) For an applicant who has been a resident of this 1807
state for less than five years or who is not a resident of this 1808
state, but who is employed in this state, a fee of sixty-seven 1809
dollars plus the actual cost of having a background check 1810
performed by the federal bureau of investigation. 1811

(b) No sheriff shall require an applicant to pay for the 1812
cost of a background check performed by the bureau of criminal 1813
identification and investigation. 1814

(c) A sheriff shall waive the payment of the license fee 1815
described in division (B) (1) (a) of this section in connection 1816
with an initial or renewal application for a license that is 1817
submitted by an applicant who is an active or reserve member of 1818
the armed forces of the United States or has retired from or was 1819
honorably discharged from military service in the active or 1820
reserve armed forces of the United States, a retired peace 1821
officer, a retired person described in division (B) (1) (b) of 1822
section 109.77 of the Revised Code, or a retired federal law 1823
enforcement officer who, prior to retirement, was authorized 1824
under federal law to carry a firearm in the course of duty, 1825
unless the retired peace officer, person, or federal law 1826
enforcement officer retired as the result of a mental 1827
disability. 1828

(d) The sheriff shall deposit all fees paid by an 1829
applicant under division (B) (1) (a) of this section into the 1830
sheriff's concealed ~~handgun~~-weapons license issuance fund 1831
established pursuant to section 311.42 of the Revised Code. The 1832
county shall distribute the fees in accordance with section 1833
311.42 of the Revised Code. 1834

(2) A color photograph of the applicant that was taken 1835
within thirty days prior to the date of the application; 1836

(3) One or more of the following competency 1837
certifications, each of which shall reflect that, regarding a 1838
certification described in division (B) (3) (a), (b), (c), (e), or 1839
(f) of this section, within the three years immediately 1840
preceding the application the applicant has performed that to 1841

which the competency certification relates and that, regarding a 1842
certification described in division (B) (3) (d) of this section, 1843
the applicant currently is an active or reserve member of the 1844
armed forces of the United States, the applicant has retired 1845
from or was honorably discharged from military service in the 1846
active or reserve armed forces of the United States, or within 1847
the ten years immediately preceding the application the 1848
retirement of the peace officer, person described in division 1849
(B) (1) (b) of section 109.77 of the Revised Code, or federal law 1850
enforcement officer to which the competency certification 1851
relates occurred: 1852

(a) An original or photocopy of a certificate of 1853
completion of a firearms safety, training, or requalification or 1854
firearms safety instructor course, class, or program that was 1855
offered by or under the auspices of a national gun advocacy 1856
organization and that complies with the requirements set forth 1857
in division (G) of this section; 1858

(b) An original or photocopy of a certificate of 1859
completion of a firearms safety, training, or requalification or 1860
firearms safety instructor course, class, or program that 1861
satisfies all of the following criteria: 1862

(i) It was open to members of the general public. 1863

(ii) It utilized qualified instructors who were certified 1864
by a national gun advocacy organization, the executive director 1865
of the Ohio peace officer training commission pursuant to 1866
section 109.75 or 109.78 of the Revised Code, or a governmental 1867
official or entity of another state. 1868

(iii) It was offered by or under the auspices of a law 1869
enforcement agency of this or another state or the United 1870

States, a public or private college, university, or other 1871
similar postsecondary educational institution located in this or 1872
another state, a firearms training school located in this or 1873
another state, or another type of public or private entity or 1874
organization located in this or another state. 1875

(iv) It complies with the requirements set forth in 1876
division (G) of this section. 1877

(c) An original or photocopy of a certificate of 1878
completion of a state, county, municipal, or department of 1879
natural resources peace officer training school that is approved 1880
by the executive director of the Ohio peace officer training 1881
commission pursuant to section 109.75 of the Revised Code and 1882
that complies with the requirements set forth in division (G) of 1883
this section, or the applicant has satisfactorily completed and 1884
been issued a certificate of completion of a basic firearms 1885
training program, a firearms requalification training program, 1886
or another basic training program described in section 109.78 or 1887
109.801 of the Revised Code that complies with the requirements 1888
set forth in division (G) of this section; 1889

(d) A document that evidences both of the following: 1890

(i) That the applicant is an active or reserve member of 1891
the armed forces of the United States, has retired from or was 1892
honorably discharged from military service in the active or 1893
reserve armed forces of the United States, is a retired trooper 1894
of the state highway patrol, or is a retired peace officer or 1895
federal law enforcement officer described in division (B) (1) of 1896
this section or a retired person described in division (B) (1) (b) 1897
of section 109.77 of the Revised Code and division (B) (1) of 1898
this section; 1899

(ii) That, through participation in the military service 1900
or through the former employment described in division (B) (3) (d) 1901
(i) of this section, the applicant acquired experience with 1902
handling ~~handguns or other~~ firearms, and the experience so 1903
acquired was equivalent to training that the applicant could 1904
have acquired in a course, class, or program described in 1905
division (B) (3) (a), (b), or (c) of this section. 1906

(e) A certificate or another similar document that 1907
evidences satisfactory completion of a firearms training, 1908
safety, or requalification or firearms safety instructor course, 1909
class, or program that is not otherwise described in division 1910
(B) (3) (a), (b), (c), or (d) of this section, that was conducted 1911
by an instructor who was certified by an official or entity of 1912
the government of this or another state or the United States or 1913
by a national gun advocacy organization, and that complies with 1914
the requirements set forth in division (G) of this section; 1915

(f) An affidavit that attests to the applicant's 1916
satisfactory completion of a course, class, or program described 1917
in division (B) (3) (a), (b), (c), or (e) of this section and that 1918
is subscribed by the applicant's instructor or an authorized 1919
representative of the entity that offered the course, class, or 1920
program or under whose auspices the course, class, or program 1921
was offered; 1922

(g) A document that evidences that the applicant has 1923
successfully completed the Ohio peace officer training program 1924
described in section 109.79 of the Revised Code. 1925

(4) A certification by the applicant that the applicant 1926
has read the pamphlet prepared by the Ohio peace officer 1927
training commission pursuant to section 109.731 of the Revised 1928
Code that reviews deadly weapons, including firearms, dispute 1929

resolution, and use of deadly force matters. 1930

(5) A set of fingerprints of the applicant provided as 1931
described in section 311.41 of the Revised Code through use of 1932
an electronic fingerprint reading device or, if the sheriff to 1933
whom the application is submitted does not possess and does not 1934
have ready access to the use of such a reading device, on a 1935
standard impression sheet prescribed pursuant to division (C) (2) 1936
of section 109.572 of the Revised Code. 1937

(6) If the applicant is not a citizen or national of the 1938
United States, the name of the applicant's country of 1939
citizenship and the applicant's alien registration number issued 1940
by the United States citizenship and immigration services 1941
agency. 1942

(7) If the applicant resides in another state, adequate 1943
proof of employment in Ohio. 1944

(C) Upon receipt of the completed application form, 1945
supporting documentation, and, if not waived, license fee of an 1946
applicant under this section, a sheriff, in the manner specified 1947
in section 311.41 of the Revised Code, shall conduct or cause to 1948
be conducted the criminal records check and the incompetency 1949
records check described in section 311.41 of the Revised Code. 1950

(D) (1) Except as provided in division (D) (3) of this 1951
section, within forty-five days after a sheriff's receipt of an 1952
applicant's completed application form for a concealed ~~handgun-~~ 1953
weapons license under this section, the supporting 1954
documentation, and, if not waived, the license fee, the sheriff 1955
shall make available through the law enforcement automated data 1956
system in accordance with division (H) of this section the 1957
information described in that division and, upon making the 1958

information available through the system, shall issue to the 1959
applicant a concealed ~~handgun~~weapons license that shall expire 1960
as described in division (D) (2) (a) of this section if all of the 1961
following apply: 1962

(a) The applicant is legally living in the United States. 1963
For purposes of division (D) (1) (a) of this section, if a person 1964
is absent from the United States in compliance with military or 1965
naval orders as an active or reserve member of the armed forces 1966
of the United States and if prior to leaving the United States 1967
the person was legally living in the United States, the person, 1968
solely by reason of that absence, shall not be considered to 1969
have lost the person's status as living in the United States. 1970

(b) The applicant is at least twenty-one years of age. 1971

(c) The applicant is not a fugitive from justice. 1972

(d) The applicant is not under indictment for or otherwise 1973
charged with a felony; an offense under Chapter 2925., 3719., or 1974
4729. of the Revised Code that involves the illegal possession, 1975
use, sale, administration, or distribution of or trafficking in 1976
a drug of abuse; a misdemeanor offense of violence; or a 1977
violation of section 2903.14 or 2923.1211 of the Revised Code. 1978

(e) Except as otherwise provided in division (D) (4) or (5) 1979
of this section, the applicant has not been convicted of or 1980
pleaded guilty to a felony or an offense under Chapter 2925., 1981
3719., or 4729. of the Revised Code that involves the illegal 1982
possession, use, sale, administration, or distribution of or 1983
trafficking in a drug of abuse; has not been adjudicated a 1984
delinquent child for committing an act that if committed by an 1985
adult would be a felony or would be an offense under Chapter 1986
2925., 3719., or 4729. of the Revised Code that involves the 1987

illegal possession, use, sale, administration, or distribution 1988
of or trafficking in a drug of abuse; has not been convicted of, 1989
pleaded guilty to, or adjudicated a delinquent child for 1990
committing a violation of section 2903.13 of the Revised Code 1991
when the victim of the violation is a peace officer, regardless 1992
of whether the applicant was sentenced under division (C) (4) of 1993
that section; and has not been convicted of, pleaded guilty to, 1994
or adjudicated a delinquent child for committing any other 1995
offense that is not previously described in this division that 1996
is a misdemeanor punishable by imprisonment for a term exceeding 1997
one year. 1998

(f) Except as otherwise provided in division (D) (4) or (5) 1999
of this section, the applicant, within three years of the date 2000
of the application, has not been convicted of or pleaded guilty 2001
to a misdemeanor offense of violence other than a misdemeanor 2002
violation of section 2921.33 of the Revised Code or a violation 2003
of section 2903.13 of the Revised Code when the victim of the 2004
violation is a peace officer, or a misdemeanor violation of 2005
section 2923.1211 of the Revised Code; and has not been 2006
adjudicated a delinquent child for committing an act that if 2007
committed by an adult would be a misdemeanor offense of violence 2008
other than a misdemeanor violation of section 2921.33 of the 2009
Revised Code or a violation of section 2903.13 of the Revised 2010
Code when the victim of the violation is a peace officer or for 2011
committing an act that if committed by an adult would be a 2012
misdemeanor violation of section 2923.1211 of the Revised Code. 2013

(g) Except as otherwise provided in division (D) (1) (e) of 2014
this section, the applicant, within five years of the date of 2015
the application, has not been convicted of, pleaded guilty to, 2016
or adjudicated a delinquent child for committing two or more 2017
violations of section 2903.13 or 2903.14 of the Revised Code. 2018

(h) Except as otherwise provided in division (D) (4) or (5) 2019
of this section, the applicant, within ten years of the date of 2020
the application, has not been convicted of, pleaded guilty to, 2021
or adjudicated a delinquent child for committing a violation of 2022
section 2921.33 of the Revised Code. 2023

(i) The applicant has not been adjudicated as a mental 2024
defective, has not been committed to any mental institution, is 2025
not under adjudication of mental incompetence, has not been 2026
found by a court to be a mentally ill person subject to court 2027
order, and is not an involuntary patient other than one who is a 2028
patient only for purposes of observation. As used in this 2029
division, "mentally ill person subject to court order" and 2030
"patient" have the same meanings as in section 5122.01 of the 2031
Revised Code. 2032

(j) The applicant is not currently subject to a civil 2033
protection order, a temporary protection order, or a protection 2034
order issued by a court of another state. 2035

(k) The applicant certifies that the applicant desires a 2036
legal means to carry a concealed ~~handgun~~ firearm or other deadly 2037
weapon for defense of the applicant or a member of the 2038
applicant's family while engaged in lawful activity. 2039

(l) The applicant submits a competency certification of 2040
the type described in division (B) (3) of this section and 2041
submits a certification of the type described in division (B) (4) 2042
of this section regarding the applicant's reading of the 2043
pamphlet prepared by the Ohio peace officer training commission 2044
pursuant to section 109.731 of the Revised Code. 2045

(m) The applicant currently is not subject to a suspension 2046
imposed under division (A) (2) of section 2923.128 of the Revised 2047

Code of a concealed ~~handgun-weapons~~ license that previously was 2048
issued to the applicant under this section or section 2923.1213 2049
of the Revised Code or a similar suspension imposed by another 2050
state regarding a concealed ~~handgun-weapons~~ license issued by 2051
that state. 2052

(n) If the applicant resides in another state, the 2053
applicant is employed in this state. 2054

(o) The applicant certifies that the applicant is not an 2055
unlawful user of or addicted to any controlled substance as 2056
defined in 21 U.S.C. 802. 2057

(p) If the applicant is not a United States citizen, the 2058
applicant is an alien and has not been admitted to the United 2059
States under a nonimmigrant visa, as defined in the "Immigration 2060
and Nationality Act," 8 U.S.C. 1101(a) (26). 2061

(q) The applicant has not been discharged from the armed 2062
forces of the United States under dishonorable conditions. 2063

(r) The applicant certifies that the applicant has not 2064
renounced the applicant's United States citizenship, if 2065
applicable. 2066

(s) The applicant has not been convicted of, pleaded 2067
guilty to, or adjudicated a delinquent child for committing a 2068
violation of section 2919.25 of the Revised Code or a similar 2069
violation in another state. 2070

(2) (a) A concealed ~~handgun-weapons~~ license that a sheriff 2071
issues under division (D) (1) of this section prior to, on, or 2072
after the effective date of this amendment shall expire five 2073
years after the date of issuance. A concealed weapons license 2074
that a sheriff issued as a concealed handgun license under that 2075
division prior to the effective date of this amendment and that 2076

has not expired prior to the effective date of this amendment 2077
has the same validity as a concealed weapons license issued on 2078
or after that date and shall be treated for purposes of this 2079
section and other Revised Code provisions as if it were a 2080
license issued on or after that date. 2081

If a sheriff issues a license under this section, the 2082
sheriff shall place on the license a unique combination of 2083
letters and numbers identifying the license in accordance with 2084
the procedure prescribed by the Ohio peace officer training 2085
commission pursuant to section 109.731 of the Revised Code. 2086

(b) If a sheriff denies an application under this section 2087
because the applicant does not satisfy the criteria described in 2088
division (D)(1) of this section, the sheriff shall specify the 2089
grounds for the denial in a written notice to the applicant. The 2090
applicant may appeal the denial pursuant to section 119.12 of 2091
the Revised Code in the county served by the sheriff who denied 2092
the application. If the denial was as a result of the criminal 2093
records check conducted pursuant to section 311.41 of the 2094
Revised Code and if, pursuant to section 2923.127 of the Revised 2095
Code, the applicant challenges the criminal records check 2096
results using the appropriate challenge and review procedure 2097
specified in that section, the time for filing the appeal 2098
pursuant to section 119.12 of the Revised Code and this division 2099
is tolled during the pendency of the request or the challenge 2100
and review. 2101

(c) If the court in an appeal under section 119.12 of the 2102
Revised Code and division (D)(2)(b) of this section enters a 2103
judgment sustaining the sheriff's refusal to grant to the 2104
applicant a concealed ~~handgun~~ weapons license, the applicant may 2105
file a new application beginning one year after the judgment is 2106

entered. If the court enters a judgment in favor of the 2107
applicant, that judgment shall not restrict the authority of a 2108
sheriff to suspend or revoke the license pursuant to section 2109
2923.128 or 2923.1213 of the Revised Code or to refuse to renew 2110
the license for any proper cause that may occur after the date 2111
the judgment is entered. In the appeal, the court shall have 2112
full power to dispose of all costs. 2113

(3) If the sheriff with whom an application for a 2114
concealed ~~handgun-weapons~~ license was filed under this section 2115
becomes aware that the applicant has been arrested for or 2116
otherwise charged with an offense that would disqualify the 2117
applicant from holding the license, the sheriff shall suspend 2118
the processing of the application until the disposition of the 2119
case arising from the arrest or charge. 2120

(4) If an applicant has been convicted of or pleaded 2121
guilty to an offense identified in division (D)(1)(e), (f), or 2122
(h) of this section or has been adjudicated a delinquent child 2123
for committing an act or violation identified in any of those 2124
divisions, and if a court has ordered the sealing or expungement 2125
of the records of that conviction, guilty plea, or adjudication 2126
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 2127
2953.36, or section 2953.37 of the Revised Code or the applicant 2128
has been relieved under operation of law or legal process from 2129
the disability imposed pursuant to section 2923.13 of the 2130
Revised Code relative to that conviction, guilty plea, or 2131
adjudication, the sheriff with whom the application was 2132
submitted shall not consider the conviction, guilty plea, or 2133
adjudication in making a determination under division (D)(1) or 2134
(F) of this section or, in relation to an application for a 2135
concealed ~~handgun-weapons~~ license on a temporary emergency basis 2136
submitted under section 2923.1213 of the Revised Code, in making 2137

a determination under division (B) (2) of that section. 2138

(5) If an applicant has been convicted of or pleaded 2139
guilty to a minor misdemeanor offense or has been adjudicated a 2140
delinquent child for committing an act or violation that is a 2141
minor misdemeanor offense, the sheriff with whom the application 2142
was submitted shall not consider the conviction, guilty plea, or 2143
adjudication in making a determination under division (D) (1) or 2144
(F) of this section or, in relation to an application for a 2145
concealed ~~handgun-weapons~~ license on a temporary basis submitted 2146
under section 2923.1213 of the Revised Code, in making a 2147
determination under division (B) (2) of that section. 2148

(E) If a concealed ~~handgun-weapons~~ license issued under 2149
this section is lost or is destroyed, the licensee may obtain 2150
from the sheriff who issued that license a duplicate license 2151
upon the payment of a fee of fifteen dollars and the submission 2152
of an affidavit attesting to the loss or destruction of the 2153
license. The sheriff, in accordance with the procedures 2154
prescribed in section 109.731 of the Revised Code, shall place 2155
on the replacement license a combination of identifying numbers 2156
different from the combination on the license that is being 2157
replaced. 2158

(F) (1) (a) Except as provided in division (F) (1) (b) of this 2159
section, a licensee who wishes to renew a concealed ~~handgun-~~ 2160
~~weapons~~ license issued under this section prior to, on, or after 2161
the effective date of this amendment may do so at any time 2162
before the expiration date of the license or at any time after 2163
the expiration date of the license by filing with ~~the any county~~ 2164
~~sheriff of the county in which the applicant resides or with the~~ 2165
~~sheriff of an adjacent county~~, or in the case of an applicant 2166
who resides in another state with the sheriff of the county that 2167

issued the applicant's previous concealed ~~handgun~~ weapons 2168
license an application for renewal of the license obtained 2169
pursuant to division (D) of this section, a certification by the 2170
applicant that, subsequent to the issuance of the license, the 2171
applicant has reread the pamphlet prepared by the Ohio peace 2172
officer training commission pursuant to section 109.731 of the 2173
Revised Code that reviews deadly weapons, including firearms, 2174
dispute resolution, and use of deadly force matters, and a 2175
nonrefundable license renewal fee in an amount determined 2176
pursuant to division (F)(4) of this section unless the fee is 2177
waived. 2178

(b) A person on active duty in the armed forces of the 2179
United States or in service with the peace corps, volunteers in 2180
service to America, or the foreign service of the United States 2181
is exempt from the license requirements of this section for the 2182
period of the person's active duty or service and for six months 2183
thereafter, provided the person was a licensee under this 2184
section at the time the person commenced the person's active 2185
duty or service or had obtained a license while on active duty 2186
or service. The spouse or a dependent of any such person on 2187
active duty or in service also is exempt from the license 2188
requirements of this section for the period of the person's 2189
active duty or service and for six months thereafter, provided 2190
the spouse or dependent was a licensee under this section at the 2191
time the person commenced the active duty or service or had 2192
obtained a license while the person was on active duty or 2193
service, and provided further that the person's active duty or 2194
service resulted in the spouse or dependent relocating outside 2195
of this state during the period of the active duty or service. 2196
This division does not prevent such a person or the person's 2197
spouse or dependent from making an application for the renewal 2198

of a concealed ~~handgun-weapons~~ license during the period of the 2199
person's active duty or service. 2200

(2) A sheriff shall accept a completed renewal 2201
application, the license renewal fee, and the information 2202
specified in division (F)(1) of this section at the times and in 2203
the manners described in division (I) of this section. Upon 2204
receipt of a completed renewal application, of certification 2205
that the applicant has reread the specified pamphlet prepared by 2206
the Ohio peace officer training commission, and of a license 2207
renewal fee unless the fee is waived, a sheriff, in the manner 2208
specified in section 311.41 of the Revised Code shall conduct or 2209
cause to be conducted the criminal records check and the 2210
incompetency records check described in section 311.41 of the 2211
Revised Code. The sheriff shall renew the license if the sheriff 2212
determines that the applicant continues to satisfy the 2213
requirements described in division (D)(1) of this section, 2214
except that the applicant is not required to meet the 2215
requirements of division (D)(1)(1) of this section. A renewed 2216
license shall expire five years after the date of issuance, 2217
regardless of whether the renewal occurred prior to, on, or
after the effective date of this amendment. A renewed license is 2219
subject to division (E) of this section and sections 2923.126 2220
and 2923.128 of the Revised Code. A sheriff shall comply with 2221
divisions (D)(2) and (3) of this section when the circumstances 2222
described in those divisions apply to a requested license 2223
renewal. If a sheriff denies the renewal of a concealed ~~handgun-~~ 2224
weapons license, the applicant may appeal the denial, or 2225
challenge the criminal record check results that were the basis 2226
of the denial if applicable, in the same manner as specified in 2227
division (D)(2)(b) of this section and in section 2923.127 of 2228
the Revised Code, regarding the denial of a license under this 2229

section. 2230

(3) A renewal application submitted pursuant to division 2231
(F) of this section shall only require the licensee to list on 2232
the application form information and matters occurring since the 2233
date of the licensee's last application for a license pursuant 2234
to division (B) or (F) of this section. A sheriff conducting the 2235
criminal records check and the incompetency records check 2236
described in section 311.41 of the Revised Code shall conduct 2237
the check only from the date of the licensee's last application 2238
for a license pursuant to division (B) or (F) of this section 2239
through the date of the renewal application submitted pursuant 2240
to division (F) of this section. 2241

(4) An applicant for a renewal concealed ~~handgun-weapons~~ 2242
license under this section shall submit to ~~the any county~~ 2243
~~sheriff of the county in which the applicant resides or to the~~ 2244
~~sheriff of any county adjacent to the county in which the~~ 2245
~~applicant resides~~, or in the case of an applicant who resides in 2246
another state to the sheriff of the county that issued the 2247
applicant's previous concealed ~~handgun-weapons~~ license, a 2248
nonrefundable license fee as described in either of the 2249
following: 2250

(a) For an applicant who has been a resident of this state 2251
for five or more years, a fee of fifty dollars; 2252

(b) For an applicant who has been a resident of this state 2253
for less than five years or who is not a resident of this state 2254
but who is employed in this state, a fee of fifty dollars plus 2255
the actual cost of having a background check performed by the 2256
federal bureau of investigation. 2257

(5) The concealed ~~handgun-weapons~~ license of a licensee 2258

who is no longer a resident of this state or no longer employed 2259
in this state, as applicable, is valid until the date of 2260
expiration on the license, regardless of whether the license was 2261
issued prior to, on, or after the effective date of this 2262
amendment, and the licensee is prohibited from renewing the 2263
concealed ~~handgun-weapons~~ license. 2264

(G) (1) Each course, class, or program described in 2265
division (B) (3) (a), (b), (c), or (e) of this section shall 2266
provide to each person who takes the course, class, or program 2267
the web site address at which the pamphlet prepared by the Ohio 2268
peace officer training commission pursuant to section 109.731 of 2269
the Revised Code that reviews deadly weapons, including 2270
firearms, dispute resolution, and use of deadly force matters 2271
may be found. Each such course, class, or program described in 2272
one of those divisions shall include at least eight hours of 2273
training in the safe handling and use of a firearm that shall 2274
include training, provided as described in division (G) (3) of 2275
this section, on all of the following: 2276

(a) The ability to name, explain, and demonstrate the 2277
rules for safe handling of a ~~handgun-firearm~~ and proper storage 2278
practices for ~~handguns-firearms~~ and ammunition; 2279

(b) The ability to demonstrate and explain how to handle 2280
ammunition in a safe manner; 2281

(c) The ability to demonstrate the knowledge, skills, and 2282
attitude necessary to shoot a ~~handgun-firearm~~ in a safe manner; 2283

(d) Gun handling training; 2284

(e) A minimum of two hours of in-person training that 2285
consists of range time and live-fire training. 2286

(2) To satisfactorily complete the course, class, or 2287

program described in division (B) (3) (a), (b), (c), or (e) of 2288
this section, the applicant shall pass a competency examination 2289
that shall include both of the following: 2290

(a) A written section, provided as described in division 2291
(G) (3) of this section, on the ability to name and explain the 2292
rules for the safe handling of a ~~handgun~~-firearm and proper 2293
storage practices for ~~handguns~~-firearms and ammunition; 2294

(b) An in-person physical demonstration of competence in 2295
the use of a ~~handgun~~-firearm and in the rules for safe handling 2296
and storage of a ~~handgun~~-firearm and a physical demonstration of 2297
the attitude necessary to shoot a ~~handgun~~-firearm in a safe 2298
manner. 2299

(3) (a) Except as otherwise provided in this division, the 2300
training specified in division (G) (1) (a) of this section shall 2301
be provided to the person receiving the training in person by an 2302
instructor. If the training specified in division (G) (1) (a) of 2303
this section is provided by a course, class, or program 2304
described in division (B) (3) (a) of this section, or it is 2305
provided by a course, class, or program described in division 2306
(B) (3) (b), (c), or (e) of this section and the instructor is a 2307
qualified instructor certified by a national gun advocacy 2308
organization, the training so specified, other than the training 2309
that requires the person receiving the training to demonstrate 2310
handling abilities, may be provided online or as a combination 2311
of in-person and online training, as long as the online training 2312
includes an interactive component that regularly engages the 2313
person. 2314

(b) Except as otherwise provided in this division, the 2315
written section of the competency examination specified in 2316
division (G) (2) (a) of this section shall be administered to the 2317

person taking the competency examination in person by an 2318
instructor. If the training specified in division (G) (1) (a) of 2319
this section is provided to the person receiving the training by 2320
a course, class, or program described in division (B) (3) (a) of 2321
this section, or it is provided by a course, class, or program 2322
described in division (B) (3) (b), (c), or (e) of this section and 2323
the instructor is a qualified instructor certified by a national 2324
gun advocacy organization, the written section of the competency 2325
examination specified in division (G) (2) (a) of this section may 2326
be administered online, as long as the online training includes 2327
an interactive component that regularly engages the person. 2328

(4) The competency certification described in division (B) 2329
(3) (a), (b), (c), or (e) of this section shall be dated and 2330
shall attest that the course, class, or program the applicant 2331
successfully completed met the requirements described in 2332
division (G) (1) of this section and that the applicant passed 2333
the competency examination described in division (G) (2) of this 2334
section. 2335

(H) Upon deciding to issue a concealed ~~handgun~~ weapons 2336
license, deciding to issue a replacement concealed ~~handgun~~ 2337
weapons license, or deciding to renew a concealed ~~handgun~~ 2338
weapons license pursuant to this section, and before actually 2339
issuing or renewing the license, the sheriff shall make 2340
available through the law enforcement automated data system all 2341
information contained on the license. If the license 2342
subsequently is suspended under division (A) (1) or (2) of 2343
section 2923.128 of the Revised Code, revoked pursuant to 2344
division (B) (1) of section 2923.128 of the Revised Code, or lost 2345
or destroyed, the sheriff also shall make available through the 2346
law enforcement automated data system a notation of that fact. 2347
The superintendent of the state highway patrol shall ensure that 2348

the law enforcement automated data system is so configured as to 2349
permit the transmission through the system of the information 2350
specified in this division. 2351

~~(I)(1)~~ (I) (1) (a) A sheriff shall accept a completed 2352
application form or renewal application, and the fee, items, 2353
materials, and information specified in divisions (B) (1) to (5) 2354
or division (F) of this section, whichever is applicable, and 2355
shall provide an application form or renewal application to any 2356
person during at least fifteen hours a week and shall provide 2357
the web site address at which a printable version of the 2358
application form that can be downloaded and the pamphlet 2359
described in division (B) of section 109.731 of the Revised Code 2360
may be found at any time, upon request. A sheriff may provide up 2361
to eight hours outside of the fifteen hours required in this 2362
division during which the sheriff is available to accept or 2363
provide the information described in this division only from or 2364
to county residents. For each hour in a week that the sheriff is 2365
available to accept or provide the information described in this 2366
division only from or to county residents, the sheriff must 2367
provide an additional hour outside of the fifteen hours required 2368
in this division during which the sheriff is available to accept 2369
or provide the information described in this division from or to 2370
any person. The sheriff shall post notice of the hours during 2371
which the sheriff is available to accept or provide the 2372
information described in this division. 2373

(b) Nothing in division (I) (1) (a) of this section shall be 2374
construed to prohibit the sheriff from offering more hours than 2375
are required by division (I) (1) (a) of this section during which 2376
the sheriff is available to accept or provide the information 2377
described in division (I) (1) (a) of this section from or to any 2378
person. 2379

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

(J) The availability of a concealed weapons license under this section or section 2923.1213 of the Revised Code shall not be construed to prohibit or restrict a person from possessing, carrying, or transporting a deadly weapon in a vehicle or on or about the person's person, whether concealed or unconcealed, loaded or unloaded, without a valid concealed weapons license if the possession, carrying, or transport in the manner in question is otherwise permitted by the Revised Code or any other provision of law.

Sec. 2923.126. (A) A concealed ~~handgun~~ weapons license ~~that is~~ issued under section 2923.125 of the Revised Code prior to, on, or after the effective date of this amendment shall expire five years after the date of issuance. A licensee who has

been issued a license under that section shall be granted a 2411
grace period of thirty days after the licensee's license expires 2412
during which the licensee's license remains valid. Except as 2413
provided in divisions (B) and (C) of this section, a licensee 2414
who has been issued a concealed ~~handgun~~ weapons license under 2415
section 2923.125 or 2923.1213 of the Revised Code prior to, on, 2416
or after the effective date of this amendment may carry a 2417
concealed ~~handgun~~ deadly weapon that is not a restricted deadly 2418
weapon anywhere in this state if the ~~licensee also carries a~~ 2419
license is valid license when the licensee is in actual 2420
possession of a concealed ~~handgun~~ deadly weapon that is not a 2421
restricted deadly weapon. ~~The~~ A licensee who has been issued a 2422
concealed weapons license under section 2923.125 or 2923.1213 of 2423
the Revised Code shall give notice of any change in the 2424
licensee's residence address to the sheriff who issued the 2425
license within forty-five days after that change. A concealed 2426
weapons license that a sheriff issued as a concealed handgun 2427
license prior to the effective date of this amendment and that 2428
has not expired prior to the effective date of this amendment 2429
has the same validity as a concealed weapons license issued on 2430
or after that date and shall be treated for purposes of this 2431
section, sections 2923.127 to 2923.1212 of the Revised Code, and 2432
other Revised Code provisions as if it were a license issued on 2433
or after that date. 2434

~~If a licensee is the driver or an occupant of a motor~~ 2435
~~vehicle that is stopped as the result of a traffic stop or a~~ 2436
~~stop for another law enforcement purpose and if the licensee is~~ 2437
~~transporting or has a loaded handgun in the motor vehicle at~~ 2438
~~that time, the licensee shall promptly inform any law~~ 2439
~~enforcement officer who approaches the vehicle while stopped~~ 2440
~~that the licensee has been issued a concealed handgun license~~ 2441

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

~~If a licensee is stopped for a law enforcement purpose and
if the licensee is carrying a concealed handgun at the time the
officer approaches, the licensee shall promptly inform any law
enforcement officer who approaches the licensee while stopped
that the licensee has been issued a concealed handgun license
and that the licensee currently is carrying a concealed handgun;
the licensee shall not knowingly disregard or fail to comply
with lawful orders of a law enforcement officer given while the~~

~~licensee is stopped, or knowingly fail to keep the licensee's~~ 2473
~~hands in plain sight after any law enforcement officer begins~~ 2474
~~approaching the licensee while stopped and before the officer~~ 2475
~~leaves, unless directed otherwise by a law enforcement officer;~~ 2476
~~and the licensee shall not knowingly remove, attempt to remove,~~ 2477
~~grasp, or hold the loaded handgun or knowingly have contact with~~ 2478
~~the loaded handgun by touching it with the licensee's hands or~~ 2479
~~fingers, in any manner in violation of division (B) of section~~ 2480
~~2923.12 of the Revised Code, after any law enforcement officer~~ 2481
~~begins approaching the licensee while stopped and before the~~ 2482
~~officer leaves.~~ 2483

(B) A valid concealed ~~handgun~~ weapons license does not 2484
authorize the licensee to carry a concealed ~~handgun~~ deadly 2485
weapon in any manner prohibited under division (B) of section 2486
2923.12 of the Revised Code or in any manner prohibited under 2487
section 2923.16 of the Revised Code. A valid license does not 2488
authorize the licensee to carry a concealed ~~handgun~~ deadly 2489
weapon into any of the following places: 2490

(1) A police station, sheriff's office, or state highway 2491
patrol station, premises controlled by the bureau of criminal 2492
identification and investigation; a state correctional 2493
institution, jail, workhouse, or other detention facility; any 2494
area of an airport passenger terminal that is beyond a passenger 2495
or property screening checkpoint or to which access is 2496
restricted through security measures by the airport authority or 2497
a public agency; or an institution that is maintained, operated, 2498
managed, and governed pursuant to division (A) of section 2499
5119.14 of the Revised Code or division (A) (1) of section 2500
5123.03 of the Revised Code; 2501

(2) A school safety zone if the licensee's carrying the 2502

concealed ~~handgun~~-~~deadly weapon~~ is in violation of section 2503
2923.122 of the Revised Code; 2504

(3) A courthouse or another building or structure in which 2505
a courtroom is located if the licensee's carrying the concealed 2506
~~handgun~~-~~deadly weapon~~ is in violation of section 2923.123 of the 2507
Revised Code; 2508

(4) Any premises or open air arena for which a D permit 2509
has been issued under Chapter 4303. of the Revised Code if the 2510
licensee's carrying the concealed ~~handgun~~-~~deadly weapon~~ is in 2511
violation of section 2923.121 of the Revised Code; 2512

(5) Any premises owned or leased by any public or private 2513
college, university, or other institution of higher education, 2514
unless the ~~handgun~~-~~deadly weapon~~ is in a locked motor vehicle or 2515
the licensee is in the immediate process of placing the ~~handgun~~- 2516
~~deadly weapon~~ in a locked motor vehicle or unless the licensee 2517
is carrying the concealed ~~handgun~~-~~deadly weapon~~ pursuant to a 2518
written policy, rule, or other authorization that is adopted by 2519
the institution's board of trustees or other governing body and 2520
that authorizes specific individuals or classes of individuals 2521
to carry a concealed ~~handgun~~-~~deadly weapon~~ on the premises; 2522

(6) Any church, synagogue, mosque, or other place of 2523
worship, unless the church, synagogue, mosque, or other place of 2524
worship posts or permits otherwise; 2525

(7) Any building that is a government facility of this 2526
state or a political subdivision of this state and that is not a 2527
building that is used primarily as a shelter, restroom, parking 2528
facility for motor vehicles, or rest facility and is not a 2529
courthouse or other building or structure in which a courtroom 2530
is located that is subject to division (B) (3) of this section, 2531

unless the governing body with authority over the building has 2532
enacted a statute, ordinance, or policy that permits a licensee 2533
to carry a concealed ~~handgun~~ deadly weapon into the building; 2534

(8) A place in which federal law prohibits the carrying of 2535
~~handguns~~ deadly weapons. 2536

(C) (1) Nothing in this section shall negate or restrict a 2537
rule, policy, or practice of a private employer that is not a 2538
private college, university, or other institution of higher 2539
education concerning or prohibiting the presence of ~~firearms~~ 2540
deadly weapons on the private employer's premises or property, 2541
including motor vehicles owned by the private employer. Nothing 2542
in this section shall require a private employer of that nature 2543
to adopt a rule, policy, or practice concerning or prohibiting 2544
the presence of ~~firearms~~ deadly weapons on the private 2545
employer's premises or property, including motor vehicles owned 2546
by the private employer. 2547

(2) (a) A private employer shall be immune from liability 2548
in a civil action for any injury, death, or loss to person or 2549
property that allegedly was caused by or related to a licensee 2550
bringing a ~~handgun~~ deadly weapon onto the premises or property 2551
of the private employer, including motor vehicles owned by the 2552
private employer, unless the private employer acted with 2553
malicious purpose. A private employer is immune from liability 2554
in a civil action for any injury, death, or loss to person or 2555
property that allegedly was caused by or related to the private 2556
employer's decision to permit a licensee to bring, or prohibit a 2557
licensee from bringing, a ~~handgun~~ deadly weapon onto the 2558
premises or property of the private employer. 2559

(b) A political subdivision shall be immune from liability 2560
in a civil action, to the extent and in the manner provided in 2561

Chapter 2744. of the Revised Code, for any injury, death, or 2562
loss to person or property that allegedly was caused by or 2563
related to a licensee bringing a ~~handgun~~ deadly weapon onto any 2564
premises or property owned, leased, or otherwise under the 2565
control of the political subdivision. As used in this division, 2566
"political subdivision" has the same meaning as in section 2567
2744.01 of the Revised Code. 2568

(c) An institution of higher education shall be immune 2569
from liability in a civil action for any injury, death, or loss 2570
to person or property that allegedly was caused by or related to 2571
a licensee bringing a ~~handgun~~ deadly weapon onto the premises of 2572
the institution, including motor vehicles owned by the 2573
institution, unless the institution acted with malicious 2574
purpose. An institution of higher education is immune from 2575
liability in a civil action for any injury, death, or loss to 2576
person or property that allegedly was caused by or related to 2577
the institution's decision to permit a licensee or class of 2578
licensees to bring a ~~handgun~~ deadly weapon onto the premises of 2579
the institution. 2580

(d) A nonprofit corporation shall be immune from liability 2581
in a civil action for any injury, death, or loss to person or 2582
property that allegedly was caused by or related to a licensee 2583
bringing a ~~handgun~~ deadly weapon onto the premises of the 2584
nonprofit corporation, including any motor vehicle owned by the 2585
nonprofit corporation, or to any event organized by the 2586
nonprofit corporation, unless the nonprofit corporation acted 2587
with malicious purpose. A nonprofit corporation is immune from 2588
liability in a civil action for any injury, death, or loss to 2589
person or property that allegedly was caused by or related to 2590
the nonprofit corporation's decision to permit a licensee to 2591
bring a ~~handgun~~ deadly weapon onto the premises of the nonprofit 2592

corporation or to any event organized by the nonprofit 2593
corporation. 2594

(3) (a) Except as provided in division (C) (3) (b) of this 2595
section and section 2923.1214 of the Revised Code, the owner or 2596
person in control of private land or premises, and a private 2597
person or entity leasing land or premises owned by the state, 2598
the United States, or a political subdivision of the state or 2599
the United States, may post a sign in a conspicuous location on 2600
that land or on those premises prohibiting persons from carrying 2601
~~firearms~~ deadly weapons or concealed ~~firearms~~ deadly weapons on 2602
or onto that land or those premises. Except as otherwise 2603
provided in this division, a person who knowingly violates a 2604
posted prohibition of that nature is guilty of criminal trespass 2605
in violation of division (A) (4) of section 2911.21 of the 2606
Revised Code and is guilty of a misdemeanor of the fourth 2607
degree. If a person knowingly violates a posted prohibition of 2608
that nature and the posted land or premises primarily was a 2609
parking lot or other parking facility, the person is not guilty 2610
of criminal trespass under section 2911.21 of the Revised Code 2611
or under any other criminal law of this state or criminal law, 2612
ordinance, or resolution of a political subdivision of this 2613
state, and instead is subject only to a civil cause of action 2614
for trespass based on the violation. 2615

If a person knowingly violates a posted prohibition of the 2616
nature described in this division and the posted land or 2617
premises is a child day-care center, type A family day-care 2618
home, or type B family day-care home, unless the person is a 2619
licensee who resides in a type A family day-care home or type B 2620
family day-care home, the person is guilty of aggravated 2621
trespass in violation of section 2911.211 of the Revised Code. 2622
Except as otherwise provided in this division, the offender is 2623

guilty of a misdemeanor of the first degree. If the person 2624
previously has been convicted of a violation of this division or 2625
of any offense of violence, if the deadly weapon involved is a 2626
firearm that is either loaded or for which the offender has 2627
ammunition ready at hand, or if the deadly weapon involved is 2628
dangerous ordnance, the offender is guilty of a felony of the 2629
fourth degree. 2630

(b) A landlord may not prohibit or restrict a tenant who 2631
is a licensee and who on or after September 9, 2008, enters into 2632
a rental agreement with the landlord for the use of residential 2633
premises, and the tenant's guest while the tenant is present, 2634
from lawfully carrying or possessing a ~~handgun~~ deadly weapon on 2635
those residential premises. 2636

(c) As used in division (C) (3) of this section: 2637

(i) "Residential premises" has the same meaning as in 2638
section 5321.01 of the Revised Code, except "residential 2639
premises" does not include a dwelling unit that is owned or 2640
operated by a college or university. 2641

(ii) "Landlord," "tenant," and "rental agreement" have the 2642
same meanings as in section 5321.01 of the Revised Code. 2643

(D) A person who holds a valid concealed ~~handgun~~ weapons 2644
license issued by another state that is recognized by the 2645
attorney general pursuant to a reciprocity agreement entered 2646
into pursuant to section 109.69 of the Revised Code or a person 2647
who holds a valid concealed ~~handgun~~ weapons license under the 2648
circumstances described in division (B) of section 109.69 of the 2649
Revised Code has the same right to carry a concealed ~~handgun~~ 2650
deadly weapon that is not a restricted deadly weapon in this 2651
state as a person who was issued a concealed ~~handgun~~ weapons 2652

license under section 2923.125 of the Revised Code and is 2653
subject to the same restrictions that apply to a person who 2654
~~carries~~ was issued a concealed weapons license issued under that 2655
section. 2656

(E) (1) A peace officer has the same right to carry a 2657
concealed ~~handgun~~ deadly weapon that is not a restricted deadly 2658
weapon in this state as a person who was issued a concealed 2659
~~handgun~~ weapons license under section 2923.125 of the Revised 2660
Code, provided that the officer when carrying a concealed 2661
~~handgun~~ deadly weapon under authority of this division is 2662
carrying validating identification. For purposes of reciprocity 2663
with other states, a peace officer shall be considered to be a 2664
licensee in this state. 2665

(2) An active duty member of the armed forces of the 2666
United States who ~~is carrying~~ has been issued a valid military 2667
identification card and documentation of successful completion 2668
of firearms training that meets or exceeds the training 2669
requirements described in division (G) (1) of section 2923.125 of 2670
the Revised Code that are valid at the time of the carrying or 2671
possession has the same right to carry a concealed ~~handgun~~ 2672
deadly weapon that is not a restricted deadly weapon in this 2673
state as a person who was issued a concealed ~~handgun~~ weapons 2674
license under section 2923.125 of the Revised Code and is 2675
subject to the same restrictions as specified in this section. 2676

(3) A tactical medical professional who is qualified to 2677
carry firearms while on duty under section 109.771 of the 2678
Revised Code has the same right to carry a concealed ~~handgun~~ 2679
deadly weapon that is not a restricted deadly weapon in this 2680
state as a person who was issued a concealed ~~handgun~~ weapons 2681
license under section 2923.125 of the Revised Code. 2682

(4) A person who is at least twenty-one years of age and 2683
is not prohibited under the law of this state or the United 2684
States from possessing a deadly weapon has the same right to 2685
carry a concealed deadly weapon that is not a restricted deadly 2686
weapon in this state as a person who was issued a concealed 2687
weapons license under section 2923.125 of the Revised Code and 2688
is subject to the same restrictions as specified in this 2689
section. 2690

(F) (1) A qualified retired peace officer who possesses a 2691
retired peace officer identification card issued pursuant to 2692
division (F) (2) of this section and a valid firearms 2693
requalification certification issued pursuant to division (F) (3) 2694
of this section has the same right to carry a concealed ~~handgun-~~ 2695
deadly weapon that is not a restricted deadly weapon in this 2696
state as a person who was issued a concealed ~~handgun-~~weapons 2697
license under section 2923.125 of the Revised Code and is 2698
subject to the same restrictions that apply to a person who 2699
~~carries~~ was issued a concealed weapons license issued under that 2700
section. For purposes of reciprocity with other states, a 2701
qualified retired peace officer who possesses a retired peace 2702
officer identification card issued pursuant to division (F) (2) 2703
of this section and a valid firearms requalification 2704
certification issued pursuant to division (F) (3) of this section 2705
shall be considered to be a licensee in this state who has been 2706
issued a concealed weapons license under section 2923.125 of the 2707
Revised Code. 2708

(2) (a) Each public agency of this state or of a political 2709
subdivision of this state that is served by one or more peace 2710
officers shall issue a retired peace officer identification card 2711
to any person who retired from service as a peace officer with 2712
that agency, if the issuance is in accordance with the agency's 2713

policies and procedures and if the person, with respect to the 2714
person's service with that agency, satisfies all of the 2715
following: 2716

(i) The person retired in good standing from service as a 2717
peace officer with the public agency, and the retirement was not 2718
for reasons of mental instability. 2719

(ii) Before retiring from service as a peace officer with 2720
that agency, the person was authorized to engage in or supervise 2721
the prevention, detection, investigation, or prosecution of, or 2722
the incarceration of any person for, any violation of law and 2723
the person had statutory powers of arrest. 2724

(iii) At the time of the person's retirement as a peace 2725
officer with that agency, the person was trained and qualified 2726
to carry firearms in the performance of the peace officer's 2727
duties. 2728

(iv) Before retiring from service as a peace officer with 2729
that agency, the person was regularly employed as a peace 2730
officer for an aggregate of fifteen years or more, or, in the 2731
alternative, the person retired from service as a peace officer 2732
with that agency, after completing any applicable probationary 2733
period of that service, due to a service-connected disability, 2734
as determined by the agency. 2735

(b) A retired peace officer identification card issued to 2736
a person under division (F)(2)(a) of this section shall identify 2737
the person by name, contain a photograph of the person, identify 2738
the public agency of this state or of the political subdivision 2739
of this state from which the person retired as a peace officer 2740
and that is issuing the identification card, and specify that 2741
the person retired in good standing from service as a peace 2742

officer with the issuing public agency and satisfies the 2743
criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 2744
section. In addition to the required content specified in this 2745
division, a retired peace officer identification card issued to 2746
a person under division (F) (2) (a) of this section may include 2747
the firearms requalification certification described in division 2748
(F) (3) of this section, and if the identification card includes 2749
that certification, the identification card shall serve as the 2750
firearms requalification certification for the retired peace 2751
officer. If the issuing public agency issues credentials to 2752
active law enforcement officers who serve the agency, the agency 2753
may comply with division (F) (2) (a) of this section by issuing 2754
the same credentials to persons who retired from service as a 2755
peace officer with the agency and who satisfy the criteria set 2756
forth in divisions (F) (2) (a) (i) to (iv) of this section, 2757
provided that the credentials so issued to retired peace 2758
officers are stamped with the word "RETIRED." 2759

(c) A public agency of this state or of a political 2760
subdivision of this state may charge persons who retired from 2761
service as a peace officer with the agency a reasonable fee for 2762
issuing to the person a retired peace officer identification 2763
card pursuant to division (F) (2) (a) of this section. 2764

(3) If a person retired from service as a peace officer 2765
with a public agency of this state or of a political subdivision 2766
of this state and the person satisfies the criteria set forth in 2767
divisions (F) (2) (a) (i) to (iv) of this section, the public 2768
agency may provide the retired peace officer with the 2769
opportunity to attend a firearms requalification program that is 2770
approved for purposes of firearms requalification required under 2771
section 109.801 of the Revised Code. The retired peace officer 2772
may be required to pay the cost of the course. 2773

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

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

(G) As used in this section:

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

(a) The person satisfies the criteria set forth in divisions (F) (2) (a) (i) to (v) of this section.	2804 2805
(b) The person is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.	2806 2807
(c) The person is not prohibited by federal law from receiving firearms.	2808 2809
(2) "Retired peace officer identification card" means an identification card that is issued pursuant to division (F) (2) of this section to a person who is a retired peace officer.	2810 2811 2812
(3) "Government facility of this state or a political subdivision of this state" means any of the following:	2813 2814
(a) A building or part of a building that is owned or leased by the government of this state or a political subdivision of this state and where employees of the government of this state or the political subdivision regularly are present for the purpose of performing their official duties as employees of the state or political subdivision;	2815 2816 2817 2818 2819 2820
(b) The office of a deputy registrar serving pursuant to Chapter 4503. of the Revised Code that is used to perform deputy registrar functions.	2821 2822 2823
(4) "Governing body" has the same meaning as in section 154.01 of the Revised Code.	2824 2825
(5) "Tactical medical professional" has the same meaning as in section 109.71 of the Revised Code.	2826 2827
(6) "Validating identification" means photographic identification issued by the agency for which an individual serves as a peace officer that identifies the individual as a peace officer of the agency.	2828 2829 2830 2831

(7) "Nonprofit corporation" means any private organization 2832
that is exempt from federal income taxation pursuant to 2833
subsection 501(a) and described in subsection 501(c) of the 2834
Internal Revenue Code. 2835

Sec. 2923.127. (A) If a sheriff denies an application for 2836
a concealed ~~handgun-weapons~~ license under section 2923.125 of 2837
the Revised Code, denies the renewal of a concealed ~~handgun-~~ 2838
~~weapons~~ license under that section, or denies an application for 2839
a concealed ~~handgun-weapons~~ license on a temporary emergency 2840
basis under section 2923.1213 of the Revised Code as a result of 2841
the criminal records check conducted pursuant to section 311.41 2842
of the Revised Code and if the applicant believes the denial was 2843
based on incorrect information reported by the source the 2844
sheriff used in conducting the criminal records check, the 2845
applicant may challenge the criminal records check results using 2846
whichever of the following is applicable: 2847

(1) If the bureau of criminal identification and 2848
investigation performed the criminal records check, by using the 2849
bureau's existing challenge and review procedures; 2850

(2) If division (A) (1) of this section does not apply, by 2851
using the existing challenge and review procedure of the sheriff 2852
who denied the application or, if the sheriff does not have a 2853
challenge and review procedure, by using the challenge and 2854
review procedure prescribed by the bureau of criminal 2855
identification and investigation pursuant to division (B) of 2856
this section. 2857

(B) The bureau of criminal identification and 2858
investigation shall prescribe a challenge and review procedure 2859
for applicants to use to challenge criminal records checks under 2860
division (A) (2) of this section in counties in which the sheriff 2861

with whom an application of a type described in division (A) of 2862
this section was filed or submitted does not have an existing 2863
challenge and review procedure. 2864

Sec. 2923.128. (A) (1) (a) If a licensee holding a valid 2865
concealed ~~handgun~~-weapons license is arrested for or otherwise 2866
charged with an offense described in division (D) (1) (d) of 2867
section 2923.125 of the Revised Code or with a violation of 2868
section 2923.15 of the Revised Code or becomes subject to a 2869
temporary protection order or to a protection order issued by a 2870
court of another state that is substantially equivalent to a 2871
temporary protection order, the sheriff who issued the license 2872
shall suspend it and shall comply with division (A) (3) of this 2873
section upon becoming aware of the arrest, charge, or protection 2874
order. Upon suspending the license, the sheriff also shall 2875
comply with division (H) of section 2923.125 of the Revised 2876
Code. 2877

(b) A suspension under division (A) (1) (a) of this section 2878
shall be considered as beginning on the date that the licensee 2879
is arrested for or otherwise charged with an offense described 2880
in that division or on the date the appropriate court issued the 2881
protection order described in that division, irrespective of 2882
when the sheriff notifies the licensee under division (A) (3) of 2883
this section. The suspension shall end on the date on which the 2884
charges are dismissed or the licensee is found not guilty of the 2885
offense described in division (A) (1) (a) of this section or, 2886
subject to division (B) of this section, on the date the 2887
appropriate court terminates the protection order described in 2888
that division. If the suspension so ends, the sheriff shall 2889
return the license or temporary emergency license to the 2890
licensee. 2891

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

(b) A suspension under division (A) (2) (a) of this section
shall be considered as beginning on the date that the licensee
is convicted of or pleads guilty to the offense described in
that division, irrespective of when the sheriff notifies the
licensee under division (A) (3) of this section. If the
suspension is imposed for a misdemeanor violation of division
(B) ~~(1) or~~ (2) of section 2923.12 of the Revised Code or of
division (E) ~~(1), (2), or~~ (3) of section 2923.16 of the Revised
Code, it shall end on the date that is one year after the date
that the licensee is convicted of or pleads guilty to that
violation. If the suspension is imposed for a misdemeanor
violation of division (B) (4) of section 2923.12 of the Revised
Code or of division (E) (5) of section 2923.16 of the Revised
Code, it shall end on the date that is two years after the date
that the licensee is convicted of or pleads guilty to that
violation. If the licensee's license was issued under section
2923.125 of the Revised Code and the license remains valid after
the suspension ends as described in this division, when the
suspension ends, the sheriff shall return the license to the
licensee. If the licensee's license was issued under section

2923.125 of the Revised Code and the license expires before the 2923
suspension ends as described in this division, or if the 2924
licensee's license was issued under section 2923.1213 of the 2925
Revised Code, the licensee is not eligible to apply for a new 2926
license under section 2923.125 or 2923.1213 of the Revised Code 2927
or to renew the license under section 2923.125 of the Revised 2928
Code until after the suspension ends as described in this 2929
division. 2930

~~(c) The license of a licensee who is convicted of or 2931
pleads guilty to a violation of division (B) (1) of section 2932
2923.12 or division (E) (1) or (2) of section 2923.16 of the 2933
Revised Code shall not be suspended pursuant to division (A) (2) 2934
(a) of this section if, at the time of the stop of the licensee 2935
for a law enforcement purpose, for a traffic stop, or for a 2936
purpose defined in section 5503.34 of the Revised Code that was 2937
the basis of the violation, any law enforcement officer involved 2938
with the stop or the employee of the motor carrier enforcement 2939
unit who made the stop had actual knowledge of the licensee's 2940
status as a licensee. 2941~~

(3) Upon becoming aware of an arrest, charge, or 2942
protection order described in division (A) (1) (a) of this section 2943
with respect to a licensee who was issued a concealed ~~handgun~~ 2944
weapons license, or a conviction of or plea of guilty to a 2945
misdemeanor offense described in division (A) (2) (a) of this 2946
section with respect to a licensee who was issued a concealed 2947
~~handgun weapons~~ license and with respect to which division (A) 2948
~~(2) (c) of this section does not apply~~, subject to division (C) 2949
of this section, the sheriff who issued the licensee's license 2950
shall notify the licensee, by certified mail, return receipt 2951
requested, at the licensee's last known residence address that 2952
the license has been suspended and that the licensee is required 2953

to surrender the license at the sheriff's office within ten days 2954
of the date on which the notice was mailed. If the suspension is 2955
pursuant to division (A) (2) of this section, the notice shall 2956
identify the date on which the suspension ends. 2957

(B) (1) A sheriff who issues a concealed ~~handgun~~-weapons 2958
license to a licensee shall revoke the license in accordance 2959
with division (B) (2) of this section upon becoming aware that 2960
the licensee satisfies any of the following: 2961

(a) The licensee is under twenty-one years of age. 2962

(b) Subject to division (C) of this section, at the time 2963
of the issuance of the license, the licensee did not satisfy the 2964
eligibility requirements of division (D) (1) (c), (d), (e), (f), 2965
(g), or (h) of section 2923.125 of the Revised Code. 2966

(c) Subject to division (C) of this section, on or after 2967
the date on which the license was issued, the licensee is 2968
convicted of or pleads guilty to a violation of section 2923.15 2969
of the Revised Code or an offense described in division (D) (1) 2970
(e), (f), (g), or (h) of section 2923.125 of the Revised Code. 2971

(d) On or after the date on which the license was issued, 2972
the licensee becomes subject to a civil protection order or to a 2973
protection order issued by a court of another state that is 2974
substantially equivalent to a civil protection order. 2975

(e) The licensee knowingly carries a concealed ~~handgun~~-deadly weapon 2976
into a place that the licensee knows is an 2977
unauthorized place specified in division (B) of section 2923.126 2978
of the Revised Code. 2979

(f) On or after the date on which the license was issued, 2980
the licensee is adjudicated as a mental defective or is 2981
committed to a mental institution. 2982

(g) At the time of the issuance of the license, the 2983
licensee did not meet the residency requirements described in 2984
division (D) (1) of section 2923.125 of the Revised Code and 2985
currently does not meet the residency requirements described in 2986
that division. 2987

(h) Regarding a license issued under section 2923.125 of 2988
the Revised Code, the competency certificate the licensee 2989
submitted was forged or otherwise was fraudulent. 2990

(2) Upon becoming aware of any circumstance listed in 2991
division (B) (1) of this section that applies to a particular 2992
licensee who was issued a concealed ~~handgun~~-weapons license, 2993
subject to division (C) of this section, the sheriff who issued 2994
the license to the licensee shall notify the licensee, by 2995
certified mail, return receipt requested, at the licensee's last 2996
known residence address that the license is subject to 2997
revocation and that the licensee may come to the sheriff's 2998
office and contest the sheriff's proposed revocation within 2999
fourteen days of the date on which the notice was mailed. After 3000
the fourteen-day period and after consideration of any 3001
information that the licensee provides during that period, if 3002
the sheriff determines on the basis of the information of which 3003
the sheriff is aware that the licensee is described in division 3004
(B) (1) of this section and no longer satisfies the requirements 3005
described in division (D) (1) of section 2923.125 of the Revised 3006
Code that are applicable to the licensee's type of license, the 3007
sheriff shall revoke the license, notify the licensee of that 3008
fact, and require the licensee to surrender the license. Upon 3009
revoking the license, the sheriff also shall comply with 3010
division (H) of section 2923.125 of the Revised Code. 3011

(C) If a sheriff who issues a concealed ~~handgun~~-weapons 3012

license to a licensee becomes aware that at the time of the 3013
issuance of the license the licensee had been convicted of or 3014
pleaded guilty to an offense identified in division (D) (1) (e), 3015
(f), or (h) of section 2923.125 of the Revised Code or had been 3016
adjudicated a delinquent child for committing an act or 3017
violation identified in any of those divisions or becomes aware 3018
that on or after the date on which the license was issued the 3019
licensee has been convicted of or pleaded guilty to an offense 3020
identified in division (A) (2) (a) or (B) (1) (c) of this section, 3021
the sheriff shall not consider that conviction, guilty plea, or 3022
adjudication as having occurred for purposes of divisions (A) 3023
(2), (A) (3), (B) (1), and (B) (2) of this section if a court has 3024
ordered the sealing or expungement of the records of that 3025
conviction, guilty plea, or adjudication pursuant to sections 3026
2151.355 to 2151.358 or sections 2953.31 to 2953.36 of the 3027
Revised Code or the licensee has been relieved under operation 3028
of law or legal process from the disability imposed pursuant to 3029
section 2923.13 of the Revised Code relative to that conviction, 3030
guilty plea, or adjudication. 3031

(D) As used in this section, "motor carrier enforcement 3032
unit" has the same meaning as in section 2923.16 of the Revised 3033
Code. 3034

Sec. 2923.129. (A) (1) If a sheriff, the superintendent of 3035
the bureau of criminal identification and investigation, the 3036
employees of the bureau, the Ohio peace officer training 3037
commission, or the employees of the commission make a good faith 3038
effort in performing the duties imposed upon the sheriff, the 3039
superintendent, the bureau's employees, the commission, or the 3040
commission's employees by sections 109.731, 311.41, and 2923.124 3041
to 2923.1213 of the Revised Code, in addition to the personal 3042
immunity provided by section 9.86 of the Revised Code or 3043

division (A) (6) of section 2744.03 of the Revised Code and the 3044
governmental immunity of sections 2744.02 and 2744.03 of the 3045
Revised Code and in addition to any other immunity possessed by 3046
the bureau, the commission, and their employees, the sheriff, 3047
the sheriff's office, the county in which the sheriff has 3048
jurisdiction, the bureau, the superintendent of the bureau, the 3049
bureau's employees, the commission, and the commission's 3050
employees are immune from liability in a civil action for 3051
injury, death, or loss to person or property that allegedly was 3052
caused by or related to any of the following: 3053

(a) The issuance, renewal, suspension, or revocation of a 3054
concealed ~~handgun~~ weapons license; 3055

(b) The failure to issue, renew, suspend, or revoke a 3056
concealed ~~handgun~~ weapons license; 3057

(c) Any action or misconduct with a ~~handgun~~ deadly weapon 3058
committed by a licensee. 3059

(2) Any action of a sheriff relating to the issuance, 3060
renewal, suspension, or revocation of a concealed ~~handgun~~ 3061
weapons license shall be considered to be a governmental 3062
function for purposes of Chapter 2744. of the Revised Code. 3063

(3) An entity that or instructor who provides a competency 3064
certification of a type described in division (B) (3) of section 3065
2923.125 of the Revised Code is immune from civil liability that 3066
might otherwise be incurred or imposed for any death or any 3067
injury or loss to person or property that is caused by or 3068
related to a person to whom the entity or instructor has issued 3069
the competency certificate if all of the following apply: 3070

(a) The alleged liability of the entity or instructor 3071
relates to the training provided in the course, class, or 3072

program covered by the competency certificate. 3073

(b) The entity or instructor makes a good faith effort in 3074
determining whether the person has satisfactorily completed the 3075
course, class, or program and makes a good faith effort in 3076
assessing the person in the competency examination conducted 3077
pursuant to division (G) (2) of section 2923.125 of the Revised 3078
Code. 3079

(c) The entity or instructor did not issue the competency 3080
certificate with malicious purpose, in bad faith, or in a wanton 3081
or reckless manner. 3082

(4) An entity that or instructor who, prior to March 27, 3083
2013, provides a renewed competency certification of a type 3084
described in division (G) (4) of section 2923.125 of the Revised 3085
Code as it existed prior to March 27, 2013, is immune from civil 3086
liability that might otherwise be incurred or imposed for any 3087
death or any injury or loss to person or property that is caused 3088
by or related to a person to whom the entity or instructor has 3089
issued the renewed competency certificate if all of the 3090
following apply: 3091

(a) The entity or instructor makes a good faith effort in 3092
assessing the person in the physical demonstrations or the 3093
competency examination conducted pursuant to division (G) (4) of 3094
section 2923.125 of the Revised Code as it existed prior to 3095
March 27, 2013. 3096

(b) The entity or instructor did not issue the renewed 3097
competency certificate with malicious purpose, in bad faith, or 3098
in a wanton or reckless manner. 3099

(B) Notwithstanding section 149.43 of the Revised Code, 3100
the records that a sheriff keeps relative to the issuance, 3101

renewal, suspension, or revocation of a concealed ~~handgun-~~ 3102
weapons license, including, but not limited to, completed 3103
applications for the issuance or renewal of a license, completed 3104
affidavits submitted regarding an application for a license on a 3105
temporary emergency basis, reports of criminal records checks 3106
and incompetency records checks under section 311.41 of the 3107
Revised Code, and applicants' social security numbers and 3108
fingerprints that are obtained under division (A) of section 3109
311.41 of the Revised Code, are confidential and are not public 3110
records. No person shall release or otherwise disseminate 3111
records that are confidential under this division unless 3112
required to do so pursuant to a court order. 3113

(C) Each sheriff shall report to the Ohio peace officer 3114
training commission the number of concealed ~~handgun-~~weapons 3115
licenses that the sheriff issued, renewed, suspended, revoked, 3116
or denied under section 2923.125 of the Revised Code during the 3117
previous quarter of the calendar year, the number of 3118
applications for those licenses for which processing was 3119
suspended in accordance with division (D)(3) of section 2923.125 3120
of the Revised Code during the previous quarter of the calendar 3121
year, and the number of concealed ~~handgun-~~weapons licenses on a 3122
temporary emergency basis that the sheriff issued, suspended, 3123
revoked, or denied under section 2923.1213 of the Revised Code 3124
during the previous quarter of the calendar year. The sheriff 3125
shall not include in the report the name or any other 3126
identifying information of an applicant or licensee. The sheriff 3127
shall report that information in a manner that permits the 3128
commission to maintain the statistics described in division (C) 3129
of section 109.731 of the Revised Code and to timely prepare the 3130
statistical report described in that division. The information 3131
that is received by the commission under this division is a 3132

public record kept by the commission for the purposes of section 3133
149.43 of the Revised Code. 3134

(D) Law enforcement agencies may use the information a 3135
sheriff makes available through the use of the law enforcement 3136
automated data system pursuant to division (H) of section 3137
2923.125 or division (B) (2) or (D) of section 2923.1213 of the 3138
Revised Code for law enforcement purposes only. The information 3139
is confidential and is not a public record. Except as provided 3140
in section 5503.101 of the Revised Code, a person who releases 3141
or otherwise disseminates this information obtained through the 3142
law enforcement automated data system in a manner not described 3143
in this division is guilty of a violation of section 2913.04 of 3144
the Revised Code. 3145

(E) Whoever violates division (B) of this section is 3146
guilty of illegal release of confidential concealed ~~handgun-~~ 3147
weapons license records, a felony of the fifth degree. In 3148
addition to any penalties imposed under Chapter 2929. of the 3149
Revised Code for a violation of division (B) of this section or 3150
a violation of section 2913.04 of the Revised Code described in 3151
division (D) of this section, if the offender is a sheriff, an 3152
employee of a sheriff, or any other public officer or employee, 3153
and if the violation was willful and deliberate, the offender 3154
shall be subject to a civil fine of one thousand dollars. Any 3155
person who is harmed by a violation of division (B) or (C) of 3156
this section or a violation of section 2913.04 of the Revised 3157
Code described in division (D) of this section has a private 3158
cause of action against the offender for any injury, death, or 3159
loss to person or property that is a proximate result of the 3160
violation and may recover court costs and attorney's fees 3161
related to the action. 3162

Sec. 2923.1210. (A) A business entity, property owner, or 3163
public or private employer may not establish, maintain, or 3164
enforce a policy or rule that prohibits or has the effect of 3165
prohibiting a person who has been issued a ~~valid~~-concealed 3166
~~handgun~~-weapons license, who is an active duty member of the 3167
armed forces of the United States and has been issued a valid 3168
military identification card and documentation of successful 3169
completion of firearms training that meets or exceeds the 3170
training requirements described in division (G) (1) of section 3171
2923.125 of the Revised Code, or who is at least twenty-one 3172
years of age and is not prohibited under the law of this state 3173
or the United States from possessing a deadly weapon, from 3174
transporting or storing a ~~firearm~~-deadly weapon or ammunition 3175
for a deadly weapon that is a firearm when both of the following 3176
conditions are met: 3177

(1) Each ~~firearm~~-deadly weapon and, if there is 3178
ammunition, all of the ammunition remains inside the person's 3179
privately owned motor vehicle while the person is physically 3180
present inside the motor vehicle, or each ~~firearm~~-deadly weapon 3181
and, if there is ammunition, all of the ammunition is locked 3182
within the trunk, glove box, or other enclosed compartment or 3183
container within or on the person's privately owned motor 3184
vehicle; 3185

(2) The vehicle is in a location where it is otherwise 3186
permitted to be. 3187

(B) A business entity, property owner, or public or 3188
private employer that violates division (A) of this section may 3189
be found liable in a civil action for injunctive relief brought 3190
by any individual injured by the violation. The court may grant 3191
any injunctive relief it finds appropriate. 3192

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

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

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

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

Sec. 2923.1212. Each person, board, or entity that owns or controls any place or premises identified in division (B) of section 2923.126 of the Revised Code as a place into which a valid license does not authorize the licensee to carry a concealed ~~handgun~~ deadly weapon, or a designee of such a person, board, or entity, shall post in one or more conspicuous locations in the premises a sign that contains a statement in substantially the following form: "Unless otherwise authorized

by law, pursuant to the Ohio Revised Code, no person shall 3223
knowingly possess, have under the person's control, convey, or 3224
attempt to convey a deadly weapon or dangerous ordnance onto 3225
these premises." 3226

Sec. 2923.1213. (A) As used in this section: 3227

(1) "Evidence of imminent danger" means any of the 3228
following: 3229

(a) A statement sworn by the person seeking to carry a 3230
concealed ~~handgun~~ deadly weapon other than a restricted deadly 3231
weapon that is made under threat of perjury and that states that 3232
the person has reasonable cause to fear a criminal attack upon 3233
the person or a member of the person's family, such as would 3234
justify a prudent person in going armed; 3235

(b) A written document prepared by a governmental entity 3236
or public official describing the facts that give the person 3237
seeking to carry a concealed ~~handgun~~ deadly weapon other than a 3238
restricted deadly weapon reasonable cause to fear a criminal 3239
attack upon the person or a member of the person's family, such 3240
as would justify a prudent person in going armed. Written 3241
documents of this nature include, but are not limited to, any 3242
temporary protection order, civil protection order, protection 3243
order issued by another state, or other court order, any court 3244
report, and any report filed with or made by a law enforcement 3245
agency or prosecutor. 3246

(2) "Prosecutor" has the same meaning as in section 3247
2935.01 of the Revised Code. 3248

(B) (1) A person seeking a concealed ~~handgun~~ weapons 3249
license on a temporary emergency basis shall submit to the 3250
sheriff of ~~the any county in which the person resides~~ or, if the 3251

person usually resides in another state, to the sheriff of the 3252
county in which the person is temporarily staying, all of the 3253
following: 3254

(a) Evidence of imminent danger to the person or a member 3255
of the person's family; 3256

(b) A sworn affidavit that contains all of the information 3257
required to be on the license and attesting that the person is 3258
legally living in the United States; is at least twenty-one 3259
years of age; is not a fugitive from justice; is not under 3260
indictment for or otherwise charged with an offense identified 3261
in division (D) (1) (d) of section 2923.125 of the Revised Code; 3262
has not been convicted of or pleaded guilty to an offense, and 3263
has not been adjudicated a delinquent child for committing an 3264
act, identified in division (D) (1) (e) of that section and to 3265
which division (B) (3) of this section does not apply; within 3266
three years of the date of the submission, has not been 3267
convicted of or pleaded guilty to an offense, and has not been 3268
adjudicated a delinquent child for committing an act, identified 3269
in division (D) (1) (f) of that section and to which division (B) 3270
(3) of this section does not apply; within five years of the 3271
date of the submission, has not been convicted of, pleaded 3272
guilty, or adjudicated a delinquent child for committing two or 3273
more violations identified in division (D) (1) (g) of that 3274
section; within ten years of the date of the submission, has not 3275
been convicted of, pleaded guilty, or adjudicated a delinquent 3276
child for committing a violation identified in division (D) (1) 3277
(h) of that section and to which division (B) (3) of this section 3278
does not apply; has not been adjudicated as a mental defective, 3279
has not been committed to any mental institution, is not under 3280
adjudication of mental incompetence, has not been found by a 3281
court to be a mentally ill person subject to court order, and is 3282

not an involuntary patient other than one who is a patient only 3283
for purposes of observation, as described in division (D) (1) (i) 3284
of that section; is not currently subject to a civil protection 3285
order, a temporary protection order, or a protection order 3286
issued by a court of another state, as described in division (D) 3287
(1) (j) of that section; is not currently subject to a suspension 3288
imposed under division (A) (2) of section 2923.128 of the Revised 3289
Code of a concealed ~~handgun-weapons~~ license that previously was 3290
issued to the person or a similar suspension imposed by another 3291
state regarding a concealed ~~handgun-weapons~~ license issued by 3292
that state; is not an unlawful user of or addicted to any 3293
controlled substance as defined in 21 U.S.C. 802; if applicable, 3294
is an alien and has not been admitted to the United States under 3295
a nonimmigrant visa, as defined in the "Immigration and 3296
Nationality Act," 8 U.S.C. 1101(a) (26); has not been discharged 3297
from the armed forces of the United States under dishonorable 3298
conditions; if applicable, has not renounced the applicant's 3299
United States citizenship; and has not been convicted of, 3300
pleaded guilty to, or been adjudicated a delinquent child for 3301
committing a violation identified in division (D) (1) (s) of 3302
section 2923.125 of the Revised Code; 3303

(c) A nonrefundable temporary emergency license fee as 3304
described in either of the following: 3305

(i) For an applicant who has been a resident of this state 3306
for five or more years, a fee of fifteen dollars plus the actual 3307
cost of having a background check performed by the bureau of 3308
criminal identification and investigation pursuant to section 3309
311.41 of the Revised Code; 3310

(ii) For an applicant who has been a resident of this 3311
state for less than five years or who is not a resident of this 3312

state, but is temporarily staying in this state, a fee of 3313
fifteen dollars plus the actual cost of having background checks 3314
performed by the federal bureau of investigation and the bureau 3315
of criminal identification and investigation pursuant to section 3316
311.41 of the Revised Code. 3317

(d) A set of fingerprints of the applicant provided as 3318
described in section 311.41 of the Revised Code through use of 3319
an electronic fingerprint reading device or, if the sheriff to 3320
whom the application is submitted does not possess and does not 3321
have ready access to the use of an electronic fingerprint 3322
reading device, on a standard impression sheet prescribed 3323
pursuant to division (C) (2) of section 109.572 of the Revised 3324
Code. If the fingerprints are provided on a standard impression 3325
sheet, the person also shall provide the person's social 3326
security number to the sheriff. 3327

(2) A sheriff shall accept the evidence of imminent 3328
danger, the sworn affidavit, the fee, and the set of 3329
fingerprints required under division (B) (1) of this section at 3330
the times and in the manners described in division (I) of this 3331
section. Upon receipt of the evidence of imminent danger, the 3332
sworn affidavit, the fee, and the set of fingerprints required 3333
under division (B) (1) of this section, the sheriff, in the 3334
manner specified in section 311.41 of the Revised Code, 3335
immediately shall conduct or cause to be conducted the criminal 3336
records check and the incompetency records check described in 3337
section 311.41 of the Revised Code. Immediately upon receipt of 3338
the results of the records checks, the sheriff shall review the 3339
information and shall determine whether the criteria set forth 3340
in divisions (D) (1) (a) to (j) and (m) to (s) of section 2923.125 3341
of the Revised Code apply regarding the person. If the sheriff 3342
determines that all of the criteria set forth in divisions (D) 3343

(1) (a) to (j) and (m) to (s) of section 2923.125 of the Revised Code apply regarding the person, the sheriff shall immediately make available through the law enforcement automated data system all information that will be contained on the temporary emergency license for the person if one is issued, and the superintendent of the state highway patrol shall ensure that the system is so configured as to permit the transmission through the system of that information. Upon making that information available through the law enforcement automated data system, the sheriff shall immediately issue to the person a concealed ~~handgun~~ weapons license on a temporary emergency basis.

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

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

The license on a temporary emergency basis issued under this division is valid for ninety days and may not be renewed. A person who has been issued a license on a temporary emergency basis under this division shall not be issued another license on

a temporary emergency basis unless at least four years has 3374
expired since the issuance of the prior license on a temporary 3375
emergency basis. 3376

(3) If a person seeking a concealed ~~handgun~~ weapons 3377
license on a temporary emergency basis has been convicted of or 3378
pleaded guilty to an offense identified in division (D) (1) (e), 3379
(f), or (h) of section 2923.125 of the Revised Code or has been 3380
adjudicated a delinquent child for committing an act or 3381
violation identified in any of those divisions, and if a court 3382
has ordered the sealing or expungement of the records of that 3383
conviction, guilty plea, or adjudication pursuant to sections 3384
2151.355 to 2151.358 or sections 2953.31 to 2953.36 of the 3385
Revised Code or the applicant has been relieved under operation 3386
of law or legal process from the disability imposed pursuant to 3387
section 2923.13 of the Revised Code relative to that conviction, 3388
guilty plea, or adjudication, the conviction, guilty plea, or 3389
adjudication shall not be relevant for purposes of the sworn 3390
affidavit described in division (B) (1) (b) of this section, and 3391
the person may complete, and swear to the truth of, the 3392
affidavit as if the conviction, guilty plea, or adjudication 3393
never had occurred. 3394

(4) The sheriff shall waive the payment pursuant to 3395
division (B) (1) (c) of this section of the license fee in 3396
connection with an application that is submitted by an applicant 3397
who is a retired peace officer, a retired person described in 3398
division (B) (1) (b) of section 109.77 of the Revised Code, or a 3399
retired federal law enforcement officer who, prior to 3400
retirement, was authorized under federal law to carry a firearm 3401
in the course of duty, unless the retired peace officer, person, 3402
or federal law enforcement officer retired as the result of a 3403
mental disability. 3404

The sheriff shall deposit all fees paid by an applicant 3405
under division (B) (1) (c) of this section into the sheriff's 3406
concealed ~~handgun-weapons~~ license issuance fund established 3407
pursuant to section 311.42 of the Revised Code. 3408

(C) A person who holds a concealed ~~handgun-weapons~~ license 3409
on a temporary emergency basis, regardless of whether the 3410
license was issued prior to, on, or after the effective date of 3411
this amendment, has the same right to carry a concealed ~~handgun-~~ 3412
deadly weapon that is not a restricted deadly weapon as a person 3413
who was issued a concealed ~~handgun-weapons~~ license under section 3414
2923.125 of the Revised Code, and any exceptions to the 3415
prohibitions contained in section 1547.69 and sections 2923.12 3416
to 2923.16 of the Revised Code for a licensee under section 3417
2923.125 of the Revised Code apply to a licensee under this 3418
section. The person is subject to the same restrictions, and to 3419
all other procedures, duties, and sanctions, that apply to a 3420
person who ~~carries~~ has been issued a license issued under 3421
section 2923.125 of the Revised Code, other than the license 3422
renewal procedures set forth in that section. A concealed 3423
weapons license on a temporary emergency basis that a sheriff 3424
issued as a concealed handgun license on a temporary emergency 3425
basis prior to the effective date of this amendment and that had 3426
not expired prior to the effective date of this amendment has 3427
the same validity as a concealed weapons license on a temporary 3428
emergency basis issued on or after that date and shall be 3429
treated for purposes of this section, sections 2923.127 to 3430
2923.1212 of the Revised Code, and other Revised Code provisions 3431
as if it were a license issued on or after that date. 3432

(D) A sheriff who issues a concealed ~~handgun-weapons~~ 3433
license on a temporary emergency basis under this section shall 3434
not require a person seeking to carry a concealed ~~handgun-deadly~~ 3435

weapon that is not a restricted deadly weapon in accordance with 3436
this section to submit a competency certificate as a 3437
prerequisite for issuing the license and shall comply with 3438
division (H) of section 2923.125 of the Revised Code in regards 3439
to the license. The sheriff shall suspend or revoke the license 3440
in accordance with section 2923.128 of the Revised Code. In 3441
addition to the suspension or revocation procedures set forth in 3442
section 2923.128 of the Revised Code, the sheriff may revoke the 3443
license upon receiving information, verifiable by public 3444
documents, that the person is not eligible to possess a firearm 3445
or deadly weapon under either the laws of this state or of the 3446
United States or that the person committed perjury in obtaining 3447
the license; if the sheriff revokes a license under this 3448
additional authority, the sheriff shall notify the person, by 3449
certified mail, return receipt requested, at the person's last 3450
known residence address that the license has been revoked and 3451
that the person is required to surrender the license at the 3452
sheriff's office within ten days of the date on which the notice 3453
was mailed. Division (H) of section 2923.125 of the Revised Code 3454
applies regarding any suspension or revocation of a concealed 3455
handgun-weapons license on a temporary emergency basis. 3456

(E) A sheriff who issues a concealed handgun-weapons 3457
license on a temporary emergency basis under this section shall 3458
retain, for the entire period during which the license is in 3459
effect, the evidence of imminent danger that the person 3460
submitted to the sheriff and that was the basis for the license, 3461
or a copy of that evidence, as appropriate. 3462

(F) If a concealed handgun-weapons license on a temporary 3463
emergency basis issued under this section is lost or is 3464
destroyed, the licensee may obtain from the sheriff who issued 3465
that license a duplicate license upon the payment of a fee of 3466

fifteen dollars and the submission of an affidavit attesting to 3467
the loss or destruction of the license. The sheriff, in 3468
accordance with the procedures prescribed in section 109.731 of 3469
the Revised Code, shall place on the replacement license a 3470
combination of identifying numbers different from the 3471
combination on the license that is being replaced. 3472

(G) The attorney general shall prescribe, and shall make 3473
available to sheriffs, a standard form to be used under division 3474
(B) of this section by a person who applies for a concealed 3475
~~handgun-weapons~~ license on a temporary emergency basis on the 3476
basis of imminent danger of a type described in division (A)(1) 3477
(a) of this section. The attorney general shall design the form 3478
to enable applicants to provide the information that is required 3479
by law to be collected, and shall update the form as necessary. 3480
Burdens or restrictions to obtaining a concealed ~~handgun-weapons~~ 3481
license that are not expressly prescribed in law shall not be 3482
incorporated into the form. The attorney general shall post a 3483
printable version of the form on the web site of the attorney 3484
general and shall provide the address of the web site to any 3485
person who requests the form. 3486

(H) A sheriff who receives any fees paid by a person under 3487
this section shall deposit all fees so paid into the sheriff's 3488
concealed ~~handgun-weapons~~ license issuance expense fund 3489
established under section 311.42 of the Revised Code. 3490

(I) A sheriff shall accept evidence of imminent danger, a 3491
sworn affidavit, the fee, and the set of fingerprints specified 3492
in division (B)(1) of this section at any time during normal 3493
business hours. In no case shall a sheriff require an 3494
appointment, or designate a specific period of time, for the 3495
submission or acceptance of evidence of imminent danger, a sworn 3496

affidavit, the fee, and the set of fingerprints specified in 3497
division (B)(1) of this section, or for the provision to any 3498
person of a standard form to be used for a person to apply for a 3499
concealed ~~handgun~~ weapons license on a temporary emergency 3500
basis. 3501

(J) The availability of a concealed weapons license under 3502
this section or section 2923.125 of the Revised Code shall not 3503
be construed to prohibit or restrict a person from possessing, 3504
carrying, or transporting a deadly weapon in a vehicle or on or 3505
about the person's person, whether concealed or unconcealed, 3506
loaded or unloaded, without a valid concealed weapons license if 3507
the possession, carrying, or transport in the manner in question 3508
is otherwise permitted by the Revised Code or any other 3509
provision of law. 3510

Sec. 2923.16. (A) No person shall knowingly discharge a 3511
firearm while in or on a motor vehicle. 3512

(B) No person shall knowingly transport or have a loaded 3513
firearm in a motor vehicle in such a manner that the firearm is 3514
accessible to the operator or any passenger without leaving the 3515
vehicle. 3516

(C) No person shall knowingly transport or have a firearm 3517
in a motor vehicle, unless the person may lawfully possess that 3518
firearm under applicable law of this state or the United States, 3519
the firearm is unloaded, and the firearm is carried in one of 3520
the following ways: 3521

(1) In a closed package, box, or case; 3522

(2) In a compartment that can be reached only by leaving 3523
the vehicle; 3524

(3) In plain sight and secured in a rack or holder made 3525

for the purpose; 3526

(4) If the firearm is at least twenty-four inches in 3527
overall length as measured from the muzzle to the part of the 3528
stock furthest from the muzzle and if the barrel is at least 3529
eighteen inches in length, either in plain sight with the action 3530
open or the weapon stripped, or, if the firearm is of a type on 3531
which the action will not stay open or which cannot easily be 3532
stripped, in plain sight. 3533

(D) No person shall knowingly transport or have a loaded 3534
~~handgun~~ firearm in a motor vehicle if, at the time of that 3535
transportation or possession, any of the following applies: 3536

(1) The person is under the influence of alcohol, a drug 3537
of abuse, or a combination of them. 3538

(2) The person's whole blood, blood serum or plasma, 3539
breath, or urine contains a concentration of alcohol, a listed 3540
controlled substance, or a listed metabolite of a controlled 3541
substance prohibited for persons operating a vehicle, as 3542
specified in division (A) of section 4511.19 of the Revised 3543
Code, regardless of whether the person at the time of the 3544
transportation or possession as described in this division is 3545
the operator of or a passenger in the motor vehicle. 3546

(E) No person who has been issued a concealed ~~handgun~~ 3547
weapons license ~~or,~~ who is an active duty member of the armed 3548
forces of the United States and is carrying has been issued a 3549
valid military identification card and documentation of 3550
successful completion of firearms training that meets or exceeds 3551
the training requirements described in division (G) (1) of 3552
section 2923.125 of the Revised Code, or who is at least twenty- 3553
one years of age and is not prohibited under the law of this 3554

state or the United States from possessing a firearm, who in any 3555
of those cases is the driver or an occupant of a motor vehicle 3556
that is stopped as a result of a traffic stop or a stop for 3557
another law enforcement purpose or is the driver or an occupant 3558
of a commercial motor vehicle that is stopped by an employee of 3559
the motor carrier enforcement unit for the purposes defined in 3560
section 5503.34 of the Revised Code, and who is transporting or 3561
has a loaded ~~handgun~~ firearm that is not a restricted firearm in 3562
the motor vehicle or commercial motor vehicle in any manner, 3563
shall do any of the following: 3564

(1) ~~Fail to promptly inform any law enforcement officer~~ 3565
~~who approaches the vehicle while stopped that the person has~~ 3566
~~been issued a concealed handgun license or is authorized to~~ 3567
~~carry a concealed handgun as an active duty member of the armed~~ 3568
~~forces of the United States~~ Before or at the time a law 3569
enforcement officer asks if the person is carrying a concealed 3570
firearm, fail to disclose and that the person then possesses or 3571
has a loaded ~~handgun~~ firearm in the motor vehicle; 3572

(2) ~~Fail to promptly inform the employee of the unit who~~ 3573
~~approaches the vehicle while stopped that the person has been~~ 3574
~~issued a concealed handgun license or is authorized to carry a~~ 3575
~~concealed handgun as an active duty member of the armed forces~~ 3576
~~of the United States and~~ Before or at the time an employee of 3577
the motor carrier enforcement unit asks if the person is 3578
carrying a concealed firearm, fail to disclose that the person 3579
then possesses or has a loaded ~~handgun~~ firearm in the commercial 3580
motor vehicle; 3581

(3) Knowingly fail to remain in the motor vehicle while 3582
stopped or knowingly fail to keep the person's hands in plain 3583
sight at any time after any law enforcement officer begins 3584

approaching the person while stopped and before the law 3585
enforcement officer leaves, unless the failure is pursuant to 3586
and in accordance with directions given by a law enforcement 3587
officer; 3588

(4) Knowingly have contact with the loaded ~~handgun~~-firearm 3589
by touching it with the person's hands or fingers in the motor 3590
vehicle at any time after the law enforcement officer begins 3591
approaching and before the law enforcement officer leaves, 3592
unless the person has contact with the loaded ~~handgun~~-firearm 3593
pursuant to and in accordance with directions given by the law 3594
enforcement officer; 3595

(5) Knowingly disregard or fail to comply with any lawful 3596
order of any law enforcement officer given while the motor 3597
vehicle is stopped, including, but not limited to, a specific 3598
order to the person to keep the person's hands in plain sight. 3599

(F) (1) Divisions (A), (B), (C), and (E) of this section do 3600
not apply to any of the following: 3601

(a) An officer, agent, or employee of this or any other 3602
state or the United States, or a law enforcement officer, when 3603
authorized to carry or have loaded or accessible firearms in 3604
motor vehicles and acting within the scope of the officer's, 3605
agent's, or employee's duties; 3606

(b) Any person who is employed in this state, who is 3607
authorized to carry or have loaded or accessible firearms in 3608
motor vehicles, and who is subject to and in compliance with the 3609
requirements of section 109.801 of the Revised Code, unless the 3610
appointing authority of the person has expressly specified that 3611
the exemption provided in division (F) (1) (b) of this section 3612
does not apply to the person. 3613

- (2) Division (A) of this section does not apply to a person if all of the following circumstances apply:
- (a) The person discharges a firearm from a motor vehicle at a coyote or groundhog, the discharge is not during the deer gun hunting season as set by the chief of the division of wildlife of the department of natural resources, and the discharge at the coyote or groundhog, but for the operation of this section, is lawful.
- (b) The motor vehicle from which the person discharges the firearm is on real property that is located in an unincorporated area of a township and that either is zoned for agriculture or is used for agriculture.
- (c) The person owns the real property described in division (F) (2) (b) of this section, is the spouse or a child of another person who owns that real property, is a tenant of another person who owns that real property, or is the spouse or a child of a tenant of another person who owns that real property.
- (d) The person does not discharge the firearm in any of the following manners:
- (i) While under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse;
- (ii) In the direction of a street, highway, or other public or private property used by the public for vehicular traffic or parking;
- (iii) At or into an occupied structure that is a permanent or temporary habitation;
- (iv) In the commission of any violation of law, including,
- 3614
3615
3616
3617
3618
3619
3620
3621
3622
3623
3624
3625
3626
3627
3628
3629
3630
3631
3632
3633
3634
3635
3636
3637
3638
3639
3640
3641

but not limited to, a felony that includes, as an essential 3642
element, purposely or knowingly causing or attempting to cause 3643
the death of or physical harm to another and that was committed 3644
by discharging a firearm from a motor vehicle. 3645

(3) Division (A) of this section does not apply to a 3646
person if all of the following apply: 3647

(a) The person possesses a valid all-purpose vehicle 3648
permit issued under section 1533.103 of the Revised Code by the 3649
chief of the division of wildlife. 3650

(b) The person discharges a firearm at a wild quadruped or 3651
game bird as defined in section 1531.01 of the Revised Code 3652
during the open hunting season for the applicable wild quadruped 3653
or game bird. 3654

(c) The person discharges a firearm from a stationary all- 3655
purpose vehicle as defined in section 1531.01 of the Revised 3656
Code from private or publicly owned lands or from a motor 3657
vehicle that is parked on a road that is owned or administered 3658
by the division of wildlife. 3659

(d) The person does not discharge the firearm in any of 3660
the following manners: 3661

(i) While under the influence of alcohol, a drug of abuse, 3662
or alcohol and a drug of abuse; 3663

(ii) In the direction of a street, a highway, or other 3664
public or private property that is used by the public for 3665
vehicular traffic or parking; 3666

(iii) At or into an occupied structure that is a permanent 3667
or temporary habitation; 3668

(iv) In the commission of any violation of law, including, 3669

but not limited to, a felony that includes, as an essential 3670
element, purposely or knowingly causing or attempting to cause 3671
the death of or physical harm to another and that was committed 3672
by discharging a firearm from a motor vehicle. 3673

(4) Divisions (B) and (C) of this section do not apply to 3674
a person if all of the following circumstances apply: 3675

(a) At the time of the alleged violation of either of 3676
those divisions, the person is the operator of or a passenger in 3677
a motor vehicle. 3678

(b) The motor vehicle is on real property that is located 3679
in an unincorporated area of a township and that either is zoned 3680
for agriculture or is used for agriculture. 3681

(c) The person owns the real property described in 3682
division (D) (4) (b) of this section, is the spouse or a child of 3683
another person who owns that real property, is a tenant of 3684
another person who owns that real property, or is the spouse or 3685
a child of a tenant of another person who owns that real 3686
property. 3687

(d) The person, prior to arriving at the real property 3688
described in division (D) (4) (b) of this section, did not 3689
transport or possess a firearm in the motor vehicle in a manner 3690
prohibited by division (B) or (C) of this section while the 3691
motor vehicle was being operated on a street, highway, or other 3692
public or private property used by the public for vehicular 3693
traffic or parking. 3694

(5) Divisions (B) and (C) of this section do not apply to 3695
a person who transports or possesses a ~~handgun~~ firearm that is 3696
not a restricted firearm in a motor vehicle if, at the time of 3697
that transportation or possession, both of the following apply: 3698

(a) The person ~~transporting or possessing the handgun is~~ 3699
~~either carrying has been issued a valid concealed handgun~~ 3700
~~weapons license or that is valid at the time of the transporting~~ 3701
or possessing, is an active duty member of the armed forces of 3702
the United States and ~~is carrying~~ has been issued a valid 3703
military identification card and documentation of successful 3704
completion of firearms training that meets or exceeds the 3705
training requirements described in division (G)(1) of section 3706
2923.125 of the Revised Code that are valid at the time of the 3707
transporting or possessing, or is at least twenty-one years of 3708
age and is not prohibited under the law of this state or the 3709
United States from possessing a firearm. 3710

(b) The person transporting or possessing the ~~handgun~~ 3711
firearm is not knowingly in a place described in division (B) of 3712
section 2923.126 of the Revised Code. 3713

(6) Divisions (B) and (C) of this section do not apply to 3714
a person if all of the following apply: 3715

(a) The person possesses a valid all-purpose vehicle 3716
permit issued under section 1533.103 of the Revised Code by the 3717
chief of the division of wildlife. 3718

(b) The person is on or in an all-purpose vehicle as 3719
defined in section 1531.01 of the Revised Code or a motor 3720
vehicle during the open hunting season for a wild quadruped or 3721
game bird. 3722

(c) The person is on or in an all-purpose vehicle as 3723
defined in section 1531.01 of the Revised Code on private or 3724
publicly owned lands or on or in a motor vehicle that is parked 3725
on a road that is owned or administered by the division of 3726
wildlife. 3727

(7) Nothing in this section prohibits or restricts a 3728
person from possessing, storing, or leaving a firearm in a 3729
locked motor vehicle that is parked in the state underground 3730
parking garage at the state capitol building or in the parking 3731
garage at the Riffe center for government and the arts in 3732
Columbus, if the person's transportation and possession of the 3733
firearm in the motor vehicle while traveling to the premises or 3734
facility was not in violation of division (A), (B), (C), (D), or 3735
(E) of this section or any other provision of the Revised Code. 3736

(G) (1) The affirmative defenses authorized in divisions 3737
(D) (1) and (2) of section 2923.12 of the Revised Code are 3738
affirmative defenses to a charge under division (B) or (C) of 3739
this section that involves a firearm other than a handgun. 3740

(2) It is an affirmative defense to a charge under 3741
division (B) or (C) of this section of improperly handling 3742
firearms in a motor vehicle that the actor transported or had 3743
the firearm in the motor vehicle for any lawful purpose and 3744
while the motor vehicle was on the actor's own property, 3745
provided that this affirmative defense is not available unless 3746
the person, immediately prior to arriving at the actor's own 3747
property, did not transport or possess the firearm in a motor 3748
vehicle in a manner prohibited by division (B) or (C) of this 3749
section while the motor vehicle was being operated on a street, 3750
highway, or other public or private property used by the public 3751
for vehicular traffic. 3752

(H) (1) No person who is charged with a violation of 3753
division (B), (C), or (D) of this section shall be required to 3754
obtain a concealed ~~handgun~~ weapons license as a condition for 3755
the dismissal of the charge. 3756

(2) (a) If a person is convicted of, was convicted of, 3757

pleads guilty to, or has pleaded guilty to a violation of 3758
division (E) of this section as it existed prior to September 3759
30, 2011, and if the conduct that was the basis of the violation 3760
no longer would be a violation of division (E) of this section 3761
on or after September 30, 2011, the person may file an 3762
application under section 2953.37 of the Revised Code requesting 3763
the expungement of the record of conviction. 3764

If a person is convicted of, was convicted of, pleads 3765
guilty to, or has pleaded guilty to a violation of division (B) 3766
or (C) of this section as the division existed prior to 3767
September 30, 2011, and if the conduct that was the basis of the 3768
violation no longer would be a violation of division (B) or (C) 3769
of this section on or after September 30, 2011, due to the 3770
application of division (F) (5) of this section as it exists on 3771
and after September 30, 2011, the person may file an application 3772
under section 2953.37 of the Revised Code requesting the 3773
expungement of the record of conviction. 3774

(b) The attorney general shall develop a public media 3775
advisory that summarizes the expungement procedure established 3776
under section 2953.37 of the Revised Code and the offenders 3777
identified in division (H) (2) (a) of this section who are 3778
authorized to apply for the expungement. Within thirty days 3779
after September 30, 2011, the attorney general shall provide a 3780
copy of the advisory to each daily newspaper published in this 3781
state and each television station that broadcasts in this state. 3782
The attorney general may provide the advisory in a tangible 3783
form, an electronic form, or in both tangible and electronic 3784
forms. 3785

(I) Whoever violates this section is guilty of improperly 3786
handling firearms in a motor vehicle. ~~Violation~~ A violation of 3787

division (A) of this section is a felony of the fourth degree. 3788
~~Violation~~ A violation of division (C) of this section is a 3789
misdemeanor of the fourth degree. A violation of division (D) of 3790
this section is a felony of the fifth degree or, if the loaded 3791
~~handgun~~ firearm is concealed on the person's person, a felony of 3792
the fourth degree. ~~Except as otherwise provided in this~~ 3793
~~division, a violation of division (E) (1) or (2) of this section~~ 3794
~~is a misdemeanor of the first degree, and, in addition to any~~ 3795
~~other penalty or sanction imposed for the violation, the~~ 3796
~~offender's concealed handgun license shall be suspended pursuant~~ 3797
~~to division (A) (2) of section 2923.128 of the Revised Code. If~~ 3798
~~at the time of the stop of the offender for a traffic stop, for~~ 3799
~~another law enforcement purpose, or for a purpose defined in~~ 3800
~~section 5503.34 of the Revised Code that was the basis of the~~ 3801
~~violation any law enforcement officer involved with the stop or~~ 3802
~~the employee of the motor carrier enforcement unit who made the~~ 3803
~~stop had actual knowledge of the offender's status as a~~ 3804
~~licensee, a violation of division (E) (1) or (2) of this section~~ 3805
~~is a minor misdemeanor, and the offender's concealed handgun~~ 3806
~~license shall not be suspended pursuant to division (A) (2) of~~ 3807
~~section 2923.128 of the Revised Code.~~ A violation of division 3808
(E) (4) of this section is a felony of the fifth degree. A 3809
violation of division (E) (3) or (5) of this section is a 3810
misdemeanor of the first degree or, if the offender previously 3811
has been convicted of or pleaded guilty to a violation of 3812
division (E) (3) or (5) of this section, a felony of the fifth 3813
degree. In addition to any other penalty or sanction imposed for 3814
a misdemeanor violation of division (E) (3) or (5) of this 3815
section, if the offender has been issued a concealed weapons 3816
license, the offender's ~~concealed handgun~~ license shall be 3817
suspended pursuant to division (A) (2) of section 2923.128 of the 3818
Revised Code. A violation of division (B) of this section is a 3819

felony of the fourth degree. 3820

(J) If a law enforcement officer stops a motor vehicle for 3821
a traffic stop or any other purpose, if any person in the motor 3822
vehicle surrenders a ~~firearm~~deadly weapon to the officer, 3823
either voluntarily or pursuant to a request or demand of the 3824
officer, and if the officer does not charge the person with a 3825
violation of this section or arrest the person for any offense, 3826
the person is not otherwise prohibited by law from possessing 3827
the ~~firearm~~deadly weapon, and the ~~firearm~~deadly weapon is not 3828
contraband, the officer shall return the ~~firearm~~deadly weapon 3829
to the person at the termination of the stop. If a court orders 3830
a law enforcement officer to return a ~~firearm~~deadly weapon to a 3831
person pursuant to the requirement set forth in this division, 3832
division (B) of section 2923.163 of the Revised Code applies. 3833

(K) As used in this section: 3834

(1) "Motor vehicle," "street," and "highway" have the same 3835
meanings as in section 4511.01 of the Revised Code. 3836

(2) "Occupied structure" has the same meaning as in 3837
section 2909.01 of the Revised Code. 3838

(3) "Agriculture" has the same meaning as in section 3839
519.01 of the Revised Code. 3840

(4) "Tenant" has the same meaning as in section 1531.01 of 3841
the Revised Code. 3842

(5) (a) "Unloaded" means, with respect to a firearm other 3843
than a firearm described in division (K) (6) of this section, 3844
that no ammunition is in the firearm in question, no magazine or 3845
speed loader containing ammunition is inserted into the firearm 3846
in question, and one of the following applies: 3847

(i) There is no ammunition in a magazine or speed loader 3848
that is in the vehicle in question and that may be used with the 3849
firearm in question. 3850

(ii) Any magazine or speed loader that contains ammunition 3851
and that may be used with the firearm in question is stored in a 3852
compartment within the vehicle in question that cannot be 3853
accessed without leaving the vehicle or is stored in a container 3854
that provides complete and separate enclosure. 3855

(b) For the purposes of division (K) (5) (a) (ii) of this 3856
section, a "container that provides complete and separate 3857
enclosure" includes, but is not limited to, any of the 3858
following: 3859

(i) A package, box, or case with multiple compartments, as 3860
long as the loaded magazine or speed loader and the firearm in 3861
question either are in separate compartments within the package, 3862
box, or case, or, if they are in the same compartment, the 3863
magazine or speed loader is contained within a separate 3864
enclosure in that compartment that does not contain the firearm 3865
and that closes using a snap, button, buckle, zipper, hook and 3866
loop closing mechanism, or other fastener that must be opened to 3867
access the contents or the firearm is contained within a 3868
separate enclosure of that nature in that compartment that does 3869
not contain the magazine or speed loader; 3870

(ii) A pocket or other enclosure on the person of the 3871
person in question that closes using a snap, button, buckle, 3872
zipper, hook and loop closing mechanism, or other fastener that 3873
must be opened to access the contents. 3874

(c) For the purposes of divisions (K) (5) (a) and (b) of 3875
this section, ammunition held in stripper-clips or in en-bloc 3876

clips is not considered ammunition that is loaded into a 3877
magazine or speed loader. 3878

(6) "Unloaded" means, with respect to a firearm employing 3879
a percussion cap, flintlock, or other obsolete ignition system, 3880
when the weapon is uncapped or when the priming charge is 3881
removed from the pan. 3882

(7) "Commercial motor vehicle" has the same meaning as in 3883
division (A) of section 4506.25 of the Revised Code. 3884

(8) "Motor carrier enforcement unit" means the motor 3885
carrier enforcement unit in the department of public safety, 3886
division of state highway patrol, that is created by section 3887
5503.34 of the Revised Code. 3888

(L) Divisions (K) (5) (a) and (b) of this section do not 3889
affect the authority of a person who ~~is carrying~~ has been issued 3890
a ~~valid concealed handgun weapons license~~ that is valid at the 3891
time of the possession, who is an active duty member of the 3892
armed forces of the United States and has been issued a valid 3893
military identification card and documentation of successful 3894
completion of firearms training that meets or exceeds the 3895
training requirements described in division (G) (1) of section 3896
2923.125 of the Revised Code that is valid at the time of the 3897
possession, or who is at least twenty-one years of age and not 3898
prohibited under the law of this state or the United States from 3899
possessing a firearm to have one or more magazines or speed 3900
loaders containing ammunition anywhere in a vehicle, without 3901
being transported as described in those divisions, as long as no 3902
ammunition is in a firearm, other than a handgun, in the vehicle 3903
other than as permitted under any other provision of this 3904
chapter. A person who ~~is carrying~~ has been issued a valid 3905
~~concealed handgun weapons license~~ that is valid at the time of 3906

the possession, who is an active duty member of the armed forces 3907
of the United States and has been issued a valid military 3908
identification card and documentation of successful completion 3909
of firearms training that meets or exceeds the training 3910
requirements described in division (G) (1) of section 2923.125 of 3911
the Revised Code that is valid at the time of the possession, or 3912
who is at least twenty-one years of age and not prohibited under 3913
the law of this state or the United States from possessing a 3914
firearm may have one or more magazines or speed loaders 3915
containing ammunition anywhere in a vehicle without further 3916
restriction, as long as no ammunition is in a firearm, other 3917
than a handgun, in the vehicle other than as permitted under any 3918
provision of this chapter. 3919

Sec. 2953.37. (A) As used in this section: 3920

(1) "Expunge" means to destroy, delete, and erase a record 3921
as appropriate for the record's physical or electronic form or 3922
characteristic so that the record is permanently irretrievable. 3923

(2) "Official records" has the same meaning as in section 3924
2953.51 of the Revised Code. 3925

(3) "Prosecutor" has the same meaning as in section 3926
2953.31 of the Revised Code. 3927

(4) "Record of conviction" means the record related to a 3928
conviction of or plea of guilty to an offense. 3929

(B) Any person who is convicted of, was convicted of, 3930
pleads guilty to, or has pleaded guilty to a violation of 3931
division (B), (C), or (E) of section 2923.16 of the Revised Code 3932
as the division existed prior to September 30, 2011, and who is 3933
authorized by division (H) (2) (a) of that section to file an 3934
application under this section for the expungement of the 3935

conviction record may apply to the sentencing court for the 3936
expungement of the record of conviction. The person may file the 3937
application at any time on or after September 30, 2011. The 3938
application shall do all of the following: 3939

(1) Identify the applicant, the offense for which the 3940
expungement is sought, the date of the conviction of or plea of 3941
guilty to that offense, and the court in which the conviction 3942
occurred or the plea of guilty was entered; 3943

(2) Include evidence that the offense was a violation of 3944
division (B), (C), or (E) of section 2923.16 of the Revised Code 3945
as the division existed prior to September 30, 2011, and that 3946
the applicant is authorized by division (H) (2) (a) of that 3947
section to file an application under this section; 3948

(3) Include a request for expungement of the record of 3949
conviction of that offense under this section. 3950

(C) Upon the filing of an application under division (B) 3951
of this section and the payment of the fee described in division 3952
(D) (3) of this section if applicable, the court shall set a date 3953
for a hearing and shall notify the prosecutor for the case of 3954
the hearing on the application. The prosecutor may object to the 3955
granting of the application by filing an objection with the 3956
court prior to the date set for the hearing. The prosecutor 3957
shall specify in the objection the reasons for believing a 3958
denial of the application is justified. The court shall direct 3959
its regular probation officer, a state probation officer, or the 3960
department of probation of the county in which the applicant 3961
resides to make inquiries and written reports as the court 3962
requires concerning the applicant. The court shall hold the 3963
hearing scheduled under this division. 3964

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

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

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

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

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

(2) (a) The court may order the expungement of all official records pertaining to the case and the deletion of all index references to the case and, if it does order the expungement, shall send notice of the order to each public office or agency that the court has reason to believe may have an official record

pertaining to the case if the court, after complying with 3994
division (D)(1) of this section, determines both of the 3995
following: 3996

(i) That the applicant has been convicted of or pleaded 3997
guilty to a violation of division (E) of section 2923.16 of the 3998
Revised Code as it existed prior to September 30, 2011, and the 3999
conduct that was the basis of the violation no longer would be a 4000
violation of that division on or after September 30, 2011, or 4001
that the applicant has been convicted of or pleaded guilty to a 4002
violation of division (B) or (C) of section 2923.16 of the 4003
Revised Code as the division existed prior to September 30, 4004
2011, and the conduct that was the basis of the violation no 4005
longer would be a violation of that division on or after 4006
September 30, 2011, due to the application of division (F)(5) of 4007
that section as it exists on and after September 30, 2011; 4008

(ii) That the interests of the applicant in having the 4009
records pertaining to the applicant's conviction or guilty plea 4010
expunged are not outweighed by any legitimate needs of the 4011
government to maintain those records. 4012

(b) The proceedings in the case that is the subject of an 4013
order issued under division (D)(2)(a) of this section shall be 4014
considered not to have occurred and the conviction or guilty 4015
plea of the person who is the subject of the proceedings shall 4016
be expunged. The record of the conviction shall not be used for 4017
any purpose, including, but not limited to, a criminal records 4018
check under section 109.572 of the Revised Code or a 4019
determination under section 2923.125 or 2923.1213 of the Revised 4020
Code of eligibility for a concealed ~~handgun~~ weapons license. The 4021
applicant may, and the court shall, reply that no record exists 4022
with respect to the applicant upon any inquiry into the matter. 4023

(3) Upon the filing of an application under this section, 4024
the applicant, unless indigent, shall pay a fee of fifty 4025
dollars. The court shall pay thirty dollars of the fee into the 4026
state treasury and shall pay twenty dollars of the fee into the 4027
county general revenue fund. 4028

Sec. 4749.10. (A) No class A, B, or C licensee and no 4029
registered employee of a class A, B, or C licensee shall carry a 4030
firearm, as defined in section 2923.11 of the Revised Code, in 4031
the course of engaging in the business of private investigation, 4032
the business of security services, or both businesses, unless 4033
all of the following apply: 4034

(1) The licensee or employee either has successfully 4035
completed a basic firearm training program at a training school 4036
approved by the Ohio peace officer training commission, which 4037
program includes twenty hours of training in handgun use and, if 4038
any firearm other than a handgun is to be used, five hours of 4039
training in the use of other firearms, and has received a 4040
certificate of satisfactory completion of that program from the 4041
executive director of the commission; the licensee or employee 4042
has, within three years prior to November 27, 1985, 4043
satisfactorily completed firearms training that has been 4044
approved by the commission as being equivalent to such a program 4045
and has received written evidence of approval of that training 4046
from the executive director of the commission; or the licensee 4047
or employee is a former peace officer, as defined in section 4048
109.71 of the Revised Code, who previously had successfully 4049
completed a firearms training course at a training school 4050
approved by the Ohio peace officer training commission and has 4051
received a certificate or other evidence of satisfactory 4052
completion of that course from the executive director of the 4053
commission. 4054

(2) The licensee or employee submits an application to the 4055
director of public safety, on a form prescribed by the director, 4056
in which the licensee or employee requests registration as a 4057
class A, B, or C licensee or employee who may carry a firearm. 4058
The application shall be accompanied by a copy of the 4059
certificate or the written evidence or other evidence described 4060
in division (A)(1) of this section, the identification card 4061
issued pursuant to section 4749.03 or 4749.06 of the Revised 4062
Code if one has previously been issued, a statement of the 4063
duties that will be performed while the licensee or employee is 4064
armed, and a fee the director determines, not to exceed fifteen 4065
dollars. In the case of a registered employee, the statement 4066
shall be prepared by the employing class A, B, or C licensee. 4067

(3) The licensee or employee receives a notation on the 4068
licensee's or employee's identification card that the licensee 4069
or employee is a firearm-bearer and carries the identification 4070
card whenever the licensee or employee carries a firearm in the 4071
course of engaging in the business of private investigation, the 4072
business of security services, or both businesses. 4073

(4) At any time within the immediately preceding twelve- 4074
month period, the licensee or employee has requalified in 4075
firearms use on a firearms training range at a firearms 4076
requalification program certified by the Ohio peace officer 4077
training commission or on a firearms training range under the 4078
supervision of an instructor certified by the commission and has 4079
received a certificate of satisfactory requalification from the 4080
certified program or certified instructor, provided that this 4081
division does not apply to any licensee or employee prior to the 4082
expiration of eighteen months after the licensee's or employee's 4083
completion of the program described in division (A)(1) of this 4084
section. A certificate of satisfactory requalification is valid 4085

and remains in effect for twelve months from the date of the 4086
requalification. 4087

(5) If division (A) (4) of this section applies to the 4088
licensee or employee, the licensee or employee carries the 4089
certificate of satisfactory requalification that then is in 4090
effect or any other evidence of requalification issued or 4091
provided by the director. 4092

(B) (1) The director of public safety shall register an 4093
applicant under division (A) of this section who satisfies 4094
divisions (A) (1) and (2) of this section, and place a notation 4095
on the applicant's identification card indicating that the 4096
applicant is a firearm-bearer and the date on which the 4097
applicant completed the program described in division (A) (1) of 4098
this section. 4099

(2) A firearms requalification training program or 4100
instructor certified by the commission for the annual 4101
requalification of class A, B, or C licensees or employees who 4102
are authorized to carry a firearm under section 4749.10 of the 4103
Revised Code shall award a certificate of satisfactory 4104
requalification to each class A, B, or C licensee or registered 4105
employee of a class A, B, or C licensee who satisfactorily 4106
requalifies in firearms training. The certificate shall identify 4107
the licensee or employee and indicate the date of the 4108
requalification. A licensee or employee who receives such a 4109
certificate shall submit a copy of it to the director of public 4110
safety. A licensee shall submit the copy of the requalification 4111
certificate at the same time that the licensee makes application 4112
for renewal of the licensee's class A, B, or C license. The 4113
director shall keep a record of all copies of requalification 4114
certificates the director receives under this division and shall 4115

establish a procedure for the updating of identification cards 4116
to provide evidence of compliance with the annual 4117
requalification requirement. The procedure for the updating of 4118
identification cards may provide for the issuance of a new card 4119
containing the evidence, the entry of a new notation containing 4120
the evidence on the existing card, the issuance of a separate 4121
card or paper containing the evidence, or any other procedure 4122
determined by the director to be reasonable. Each person who is 4123
issued a requalification certificate under this division 4124
promptly shall pay to the Ohio peace officer training commission 4125
established by section 109.71 of the Revised Code a fee the 4126
director determines, not to exceed fifteen dollars, which fee 4127
shall be transmitted to the treasurer of state for deposit in 4128
the peace officer private security fund established by section 4129
109.78 of the Revised Code. 4130

(C) Nothing in this section prohibits a private 4131
investigator or a security guard provider from carrying a 4132
concealed ~~handgun~~ deadly weapon that is not a restricted deadly 4133
weapon if the private investigator or security guard provider 4134
complies with sections 2923.124 to 2923.1213 of the Revised 4135
Code. 4136

(D) As used in this section, "restricted deadly weapon" 4137
has the same meaning as in section 2923.11 of the Revised Code. 4138

Section 2. That existing sections 9.68, 109.69, 109.731, 4139
311.41, 311.42, 311.43, 1547.69, 2921.13, 2923.11, 2923.12, 4140
2923.121, 2923.122, 2923.123, 2923.124, 2923.125, 2923.126, 4141
2923.127, 2923.128, 2923.129, 2923.1210, 2923.1211, 2923.1212, 4142
2923.1213, 2923.16, 2953.37, and 4749.10 of the Revised Code are 4143
hereby repealed. 4144

Section 3. The General Assembly, applying the principle 4145

stated in division (B) of section 1.52 of the Revised Code that 4146
amendments are to be harmonized if reasonably capable of 4147
simultaneous operation, finds that the following section, 4148
presented in this act as a composite of the section as amended 4149
by the acts indicated, is the resulting version of the section 4150
in effect prior to the effective date of the section as 4151
presented in this act: 4152

Section 2923.1213 of the Revised Code as amended by both 4153
H.B. 234 and S.B. 43 of the 130th General Assembly. 4154

Section 2953.37 of the Revised Code as amended by both 4155
H.B. 228 and H.B. 425 of the 132nd General Assembly. 4156