

As Passed by the House

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Sub. S. B. No. 257

Senators Uecker, O'Brien

Cosponsors: Senators Huffman, Hottinger, LaRose, Lehner, Wilson, Beagle, Sykes, Skindell, Gardner, Balderson, Brown, Burke, Coley, Dolan, Hackett, Hoagland, Manning, McColley, Obhof, Oelslager, Peterson, Schiavoni, Tavares, Terhar, Yuko Representatives Landis, O'Brien, Wiggam, Anielski, Antani, Arndt, Blessing, Brenner, Brown, Carfagna, Cera, Clyde, Craig, Cupp, Dean, Dever, Edwards, Faber, Gavarone, Ginter, Green, Greenspan, Hambley, Hoops, Johnson, Kick, Leland, Lepore-Hagan, Miller, Patterson, Patton, Pelanda, Perales, Ramos, Retherford, Rezabek, Riedel, Rogers, Ryan, Schaffer, Scherer, Schuring, Seitz, Sheehy, Stein, Strahorn, Sweeney, Thompson, Vitale, West, Wilkin, Young, Speaker Smith

A BILL

To amend sections 1531.01, 1533.01, 1533.10,	1
1533.101, 1533.102, 1533.103, 1533.11, 1533.111,	2
1533.13, 1533.32, and 2923.16 and to enact	3
sections 1533.321 and 1533.38 of the Revised	4
Code to make changes to the laws governing	5
hunting and fishing.	6

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

Section 1. That sections 1531.01, 1533.01, 1533.10,	7
1533.101, 1533.102, 1533.103, 1533.11, 1533.111, 1533.13,	8
1533.32, and 2923.16 be amended and sections 1533.321 and	9
1533.38 of the Revised Code be enacted to read as follows:	10

Sec. 1531.01. As used in this chapter and Chapter 1533. of	11
the Revised Code:	12

(A) "Person" means a person as defined in section 1.59 of 13
the Revised Code or a company; an employee, agent, or officer of 14
such a person or company; a combination of individuals; the 15
state; a political subdivision of the state; an interstate body 16
created by a compact; or the federal government or a department, 17
agency, or instrumentality of it. 18

(B) "Resident" means any individual who has resided in 19
this state for not less than six months preceding the date of 20
making application for a license or permit. 21

(C) "Nonresident" means any individual who does not 22
qualify as a resident. 23

(D) "Division rule" or "rule" means any rule adopted by 24
the chief of the division of wildlife under section 1531.10 of 25
the Revised Code unless the context indicates otherwise. 26

(E) "Closed season" means that period of time during which 27
the taking of wild animals protected by this chapter and Chapter 28
1533. of the Revised Code is prohibited. 29

(F) "Open season" means that period of time during which 30
the taking of wild animals protected by this chapter and Chapter 31
1533. of the Revised Code is permitted. 32

(G) "Take or taking" includes pursuing, shooting, hunting, 33
killing, trapping, angling, fishing with a trotline, or netting 34
any clam, mussel, crayfish, aquatic insect, fish, frog, turtle, 35
wild bird, or wild quadruped, and any lesser act, such as 36
wounding, or placing, setting, drawing, or using any other 37
device for killing or capturing any wild animal, whether it 38
results in killing or capturing the animal or not. "Take or 39
taking" includes every attempt to kill or capture and every act 40
of assistance to any other person in killing or capturing or 41

attempting to kill or capture a wild animal. 42

(H) "Possession" means both actual and constructive 43
possession and any control of things referred to. 44

(I) "Bag limit" means the number, measurement, or weight 45
of any kind of crayfish, aquatic insects, fish, frogs, turtles, 46
wild birds, and wild quadrupeds permitted to be taken. 47

(J) "Transport and transportation" means carrying or 48
moving or causing to be carried or moved. 49

(K) "Sell and sale" means barter, exchange, or offer or 50
expose for sale. 51

(L) "Whole to include part" means that every provision 52
relating to any wild animal protected by this chapter and 53
Chapter 1533. of the Revised Code applies to any part of the 54
wild animal with the same effect as it applies to the whole. 55

(M) "Angling" means fishing with not more than two hand 56
lines, not more than two units of rod and line, or a combination 57
of not more than one hand line and one rod and line, either in 58
hand or under control at any time while fishing. The hand line 59
or rod and line shall have attached to it not more than three 60
baited hooks, not more than three artificial fly rod lures, or 61
one artificial bait casting lure equipped with not more than 62
three sets of three hooks each. 63

(N) "Trotline" means a device for catching fish that 64
consists of a line having suspended from it, at frequent 65
intervals, vertical lines with hooks attached. 66

(O) "Fish" means a cold-blooded vertebrate having fins. 67

(P) "Measurement of fish" means length from the end of the 68
nose to the longest tip or end of the tail. 69

(Q) "Wild birds" includes game birds and nongame birds.	70
(R) "Game" includes game birds, game quadrupeds, and fur-bearing animals.	71 72
(S) "Game birds" includes mourning doves, ringneck pheasants, bobwhite quail, ruffed grouse, sharp-tailed grouse, pinnated grouse, wild turkey, Hungarian partridge, Chukar partridge, woodcocks, black-breasted plover, golden plover, Wilson's snipe or jacksnipe, greater and lesser yellowlegs, rail, coots, gallinules, duck, geese, brant, and crows.	73 74 75 76 77 78
(T) "Nongame birds" includes all other wild birds not included and defined as game birds or migratory game birds.	79 80
(U) "Wild quadrupeds" includes game quadrupeds and fur-bearing animals.	81 82
(V) "Game quadrupeds" includes cottontail rabbits, gray squirrels, black squirrels, fox squirrels, red squirrels, flying squirrels, chipmunks, groundhogs or woodchucks, white-tailed deer, wild boar, elk, and black bears.	83 84 85 86
(W) "Fur-bearing animals" includes minks, weasels, raccoons, skunks, opossums, muskrats, fox, beavers, badgers, otters, coyotes, and bobcats.	87 88 89
(X) "Wild animals" includes mollusks, crustaceans, aquatic insects, fish, reptiles, amphibians, wild birds, wild quadrupeds, and all other wild mammals, but does not include domestic deer.	90 91 92 93
(Y) "Hunting" means pursuing, shooting, killing, following after or on the trail of, lying in wait for, shooting at, or wounding wild birds or wild quadrupeds while employing any device commonly used to kill or wound wild birds or wild	94 95 96 97

quadrupeds whether or not the acts result in killing or 98
wounding. "Hunting" includes every attempt to kill or wound and 99
every act of assistance to any other person in killing or 100
wounding or attempting to kill or wound wild birds or wild 101
quadrupeds. 102

(Z) "Trapping" means securing or attempting to secure 103
possession of a wild bird or wild quadruped by means of setting, 104
placing, drawing, or using any device that is designed to close 105
upon, hold fast, confine, or otherwise capture a wild bird or 106
wild quadruped whether or not the means results in capture. 107
"Trapping" includes every act of assistance to any other person 108
in capturing wild birds or wild quadrupeds by means of the 109
device whether or not the means results in capture. 110

(AA) "Muskrat spear" means any device used in spearing 111
muskrats. 112

(BB) "Channels and passages" means those narrow bodies of 113
water lying between islands or between an island and the 114
mainland in Lake Erie. 115

(CC) "Island" means a rock or land elevation above the 116
waters of Lake Erie having an area of five or more acres above 117
water. 118

(DD) "Reef" means an elevation of rock, either broken or 119
in place, or gravel shown by the latest United States chart to 120
be above the common level of the surrounding bottom of the lake, 121
other than the rock bottom, or in place forming the base or 122
foundation rock of an island or mainland and sloping from the 123
shore of it. "Reef" also means all elevations shown by that 124
chart to be above the common level of the sloping base or 125
foundation rock of an island or mainland, whether running from 126

the shore of an island or parallel with the contour of the shore 127
of an island or in any other way and whether formed by rock, 128
broken or in place, or from gravel. 129

(EE) "Fur farm" means any area used exclusively for 130
raising fur-bearing animals or in addition thereto used for 131
hunting game, the boundaries of which are plainly marked as 132
such. 133

(FF) "Waters" includes any lake, pond, reservoir, stream, 134
channel, lagoon, or other body of water, or any part thereof, 135
whether natural or artificial. 136

(GG) "Crib" or "car" refers to that particular compartment 137
of the net from which the fish are taken when the net is lifted. 138

(HH) "Commercial fish" means those species of fish 139
permitted to be taken, possessed, bought, or sold unless 140
otherwise restricted by the Revised Code or division rule and 141
are alewife (*Alosa pseudoharengus*), American eel (*Anguilla* 142
rostrata), bowfin (*Amia calva*), burbot (*Lota lota*), carp 143
(*Cyprinus carpio*), smallmouth buffalo (*Ictiobus bubalus*), 144
bigmouth buffalo (*Ictiobus cyprinellus*), black bullhead 145
(*Ictalurus melas*), yellow bullhead (*Ictalurus natalis*), brown 146
bullhead (*Ictalurus nebulosus*), channel catfish (*Ictalurus* 147
punctatus), flathead catfish (*Pylodictis olivaris*), whitefish 148
(*Coregonus* sp.), cisco (*Coregonus* sp.), freshwater drum or 149
sheepshead (*Aplodinotus grunniens*), gar (*Lepisosteus* sp.), 150
gizzard shad (*Dorosoma cepedianum*), goldfish (*Carassius* 151
auratus), lake trout (*Salvelinus namaycush*), mooneye (*Hiodon* 152
tergisus), quillback (*Carpiodes cyprinus*), smelt (*Allosmerus* 153
elongatus, *Hypomesus* sp., *Osmerus* sp., *Spirinchus* sp.), sturgeon 154
(*Acipenser* sp., *Scaphirhynchus* sp.), sucker other than buffalo 155
and quillback (*Carpiodes* sp., *Catostomus* sp., *Hypentelium* sp., 156

Minytrema sp., Moxostoma sp.), white bass (Morone chrysops), 157
white perch (Roccus americanus), and yellow perch (Perca 158
flavescens). When the common name of a fish is used in this 159
chapter or Chapter 1533. of the Revised Code, it refers to the 160
fish designated by the scientific name in this definition. 161

(II) "Fishing" means taking or attempting to take fish by 162
any method, and all other acts such as placing, setting, 163
drawing, or using any device commonly used to take fish whether 164
resulting in a taking or not. 165

(JJ) "Fillet" means the pieces of flesh taken or cut from 166
both sides of a fish, joined to form one piece of flesh. 167

(KK) "Part fillet" means a piece of flesh taken or cut 168
from one side of a fish. 169

(LL) "Round" when used in describing fish means with head 170
and tail intact. 171

(MM) "Migrate" means the transit or movement of fish to or 172
from one place to another as a result of natural forces or 173
instinct and includes, but is not limited to, movement of fish 174
induced or caused by changes in the water flow. 175

(NN) "Spreader bar" means a brail or rigid bar placed 176
across the entire width of the back, at the top and bottom of 177
the cars in all trap, crib, and fyke nets for the purpose of 178
keeping the meshes hanging squarely while the nets are fishing. 179

(OO) "Fishing guide" means any person who, for 180
consideration or hire, operates a boat, rents, leases, or 181
otherwise furnishes angling devices, ice fishing shanties or 182
shelters of any kind, or other fishing equipment, and 183
accompanies, guides, directs, or assists any other person in 184
order for the other person to engage in fishing. 185

(PP) "Net" means fishing devices with meshes composed of 186
twine or synthetic material and includes, but is not limited to, 187
trap nets, fyke nets, crib nets, carp aprons, dip nets, and 188
seines, except minnow seines and minnow dip nets. 189

(QQ) "Commercial fishing gear" means seines, trap nets, 190
fyke nets, dip nets, carp aprons, trotlines, other similar gear, 191
and any boat used in conjunction with that gear, but does not 192
include gill nets. 193

(RR) "Native wildlife" means any species of the animal 194
kingdom indigenous to this state. 195

(SS) "Gill net" means a single section of fabric or 196
netting seamed to a float line at the top and a lead line at the 197
bottom, which is designed to entangle fish in the net openings 198
as they swim into it. 199

(TT) "Tag fishing tournament" means a contest in which a 200
participant pays a fee, or gives other valuable consideration, 201
for a chance to win a prize by virtue of catching a tagged or 202
otherwise specifically marked fish within a limited period of 203
time. 204

(UU) "Tenant" means an individual who resides on land for 205
which the individual pays rent and whose annual income is 206
primarily derived from agricultural production conducted on that 207
land, as "agricultural production" is defined in section 929.01 208
of the Revised Code. 209

(VV) "Nonnative wildlife" means any wild animal not 210
indigenous to this state, but does not include domestic deer. 211

(WW) "Reptiles" includes common musk turtle (*sternotherus* 212
odoratus), common snapping turtle (*Chelydra serpentina* 213
serpentina), spotted turtle (*Clemmys guttata*), eastern box 214

turtle (<i>Terrapene carolina carolina</i>), Blanding's turtle	215
(<i>Emydoidea blandingii</i>), common map turtle (<i>Graptemys</i>	216
<i>geographica</i>), ouachita map turtle (<i>Graptemys pseudogeographica</i>	217
<i>ouachitensis</i>), midland painted turtle (<i>Chrysemys picta</i>	218
<i>marginata</i>), red-eared slider (<i>Trachemys scripta elegans</i>),	219
eastern spiny softshell turtle (<i>Apalone spinifera spinifera</i>),	220
midland smooth softshell turtle (<i>Apalone mutica mutica</i>),	221
northern fence lizard (<i>Sceloporus undulatus hyacinthinus</i>),	222
ground skink (<i>Scincella lateralis</i>), five-lined skink (<i>Eumeces</i>	223
<i>fasciatus</i>), broadhead skink (<i>Eumeces laticeps</i>), northern coal	224
skink (<i>Eumeces anthracinus anthracinus</i>), European wall lizard	225
(<i>Podarcis muralis</i>), queen snake (<i>Regina septemvittata</i>),	226
Kirtland's snake (<i>Clonophis kirtlandii</i>), northern water snake	227
(<i>Nerodia sipedon sipedon</i>), Lake Erie watersnake (<i>Nerodia sipedon</i>	228
<i>insularum</i>), copperbelly water snake (<i>Nerodia erythrogaster</i>	229
<i>neglecta</i>), northern brown snake (<i>Storeria dekayi dekayi</i>),	230
midland brown snake (<i>Storeria dekayi wrightorum</i>), northern	231
redbelly snake (<i>Storeria occipitomaculata occipitomaculata</i>),	232
eastern garter snake (<i>Thamnophis sirtalis sirtalis</i>), eastern	233
plains garter snake (<i>Thamnophis radix radix</i>), Butler's garter	234
snake (<i>Thamnophis butleri</i>), shorthead garter snake (<i>Thamnophis</i>	235
<i>brachystoma</i>), eastern ribbon snake (<i>Thamnophis sauritus</i>	236
<i>sauritus</i>), northern ribbon snake (<i>Thamnophis sauritus</i>	237
<i>septentrionalis</i>), eastern hognose snake (<i>Heterodon platirhinos</i>),	238
eastern smooth earth snake (<i>Virginia valeriae valeriae</i>),	239
northern ringneck snake (<i>Diadophis punctatus edwardsii</i>), midwest	240
worm snake (<i>Carphophis amoenus helenae</i>), eastern worm snake	241
(<i>Carphophis amoenus amoenus</i>), black racer (<i>Coluber constrictor</i>	242
<i>constrictor</i>), blue racer (<i>Coluber constrictor foxii</i>), rough	243
green snake (<i>Opheodrys aestivus</i>), smooth green snake (<i>Opheodrys</i>	244
<i>vernalis vernalis</i>), black rat snake (<i>Elaphe obsoleta obsoleta</i>),	245
eastern fox snake (<i>Elaphe vulpina gloydi</i>), black kingsnake	246

(<i>Lampropeltis getula nigra</i>), eastern milk snake (<i>Lampropeltis</i>	247
<i>triangulum triangulum</i>), northern copperhead (<i>Agkistrodon</i>	248
<i>contortrix mokasen</i>), eastern massasauga (<i>Sistrurus catenatus</i>	249
<i>catenatus</i>), and timber rattlesnake (<i>Crotalus horridus horridus</i>).	250
(XX) "Amphibians" includes eastern hellbender	251
(<i>Cryptobranchus alleganiensis alleganiensis</i>), mudpuppy (<i>Necturus</i>	252
<i>maculosus maculosus</i>), red-spotted newt (<i>Notophthalmus</i>	253
<i>viridescens viridescens</i>), Jefferson salamander (<i>Ambystoma</i>	254
<i>jeffersonianum</i>), spotted salamander (<i>Ambystoma maculatum</i>), blue-	255
spotted salamander (<i>Ambystoma laterale</i>), smallmouth salamander	256
(<i>Ambystoma texanum</i>), streamside salamander (<i>Ambystoma barbouri</i>),	257
marbled salamander (<i>Ambystoma opacum</i>), eastern tiger salamander	258
(<i>Ambystoma tigrinum tigrinum</i>), northern dusky salamander	259
(<i>Desmognathus fuscus fuscus</i>), mountain dusky salamander	260
(<i>Desmognathus ochrophaeus</i>), redback salamander (<i>Plethodon</i>	261
<i>cinereus</i>), ravine salamander (<i>Plethodon richmondi</i>), northern	262
slimy salamander (<i>Plethodon glutinosus</i>), Wehrle's salamander	263
(<i>Plethodon wehrlei</i>), four-toed salamander (<i>Hemidactylium</i>	264
<i>scutatum</i>), Kentucky spring salamander (<i>Gyrinophilus</i>	265
<i>porphyriticus duryi</i>), northern spring salamander (<i>Gyrinophilus</i>	266
<i>porphyriticus porphyriticus</i>), mud salamander (<i>Pseudotriton</i>	267
<i>montanus</i>), northern red salamander (<i>Pseudotriton ruber ruber</i>),	268
green salamander (<i>Aneides aeneus</i>), northern two-lined salamander	269
(<i>Eurycea bislineata</i>), longtail salamander (<i>Eurycea longicauda</i>	270
<i>longicauda</i>), cave salamander (<i>Eurycea lucifuga</i>), southern two-	271
lined salamander (<i>Eurycea cirrigera</i>), Fowler's toad (<i>Bufo</i>	272
<i>woodhousii fowleri</i>), American toad (<i>Bufo americanus</i>), eastern	273
spadefoot (<i>Scaphiopus holbrookii</i>), Blanchard's cricket frog	274
(<i>Acris crepitans blanchardi</i>), northern spring peeper (<i>Pseudacris</i>	275
<i>crucifer crucifer</i>), gray treefrog (<i>Hyla versicolor</i>), Cope's gray	276
treefrog (<i>Hyla chrysoscelis</i>), western chorus frog (<i>Pseudacris</i>	277

triseriata triseriata), mountain chorus frog (*Pseudacris* 278
brachyphona), bullfrog (*Rana catesbeiana*), green frog (*Rana* 279
clamitans melanota), northern leopard frog (*Rana pipiens*), 280
pickerel frog (*Rana palustris*), southern leopard frog (*Rana* 281
utricularia), and wood frog (*Rana sylvatica*). 282

(YY) "Deer" means white-tailed deer (*Odocoileus* 283
virginianus). 284

(ZZ) "Domestic deer" means nonnative deer that have been 285
legally acquired or their offspring and that are held in private 286
ownership for primarily agricultural purposes. 287

(AAA) "Migratory game bird" includes waterfowl (*Anatidae*); 288
doves (*Columbidae*); cranes (*Gruidae*); cormorants 289
(*Phalacrocoracidae*); rails, coots, and gallinules (*Rallidae*); 290
and woodcock and snipe (*Scolopacidae*). 291

(BBB) "Accompany" means to go along with another person 292
while staying within a distance from the person that enables 293
uninterrupted, unaided visual and auditory communication. 294

(CCC) ~~"Electric powered all purpose All-purpose vehicle"~~ 295
means any ~~battery-powered self-propelled electric vehicle~~ that 296
is designed primarily for cross-country travel on land, water, 297
or land and water and that is steered by wheels, caterpillar 298
treads, or a combination of wheels and caterpillar treads and 299
includes vehicles that operate on a cushion of air, vehicles 300
commonly known as all-terrain vehicles, all-season vehicles, 301
mini-bikes, and trail bikes. ~~"Electric powered all purpose~~ 302
~~vehicle"~~ does not include a utility vehicle as defined in 303
section 4501.01 of the Revised Code, any vehicle that is 304
principally used in playing golf, any motor vehicle or aircraft 305
that is required to be registered under Chapter 4503. or 4561. 306

~~of the Revised Code, or any vehicle that is excluded from the~~ 307
~~definition of "motor vehicle" as provided in division (B) of~~ 308
~~section 4501.01 of the Revised Code.~~ 309

(DDD) "Wholly enclosed preserve" means an area of land 310
that is surrounded by a fence that is at least six feet in 311
height, unless otherwise specified in division rule, and is 312
constructed of a woven wire mesh, or another enclosure that the 313
division of wildlife may approve, where game birds, game 314
quadrupeds, reptiles, amphibians, or fur-bearing animals are 315
raised and may be sold under the authority of a commercial 316
propagating license or captive white-tailed deer propagation 317
license obtained under section 1533.71 of the Revised Code. 318

(EEE) "Commercial bird shooting preserve" means an area of 319
land where game birds are released and hunted by shooting as 320
authorized by a commercial bird shooting preserve license 321
obtained under section 1533.72 of the Revised Code. 322

(FFF) "Wild animal hunting preserve" means an area of land 323
where game, captive white-tailed deer, and nonnative wildlife, 324
other than game birds, are released and hunted as authorized by 325
a wild animal hunting preserve license obtained under section 326
1533.721 of the Revised Code. 327

(GGG) "Captive white-tailed deer" means legally acquired 328
deer that are held in private ownership at a facility licensed 329
under section 943.03 or 943.031 of the Revised Code and under 330
section 1533.71 or 1533.721 of the Revised Code. 331

(HHH) "Lake Erie sport fishing district" means the Ohio 332
waters of Lake Erie and its embayments, including Maumee bay, 333
Sandusky bay, East Harbor, Middle Harbor, West Harbor, and the 334
entire length of all tributaries or to the first dam or 335

<u>designated landmark as follows:</u>	336
<u>Vermilion river - state route 2 bridge</u>	337
<u>Black river - state route 611 bridge</u>	338
<u>Rocky river - Detroit road bridge</u>	339
<u>Cuyahoga river - Harvard road bridge</u>	340
<u>Euclid creek - state route 283 bridge</u>	341
<u>Chagrin river - state route 283 bridge</u>	342
<u>Arcola creek - United States route 20 bridge</u>	343
<u>Wheeler creek - United States route 20 bridge</u>	344
<u>Cowles creek - United States route 20 bridge</u>	345
<u>Indian creek - United States route 20 bridge</u>	346
<u>Grand river - state route 535 bridge</u>	347
<u>Conneaut creek - Main street bridge, downtown Conneaut</u>	348
<u>Ashtabula river - east 24th street bridge</u>	349
Sec. 1533.01. As used in this chapter, "person,"	350
"resident," "nonresident," "division rule," "rule," "closed	351
season," "open season," "take or taking," "possession," "bag	352
limit," "transport and transportation," "sell and sale," "whole	353
to include part," "angling," "trotline," "fish," "measurement of	354
fish," "wild birds," "game," "game birds," "nongame birds,"	355
"wild quadrupeds," "game quadrupeds," "fur-bearing animals,"	356
"wild animals," "hunting," "trapping," "muskrat spear,"	357
"channels and passages," "island," "reef," "fur farm," "waters,"	358
"crib," "car," "commercial fish," "fishing," "fillet," "part	359
fillet," "round," "migrate," "spreader bar," "fishing guide,"	360
"net," "commercial fishing gear," "native wildlife," "gill net,"	361

"tag fishing tournament," "tenant," "nonnative wildlife," 362
"reptiles," "amphibians," "deer," "domestic deer," "migratory 363
game bird," "accompany," "~~electric-powered~~ all-purpose vehicle," 364
"wholly enclosed preserve," "commercial bird shooting preserve," 365
"wild animal hunting preserve," ~~and~~ "captive white-tailed deer," 366
and "Lake Erie sport fishing district" have the same meanings as 367
in section 1531.01 of the Revised Code. 368

Sec. 1533.10. (A) Except as provided in this section or 369
division (A) (2) of section 1533.12 or section 1533.73 or 370
1533.731 of the Revised Code, no person shall hunt any wild bird 371
or wild quadruped without a hunting license. Each day that any 372
person hunts within the state without procuring such a license 373
constitutes a separate offense. 374

(B) (1) Except as otherwise provided in this section, 375
division (A) of section 1533.12 of the Revised Code, or in rules 376
adopted under division (B) of that section, each applicant for a 377
hunting license shall pay an annual fee for each annual license 378
in accordance with the following schedule: 379

Hunting license - resident	\$18.00	380
Hunting license - nonresident, and not a resident of a		381
reciprocal state, all -ages <u>18 and older</u>	\$174.00	382
Hunting license - nonresident, but is a resident of a		383
reciprocal state, all -ages <u>18 and older</u>	\$18.00	384
Apprentice hunting license - resident	\$18.00	385
Apprentice hunting license - nonresident, and not a		386
resident of a reciprocal state	\$174.00	387
Apprentice hunting license - nonresident, but is a		388

resident of a reciprocal state	\$18.00	389
Youth hunting license - resident <u>and nonresident</u>	\$9.00	390
Apprentice youth hunting license - resident	\$9.00	391
Senior hunting license - resident	\$9.00	392
<u>Apprentice senior hunting license - resident</u>	<u>\$9.00</u>	393

(2) Apprentice resident hunting licenses, apprentice youth
hunting licenses, apprentice senior hunting licenses, and
apprentice nonresident hunting licenses are subject to the
requirements established under section 1533.102 of the Revised
Code and rules adopted under it.

(3) As used in division (B) (1) of this section:

(a) "Youth" means an applicant who is under the age of
eighteen years at the time of application for a permit.

(b) "Senior" means an applicant who is sixty-six years of
age or older at the time of application for a permit.

(c) "Reciprocal state" means a state that is a party to an
agreement under section 1533.91 of the Revised Code.

(C) A resident of this state who owns lands in the state
and the owner's children of any age and grandchildren under
eighteen years of age may hunt on the lands without a hunting
license. A resident of any other state who owns real property in
this state, and the spouse and children living with the property
owner, may hunt on that property without a license, provided
that the state of residence of the real property owner allows
residents of this state owning real property in that state, and
the spouse and children living with the property owner, to hunt
without a license. If the owner of land in this state is a

limited liability company or a limited liability partnership 416
that consists of three or fewer individual members or partners, 417
as applicable, an individual member or partner who is a resident 418
of this state and the member's or partner's children of any age 419
and grandchildren under eighteen years of age may hunt on the 420
land owned by the limited liability company or limited liability 421
partnership without a hunting license. In addition, if the owner 422
of land in this state is a trust that has a total of three or 423
fewer trustees and beneficiaries, an individual who is a trustee 424
or beneficiary and who is a resident of this state and the 425
individual's children of any age and grandchildren under 426
eighteen years of age may hunt on the land owned by the trust 427
without a hunting license. The tenant and children of the 428
tenant, residing on lands in the state, may hunt on them without 429
a hunting license. 430

(D) The chief of the division of wildlife may issue a 431
small game hunting license expiring three days from the 432
effective date of the license to a nonresident of the state, the 433
fee for which shall be thirty-nine dollars. No person shall take 434
or possess deer, wild turkeys, fur-bearing animals, ducks, 435
geese, brant, or any nongame animal while possessing only a 436
small game hunting license. A small game hunting license or an 437
apprentice nonresident hunting license does not authorize the 438
taking or possessing of ducks, geese, or brant without having 439
obtained, in addition to the small game hunting license or the 440
apprentice nonresident hunting license, a wetlands habitat stamp 441
as provided in section 1533.112 of the Revised Code. A small 442
game hunting license or an apprentice nonresident hunting 443
license does not authorize the taking or possessing of deer, 444
wild turkeys, or fur-bearing animals. A nonresident of the state 445
who wishes to take or possess deer, wild turkeys, or fur-bearing 446

animals in this state shall procure, respectively, a deer or 447
wild turkey permit as provided in section 1533.11 of the Revised 448
Code or a fur taker permit as provided in section 1533.111 of 449
the Revised Code in addition to a nonresident hunting license, 450
an apprentice nonresident hunting license, a special youth 451
hunting license, or an apprentice youth hunting license, as 452
applicable, as provided in this section. 453

(E) No person shall procure or attempt to procure a 454
hunting license by fraud, deceit, misrepresentation, or any 455
false statement. 456

(F) (1) This section does not authorize the taking and 457
possessing of deer or wild turkeys without first having 458
obtained, in addition to the hunting license required by this 459
section, a deer or wild turkey permit as provided in section 460
1533.11 of the Revised Code or the taking and possessing of 461
ducks, geese, or brant without first having obtained, in 462
addition to the hunting license required by this section, a 463
wetlands habitat stamp as provided in section 1533.112 of the 464
Revised Code. 465

(2) This section does not authorize the hunting or 466
trapping of fur-bearing animals without first having obtained, 467
in addition to a hunting license required by this section, a fur 468
taker permit as provided in section 1533.111 of the Revised 469
Code. 470

(G) (1) No hunting license shall be issued unless it is 471
accompanied by a written explanation of the law in section 472
1533.17 of the Revised Code and the penalty for its violation, 473
including a description of terms of imprisonment and fines that 474
may be imposed. 475

(2) No hunting license, other than an apprentice hunting license, shall be issued unless the applicant presents to the agent authorized to issue the license a previously held hunting license or evidence of having held such a license in content and manner approved by the chief, a certificate of completion issued upon completion of a hunter education and conservation course approved by the chief, or evidence of equivalent training in content and manner approved by the chief. A previously held apprentice hunting license does not satisfy the requirement concerning the presentation of a previously held hunting license or evidence of it.

(3) No person shall issue a hunting license, except an apprentice hunting license, to any person who fails to present the evidence required by this section. No person shall purchase or obtain a hunting license, other than an apprentice hunting license, without presenting to the issuing agent the evidence required by this section. Issuance of a hunting license in violation of the requirements of this section is an offense by both the purchaser of the illegally obtained hunting license and the clerk or agent who issued the hunting license. Any hunting license issued in violation of this section is void.

(H) The chief, with approval of the wildlife council, shall adopt rules prescribing a hunter education and conservation course for first-time hunting license buyers, other than buyers of apprentice hunting licenses, and for volunteer instructors. The course shall consist of subjects including, but not limited to, hunter safety and health, use of hunting implements, hunting tradition and ethics, the hunter and conservation, the law in section 1533.17 of the Revised Code along with the penalty for its violation, including a description of terms of imprisonment and fines that may be

imposed, and other law relating to hunting. Authorized personnel 507
of the division or volunteer instructors approved by the chief 508
shall conduct such courses with such frequency and at such 509
locations throughout the state as to reasonably meet the needs 510
of license applicants. The chief shall issue a certificate of 511
completion to each person who successfully completes the course 512
and passes an examination prescribed by the chief. 513

Sec. 1533.101. Any person who has ~~been issued a current~~ 514
hunting or fishing license, a nonresident Lake Erie sport 515
fishing district permit, a wetlands habitat stamp, a deer or 516
wild turkey permit, or a fur taker permit ~~for the current~~ 517
~~license, stamp, or permit year or for the license, stamp, or~~ 518
~~permit year next preceding the current such year pursuant to~~ 519
~~this chapter, and if the license, stamp, or permit has been and~~ 520
has lost, or destroyed the license, stamp, or permit, or had the 521
license, stamp, or permit stolen, may be ~~issued a reissued~~ 522
~~hunting or fishing license, wetlands habitat stamp, deer or wild~~ 523
~~turkey permit, or fur taker reissued such license, stamp, or~~ 524
permit. The person shall file with the clerk of the court of 525
common pleas an application in affidavit form or, if the chief 526
of the division of wildlife authorizes it, apply for a reissued 527
license, stamp, or permit to an authorized agent designated by 528
the chief, and pay a fee for each license, stamp, or permit of 529
four dollars. The clerk or agent shall administer the oath to 530
the applicant, issue a reissued license, stamp, or permit that 531
shall allow the applicant to hunt, fish, or trap, as applicable, 532
and send a copy of the reissued license, stamp, or permit to the 533
division of wildlife. 534

All moneys received as fees for the issuance of reissued 535
licenses, stamps, or permits shall be transmitted to the 536
director of natural resources to be paid into the state treasury 537

to the credit of the funds to which the fees for the original 538
licenses, stamps, and permits were credited. 539

No person shall knowingly or willfully secure, attempt to 540
secure, or use a reissued hunting or fishing license, wetlands 541
habitat stamp, deer or wild turkey permit, or fur taker permit 542
to which the person is not entitled. No person shall knowingly 543
or willfully issue a reissued hunting or fishing license, 544
wetlands habitat stamp, deer or wild turkey permit, or fur taker 545
permit under this section to any person who is not entitled to 546
receive and use such a reissued license, stamp, or permit. 547

Sec. 1533.102. The chief of the division of wildlife may 548
adopt rules under section 1531.10 of the Revised Code that the 549
chief considers to be necessary to administer the issuance of 550
apprentice hunting licenses and apprentice fur taker permits 551
under sections 1533.10 and 1533.111 of the Revised Code, 552
respectively, and their use, except that the rules shall not 553
establish fee amounts for those licenses and permits that differ 554
from the fee amounts established in those sections, as 555
applicable. 556

Unless otherwise provided by division rule, an apprentice 557
license or permit is valid beginning on the first day of March 558
and ending at midnight on the last day of February of the 559
following year. ~~No person shall purchase more than three~~ 560
~~apprentice hunting licenses of any type or more than three~~ 561
~~apprentice fur taker permits of any type.~~ 562

Any type of apprentice hunting license authorizes the 563
holder of such a license to hunt only while accompanied by 564
another person who is twenty-one years of age or older and who 565
possesses a valid hunting license. Any type of apprentice fur 566
taker permit authorizes the holder of such a permit to hunt or 567

trap fur-bearing animals only while accompanied by another 568
person who is twenty-one years of age or older and who possesses 569
a valid fur taker permit. No holder of a valid hunting license 570
or fur taker permit shall accompany more than two holders of any 571
type of apprentice hunting license or apprentice fur taker 572
permit at one time. 573

Sec. 1533.103. The chief of the division of wildlife shall 574
adopt rules under section 1531.10 of the Revised Code that are 575
necessary to administer the issuance of permits for the use of 576
~~electric-powered-all-purpose~~ vehicles or motor vehicles by 577
persons with mobility impairments to hunt wild quadrupeds or 578
game birds in public ~~wildlife and private~~ areas. The rules shall 579
establish eligibility requirements, an application procedure, 580
the duration of a permit, identification and designation of 581
public ~~wildlife and private~~ areas in which ~~electric-powered-all-~~ 582
purpose vehicles or motor vehicles may be used by permit 583
holders, and any other procedures and requirements governing the 584
permits that the chief determines are necessary. The chief shall 585
not charge a fee for the issuance of a permit under this 586
section. 587

Sec. 1533.11. (A) (1) Except as provided in this section or 588
section 1533.731 of the Revised Code, no person shall hunt deer 589
on lands of another without first obtaining an annual deer 590
permit. Except as provided in this section, no person shall hunt 591
wild turkeys on lands of another without first obtaining an 592
annual wild turkey permit. ~~Except as provided in division (A) (2)~~ 593
~~of section 1533.12 of the Revised Code, a~~ A deer or wild turkey 594
~~permit shall run concurrently with the hunting license~~ is valid 595
during the hunting license year in which the permit is 596
purchased. Except as provided in rules adopted under division 597
(B) of that section, each applicant for a deer or wild turkey 598

permit shall pay an annual fee for each permit in accordance 599
with the following schedule: 600

Deer permit - resident	\$23.00	601
Deer permit - nonresident, all ages	\$74.00	602
Youth deer permit - resident	\$11.50	603
Senior deer permit - resident	\$11.50	604
Wild turkey permit - resident	\$23.00	605
Wild turkey permit - nonresident, all ages	\$28.00	606
Youth wild turkey permit - resident	\$11.50	607
Senior wild turkey permit - resident	\$11.50	608

(2) As used in division (A) (1) of this section: 609

(a) "Resident" means an individual who has resided in this 610
state for not less than six months preceding the date of making 611
application for a permit. 612

(b) "Nonresident" means any individual who does not 613
qualify as a resident. 614

(c) "Youth" means an applicant who is under the age of 615
eighteen years at the time of application for a permit. 616

(d) "Senior" means an applicant who is sixty-six years of 617
age or older at the time of application for a permit. 618

(3) The money received shall be paid into the state 619
treasury to the credit of the wildlife fund, created in section 620
1531.17 of the Revised Code, exclusively for the use of the 621
division of wildlife in the acquisition and development of land 622
for deer or wild turkey management, for investigating deer or 623
wild turkey problems, and for the stocking, management, and 624

protection of deer or wild turkey. 625

(4) Every person, while hunting deer or wild turkey on 626
lands of another, shall carry the person's deer or wild turkey 627
permit and exhibit it to any enforcement officer so requesting. 628
Failure to so carry and exhibit such a permit constitutes an 629
offense under this section. 630

(5) The chief of the division of wildlife shall adopt any 631
additional rules the chief considers necessary to carry out this 632
section and section 1533.10 of the Revised Code. 633

(6) An owner who is a resident of this state or an owner 634
who is exempt from obtaining a hunting license under section 635
1533.10 of the Revised Code and the children of the owner of 636
lands in this state may hunt deer or wild turkey thereon without 637
a deer or wild turkey permit. If the owner of land in this state 638
is a limited liability company or a limited liability 639
partnership that consists of three or fewer individual members 640
or partners, as applicable, an individual member or partner who 641
is a resident of this state and the member's or partner's 642
children of any age may hunt deer or wild turkey on the land 643
owned by the limited liability company or limited liability 644
partnership without a deer or wild turkey permit. In addition, 645
if the owner of land in this state is a trust that has a total 646
of three or fewer trustees and beneficiaries, an individual who 647
is a trustee or beneficiary and who is a resident of this state 648
and the individual's children of any age may hunt deer or wild 649
turkey on the land owned by the trust without a deer or wild 650
turkey permit. The tenant and children of the tenant may hunt 651
deer or wild turkey on lands where they reside without a deer or 652
wild turkey permit. 653

(B) A deer or wild turkey permit is not transferable. No 654

person shall carry a deer or wild turkey permit issued in the 655
name of another person. 656

(C) The wildlife refunds fund is hereby created in the 657
state treasury. The fund shall consist of money received from 658
application fees for deer permits that are not issued. Money in 659
the fund shall be used to make refunds of such application fees. 660

(D) If the division establishes a system for the 661
electronic submission of information regarding deer or wild 662
turkey that are taken, the division shall allow the owner and 663
the children of the owner of lands in this state to use the 664
owner's name or address for purposes of submitting that 665
information electronically via that system. 666

Sec. 1533.111. Except as provided in this section or 667
division (A) (2) of section 1533.12 of the Revised Code, no 668
person shall hunt or trap fur-bearing animals on land of another 669
without first obtaining some type of an annual fur taker permit. 670
Each applicant for a fur taker permit or an apprentice fur taker 671
permit shall pay an annual fee of fourteen dollars for the 672
permit, except as otherwise provided in this section or unless 673
the rules adopted under division (B) of section 1533.12 of the 674
Revised Code provide for issuance of a fur taker permit to the 675
applicant free of charge. Except as provided in rules adopted 676
under division (B) (2) of that section, each applicant who is a 677
resident of this state and who at the time of application is 678
sixty-six years of age or older shall procure a special senior 679
fur taker permit or an apprentice senior fur taker permit, the 680
fee for which shall be one-half of the regular ~~fur taker~~ permit 681
fee. Each applicant under the age of eighteen years shall 682
procure a special youth fur taker permit or an apprentice youth 683
fur taker permit, the fee for which shall be one-half of the 684

regular fur taker permit fee. Each type of fur taker permit 685
~~shall run concurrently with~~ is valid during the hunting license 686
year in which the permit is purchased. The money received shall 687
be paid into the state treasury to the credit of the fund 688
established in section 1533.15 of the Revised Code. Apprentice 689
fur taker permits and apprentice youth fur taker permits are 690
subject to the requirements established under section 1533.102 691
of the Revised Code and rules adopted pursuant to it. 692

No fur taker permit shall be issued unless it is 693
accompanied by a written explanation of the law in section 694
1533.17 of the Revised Code and the penalty for its violation, 695
including a description of terms of imprisonment and fines that 696
may be imposed. 697

No fur taker permit, other than an apprentice fur taker 698
permit or an apprentice youth fur taker permit, shall be issued 699
unless the applicant presents to the agent authorized to issue a 700
fur taker permit a previously held hunting license or trapping 701
or fur taker permit or evidence of having held such a license or 702
permit in content and manner approved by the chief of the 703
division of wildlife, a certificate of completion issued upon 704
completion of a trapper education course approved by the chief, 705
or evidence of equivalent training in content and manner 706
approved by the chief. A previously held apprentice hunting 707
license, apprentice fur taker permit, or apprentice youth fur 708
taker permit does not satisfy the requirement concerning the 709
presentation of a previously held hunting license or fur taker 710
permit or evidence of such a license or permit. 711

No person shall issue a fur taker permit, other than an 712
apprentice fur taker permit or an apprentice youth fur taker 713
permit, to any person who fails to present the evidence required 714

by this section. No person shall purchase or obtain a fur taker 715
permit, other than an apprentice fur taker permit or an 716
apprentice youth fur taker permit, without presenting to the 717
issuing agent the evidence required by this section. Issuance of 718
a fur taker permit in violation of the requirements of this 719
section is an offense by both the purchaser of the illegally 720
obtained permit and the clerk or agent who issued the permit. 721
Any fur taker permit issued in violation of this section is 722
void. 723

The chief, with approval of the wildlife council, shall 724
adopt rules prescribing a trapper education course for first- 725
time fur taker permit buyers, other than buyers of apprentice 726
fur taker permits or apprentice youth fur taker permits, and for 727
volunteer instructors. The course shall consist of subjects that 728
include, but are not limited to, trapping techniques, animal 729
habits and identification, trapping tradition and ethics, the 730
trapper and conservation, the law in section 1533.17 of the 731
Revised Code along with the penalty for its violation, including 732
a description of terms of imprisonment and fines that may be 733
imposed, and other law relating to trapping. Authorized 734
personnel of the division of wildlife or volunteer instructors 735
approved by the chief shall conduct the courses with such 736
frequency and at such locations throughout the state as to 737
reasonably meet the needs of permit applicants. The chief shall 738
issue a certificate of completion to each person who 739
successfully completes the course and passes an examination 740
prescribed by the chief. 741

Every person, while hunting or trapping fur-bearing 742
animals on lands of another, shall carry the person's fur taker 743
permit with the person's signature written on the permit. 744
Failure to carry such a signed permit constitutes an offense 745

under this section. The chief shall adopt any additional rules 746
the chief considers necessary to carry out this section. 747

An owner who is a resident of this state or an owner who 748
is exempt from obtaining a hunting license under section 1533.10 749
of the Revised Code and the children of the owner of lands in 750
this state may hunt or trap fur-bearing animals thereon without 751
a fur taker permit. If the owner of land in this state is a 752
limited liability company or a limited liability partnership 753
that consists of three or fewer individual members or partners, 754
as applicable, an individual member or partner who is a resident 755
of this state and the member's or partner's children of any age 756
may hunt or trap fur-bearing animals on the land owned by the 757
limited liability company or limited liability partnership 758
without a fur taker permit. In addition, if the owner of land in 759
this state is a trust that has a total of three or fewer 760
trustees and beneficiaries, an individual who is a trustee or 761
beneficiary and who is a resident of this state and the 762
individual's children of any age may hunt or trap fur-bearing 763
animals on the land owned by the trust without a fur taker 764
permit. The tenant and children of the tenant may hunt or trap 765
fur-bearing animals on lands where they reside without a fur 766
taker permit. 767

A fur taker permit is not transferable. No person shall 768
carry a fur taker permit issued in the name of another person. 769

A fur taker permit entitles a nonresident to take from 770
this state fur-bearing animals taken and possessed by the 771
nonresident as provided by law or division rule. 772

Sec. 1533.13. Hunting and fishing licenses, wetlands 773
habitat stamps, deer and wild turkey permits, fur taker permits, 774
and any other licenses, permits, or stamps that are required 775

under this chapter or Chapter 1531. of the Revised Code and any 776
reissued license, permit, or stamp may be issued by the clerk of 777
the court of common pleas, village clerks, township fiscal 778
officers, and other authorized agents designated by the chief of 779
the division of wildlife. When required by the chief, a clerk, 780
fiscal officer, or other agent shall give bond in the manner 781
provided by the chief. All bonds, reports, except records 782
prescribed by the auditor of state, and moneys received by those 783
persons shall be handled under rules adopted by the director of 784
natural resources. 785

The premium of any bond prescribed by the chief under this 786
section may be paid by the chief. Any person who is designated 787
and authorized by the chief to issue licenses, stamps, and 788
permits as provided in this section, except the clerk of the 789
court of common pleas, a village clerk, and a township fiscal 790
officer, shall pay to the chief a premium in an amount that 791
represents the person's portion of the premium paid by the chief 792
under this section, which amount shall be established by the 793
chief and approved by the wildlife council created under section 794
1531.03 of the Revised Code. The chief shall pay all moneys that 795
the chief receives as premiums under this section into the state 796
treasury to the credit of the wildlife fund created under 797
section 1531.17 of the Revised Code. 798

Every authorized agent, for the purpose of issuing hunting 799
and fishing licenses, wetlands habitat stamps, deer and wild 800
turkey permits, and fur taker permits, may administer oaths to 801
and take affidavits from applicants for the licenses, stamps, or 802
permits when required. An authorized agent may appoint deputies 803
to perform any acts that the agent is authorized to perform, 804
consistent with division rules. 805

Every applicant for a hunting or fishing license, wetlands
habitat stamp, deer or wild turkey permit, or fur taker permit,
unless otherwise provided by division rule, shall provide the
applicant's name, date of birth, weight, height, and place of
residence and any other information that the chief may require.
The clerk, fiscal officer, or other agent authorized to issue
licenses, stamps, and permits shall charge each applicant a fee
of one dollar or four per cent of the cost of the license,
stamp, or permit, whichever is greater, for taking the
information provided by the applicant and issuing the license,
stamp, or permit. The application, license, stamp, permit, and
other blanks required by this section shall be prepared and
furnished by the chief, in the form the chief provides, to the
clerk, fiscal officer, or other agent authorized to issue them.
The licenses and permits shall be issued to applicants by the
clerk, fiscal officer, or other agent. The record of licenses
and permits kept by the clerks, fiscal officers, and other
agents shall be uniform throughout the state and in the form or
manner as the auditor of state prescribes and shall be open at
all reasonable hours to the inspection of any person. Unless
otherwise provided by division rule, each annual hunting
license, deer or wild turkey permit, and fur taker permit issued
shall remain in force until ~~midnight of the thirty first day of~~
~~August next ensuing~~ the first day of March. Application for any
such license or permit may be made and a license or permit
issued prior to the date upon which it becomes effective.

The chief may require an applicant who wishes to purchase
a license, stamp, or permit by mail or telephone or via the
internet to pay a nominal fee for postage and handling and
credit card transactions.

The court before whom a violator of any laws or division

rules for the protection of wild animals is tried, as a part of 837
the punishment, shall revoke the license, stamp, or permit of 838
any person convicted. The license, stamp, or permit fee paid by 839
that person shall not be returned to the person. The person 840
shall not procure or use any other license, stamp, or permit or 841
engage in hunting wild animals or trapping fur-bearing animals 842
during the period of revocation as ordered by the court. 843

No person under sixteen years of age shall engage in 844
hunting unless accompanied by the person's parent or another 845
adult person. 846

Sec. 1533.32. (A) Except as provided in this section or 847
division (A)(2) or (C) of section 1533.12 of the Revised Code or 848
as exempted at the discretion of the chief of the division of 849
wildlife, no person, including nonresidents, shall take or catch 850
any fish by angling in any of the waters in the state or engage 851
in fishing in those waters without a license. No person shall 852
take or catch frogs or turtles without a valid fishing license, 853
except as provided in this section. Persons fishing in privately 854
owned ponds, lakes, or reservoirs to or from which fish are not 855
accustomed to migrate are exempt from the license requirements 856
set forth in this section. Persons fishing in privately owned 857
ponds, lakes, or reservoirs that are open to public fishing 858
through an agreement or lease with the division of wildlife 859
shall comply with the license requirements set forth in this 860
section. 861

(B) (1) The fee for an annual license shall be forty-nine 862
dollars for a resident of a state that is not a party to an 863
agreement under section 1533.91 of the Revised Code. The fee for 864
an annual license shall be eighteen dollars for a resident of a 865
state that is a party to such an agreement. The fee for an 866

annual license for residents of this state shall be eighteen 867
dollars unless the rules adopted under division (B) of section 868
1533.12 of the Revised Code provide for issuance of a resident 869
fishing license to the applicant free of charge. Except as 870
provided in rules adopted under division (B)(2) of that section, 871
each applicant who is a resident of this state and who at the 872
time of application is sixty-six years of age or older shall 873
procure a special senior fishing license, the fee for which 874
shall be one-half of the annual resident fishing license fee. 875

(2) Any person under the age of sixteen years may take or 876
catch frogs and turtles and take or catch fish by angling 877
without a license. 878

(C) (1) The chief of the division of wildlife may issue a 879
tourist's license expiring three days from the effective date of 880
the license to a resident of a state that is not a party to an 881
agreement under section 1533.91 of the Revised Code. The fee for 882
a tourist's license shall be eighteen dollars. 883

(2) The chief shall adopt rules under section 1531.10 of 884
the Revised Code providing for the issuance of a one-day fishing 885
license to a resident of this state or of any other state. The 886
fee for such a license shall be fifty-five per cent of the 887
amount established under this section for a tourist's license, 888
rounded up to the nearest whole dollar. A one-day fishing 889
license shall allow the holder to take or catch fish by angling 890
in the waters in the state, engage in fishing in those waters, 891
or take or catch frogs or turtles in those waters for one day 892
without obtaining an annual license or a tourist's license under 893
this section. At the request of a holder of a one-day fishing 894
license who wishes to obtain an annual license, a clerk or agent 895
authorized to issue licenses under section 1533.13 of the 896

Revised Code, not later than the last day on which the one-day 897
license would be valid if it were an annual license, shall 898
credit the amount of the fee paid for the one-day license toward 899
the fee charged for the annual license if so authorized by the 900
chief. The clerk or agent shall issue the annual license upon 901
presentation of the one-day license and payment of a fee in an 902
amount equal to the difference between the fee for the annual 903
license and the fee for the one-day license. 904

(3) Unless otherwise provided by division rule, each 905
annual license shall begin on the ~~first day of March of the~~ 906
~~current year date of issuance~~ and expire ~~on the last day of~~ 907
~~February of the following a year from the date of issuance.~~ 908

(4) Unless otherwise provided by division rule, each 909
multi-year license issued in accordance with section 1533.321 of 910
the Revised Code shall begin on the date of issuance and expire 911
three years, five years, or ten years from the date of issuance, 912
as applicable. 913

(5) No person shall alter a fishing license or possess a 914
fishing license that has been altered. 915

(6) No person shall procure or attempt to procure a 916
fishing license by fraud, deceit, misrepresentation, or any 917
false statement. 918

(7) A resident of this state who owns land over, through, 919
upon, or along which any water flows or stands, except where the 920
land is in or borders on state parks or state-owned lakes, 921
together with the members of the immediate families of such 922
owners, may take frogs and turtles and may take or catch fish of 923
the kind permitted to be taken or caught therefrom without 924
procuring a license provided for in this section. This exemption 925

extends to tenants actually residing upon such lands and to the 926
members of the immediate families of the tenants. A resident of 927
any other state who owns land in this state over, through, upon, 928
or along which any water flows or stands, except where the land 929
is in or borders on state parks or state-owned lakes, and the 930
spouse and children living with the owner, may take frogs and 931
turtles and may take or catch fish of the kind permitted to be 932
taken or caught from that water without obtaining a license 933
under this section, provided that the state of residence of the 934
owner allows residents of this state owning real property in 935
that state, and the spouse and children living with such a 936
property owner, to take frogs and turtles and take or catch fish 937
without a license. If the owner of such land in this state is a 938
limited liability company or a limited liability partnership 939
that consists of three or fewer individual members or partners, 940
as applicable, an individual member or partner who is a resident 941
of this state and the member's or partner's children of any age 942
may take frogs and turtles and may take or catch fish of the 943
kind permitted to be taken or caught therefrom without procuring 944
a license provided for in this section. In addition, if the 945
owner of such land in this state is a trust that has a total of 946
three or fewer trustees and beneficiaries, an individual who is 947
a trustee or beneficiary and who is a resident of this state and 948
the individual's children of any age may take frogs and turtles 949
and may take or catch fish of the kind permitted to be taken or 950
caught therefrom without procuring a license provided for in 951
this section. Residents of state or county institutions, 952
charitable institutions, and military homes in this state may 953
take frogs and turtles without procuring the required license, 954
provided that a member of the institution or home has an 955
identification card, which shall be carried on that person when 956
fishing. 957

(8) Every fisher required to be licensed, while fishing or taking or attempting to take frogs or turtles, shall carry the license and exhibit it to any person. Failure to so carry and exhibit the license constitutes an offense under this section.

Sec. 1533.321. (A) The chief of the division of wildlife may issue any of the following:

(1) Multi-year hunting or fishing licenses for three-, five-, or ten-year terms to a resident of this state;

(2) Lifetime hunting or fishing licenses to a resident of this state;

(3) A package consisting of any combination of license, stamp, or permit that the chief is authorized to issue under this chapter.

(B) The chief may adopt rules in accordance with section 1531.10 of the Revised Code governing multi-year hunting and fishing licenses, lifetime hunting and fishing licenses, and combination packages, including rules establishing fees for the combination packages. The chief shall ensure that the price for a combination package is not discounted by more than five per cent of the total fees for the licenses, permits, or stamps that a person would otherwise pay for those licenses, permits, or stamps if the person purchased them individually.

(C) (1) The multi-year and lifetime license fund is hereby created in the state treasury. The fund shall consist of money received from application fees for multi-year and lifetime hunting and fishing licenses.

(2) Each fiscal year, a prorated amount of the money from each multi-year and lifetime license fee shall be transferred from the multi-year and lifetime license fund to the fund into

which the applicable single year license fee would otherwise be 987
deposited. The prorated amount shall equal the total amount of 988
the fee charged for the license divided by the number of years 989
the license is valid. The chief shall adopt rules in accordance 990
with section 1531.10 of the Revised Code for the administration 991
of this division, including establishing a system that prorates 992
lifetime license fees for deposit each year into the wildlife 993
fund created in section 1531.17 of the Revised Code. 994

(3) Each fiscal year, all previous year's investment 995
earnings from the multi-year and lifetime license fund shall be 996
transferred into the wildlife fund created in section 1531.17 of 997
the Revised Code. 998

(D) (1) Each applicant for a multi-year or lifetime fishing 999
license who is a resident of this state shall pay a fee for each 1000
license in accordance with the following schedule: 1001

<u>Senior 3-year fishing license</u>	<u>\$27.50</u>	1002
<u>Senior 5-year fishing license</u>	<u>\$45.75</u>	1003
<u>Senior lifetime fishing license</u>	<u>\$81.00</u>	1004
<u>3-year fishing license</u>	<u>\$52.00</u>	1005
<u>5-year fishing license</u>	<u>\$86.75</u>	1006
<u>10-year fishing license</u>	<u>\$173.50</u>	1007
<u>Lifetime fishing license</u>	<u>\$450.00</u>	1008
<u>Youth lifetime fishing license</u>	<u>\$414.00</u>	1009

(2) As used in division (D) (1) of this section: 1010

(a) "Youth" means an applicant who is under the age of 1011
sixteen years at the time of application for a permit. 1012

(b) "Senior" means an applicant who is sixty-six years of 1013
age or older at the time of application for a permit. 1014

(E) (1) Each applicant for a multi-year or lifetime hunting 1015
license who is a resident of this state shall pay a fee for each 1016
license in accordance with the following schedule: 1017

Senior 3-year hunting license \$27.50 1018

Senior 5-year hunting license \$45.75 1019

Senior lifetime hunting license \$81.00 1020

Youth 3-year hunting license \$27.50 1021

Youth 5-year hunting license \$45.75 1022

Youth 10-year hunting license \$91.50 1023

Youth lifetime hunting license \$414.00 1024

3-year hunting license \$52.00 1025

5-year hunting license \$86.75 1026

10-year hunting license \$173.50 1027

Lifetime hunting license \$450.00 1028

(2) As used in division (E) (1) of this section: 1029

(a) "Youth" means an applicant who is under the age of 1030
eighteen years at the time of application for a permit. 1031

(b) "Senior" means an applicant who is sixty-six years of 1032
age or older at the time of application for a permit. 1033

(F) If a person who is issued a multi-year hunting or 1034
fishing license or lifetime hunting or fishing license in 1035
accordance with division (A) of this section subsequently 1036
becomes a nonresident after issuance of the license, the 1037

person's license remains valid in this state during its term, 1038
regardless of residency status. 1039

Sec. 1533.38. (A) Except as otherwise provided in this 1040
section, no nonresident shall take fish from the Lake Erie sport 1041
fishing district between the first day of January and the last 1042
day of April each year without first obtaining a nonresident 1043
Lake Erie sport fishing district permit. 1044

(B) Each applicant for a nonresident Lake Erie sport 1045
fishing district permit shall pay an annual fee of ten dollars 1046
for each permit. All money derived from the permit shall be 1047
deposited into the wildlife fund created in section 1531.17 of 1048
the Revised Code and shall be appropriated exclusively for the 1049
following purposes: 1050

(1) For the protection, propagation, preservation, and 1051
stocking of fish in Lake Erie; 1052

(2) For the securing of more public fishing water access 1053
including leasing, purchasing, or otherwise acquiring stream 1054
banks, bottoms, and marginal strips, headwaters, and other 1055
suitable public fishing grounds in the Lake Erie sport fishing 1056
district as authorized under section 1531.06 of the Revised 1057
Code; 1058

(3) For the cooperation with other agencies, as provided 1059
in section 1501.02 of the Revised Code, to assist in the 1060
prevention, control, and management of injurious aquatic 1061
invasive species in Lake Erie; 1062

(4) For other practical fish management work in Lake Erie, 1063
including biological investigations; 1064

(5) For promoting educational and research activities, 1065
other methods of fish propagation and fish culture, and other 1066

proper conservation activities in Lake Erie. 1067

(C) The chief of the division of wildlife shall adopt any 1068
rules in accordance with section 1531.10 of the Revised Code 1069
that the chief considers necessary to implement this section. 1070

Sec. 2923.16. (A) No person shall knowingly discharge a 1071
firearm while in or on a motor vehicle. 1072

(B) No person shall knowingly transport or have a loaded 1073
firearm in a motor vehicle in such a manner that the firearm is 1074
accessible to the operator or any passenger without leaving the 1075
vehicle. 1076

(C) No person shall knowingly transport or have a firearm 1077
in a motor vehicle, unless the person may lawfully possess that 1078
firearm under applicable law of this state or the United States, 1079
the firearm is unloaded, and the firearm is carried in one of 1080
the following ways: 1081

(1) In a closed package, box, or case; 1082

(2) In a compartment that can be reached only by leaving 1083
the vehicle; 1084

(3) In plain sight and secured in a rack or holder made 1085
for the purpose; 1086

(4) If the firearm is at least twenty-four inches in 1087
overall length as measured from the muzzle to the part of the 1088
stock furthest from the muzzle and if the barrel is at least 1089
eighteen inches in length, either in plain sight with the action 1090
open or the weapon stripped, or, if the firearm is of a type on 1091
which the action will not stay open or which cannot easily be 1092
stripped, in plain sight. 1093

(D) No person shall knowingly transport or have a loaded 1094

handgun in a motor vehicle if, at the time of that 1095
transportation or possession, any of the following applies: 1096

(1) The person is under the influence of alcohol, a drug 1097
of abuse, or a combination of them. 1098

(2) The person's whole blood, blood serum or plasma, 1099
breath, or urine contains a concentration of alcohol, a listed 1100
controlled substance, or a listed metabolite of a controlled 1101
substance prohibited for persons operating a vehicle, as 1102
specified in division (A) of section 4511.19 of the Revised 1103
Code, regardless of whether the person at the time of the 1104
transportation or possession as described in this division is 1105
the operator of or a passenger in the motor vehicle. 1106

(E) No person who has been issued a concealed handgun 1107
license or who is an active duty member of the armed forces of 1108
the United States and is carrying a valid military 1109
identification card and documentation of successful completion 1110
of firearms training that meets or exceeds the training 1111
requirements described in division (G)(1) of section 2923.125 of 1112
the Revised Code, who is the driver or an occupant of a motor 1113
vehicle that is stopped as a result of a traffic stop or a stop 1114
for another law enforcement purpose or is the driver or an 1115
occupant of a commercial motor vehicle that is stopped by an 1116
employee of the motor carrier enforcement unit for the purposes 1117
defined in section 5503.34 of the Revised Code, and who is 1118
transporting or has a loaded handgun in the motor vehicle or 1119
commercial motor vehicle in any manner, shall do any of the 1120
following: 1121

(1) Fail to promptly inform any law enforcement officer 1122
who approaches the vehicle while stopped that the person has 1123
been issued a concealed handgun license or is authorized to 1124

carry a concealed handgun as an active duty member of the armed 1125
forces of the United States and that the person then possesses 1126
or has a loaded handgun in the motor vehicle; 1127

(2) Fail to promptly inform the employee of the unit who 1128
approaches the vehicle while stopped that the person has been 1129
issued a concealed handgun license or is authorized to carry a 1130
concealed handgun as an active duty member of the armed forces 1131
of the United States and that the person then possesses or has a 1132
loaded handgun in the commercial motor vehicle; 1133

(3) Knowingly fail to remain in the motor vehicle while 1134
stopped or knowingly fail to keep the person's hands in plain 1135
sight at any time after any law enforcement officer begins 1136
approaching the person while stopped and before the law 1137
enforcement officer leaves, unless the failure is pursuant to 1138
and in accordance with directions given by a law enforcement 1139
officer; 1140

(4) Knowingly have contact with the loaded handgun by 1141
touching it with the person's hands or fingers in the motor 1142
vehicle at any time after the law enforcement officer begins 1143
approaching and before the law enforcement officer leaves, 1144
unless the person has contact with the loaded handgun pursuant 1145
to and in accordance with directions given by the law 1146
enforcement officer; 1147

(5) Knowingly disregard or fail to comply with any lawful 1148
order of any law enforcement officer given while the motor 1149
vehicle is stopped, including, but not limited to, a specific 1150
order to the person to keep the person's hands in plain sight. 1151

(F)(1) Divisions (A), (B), (C), and (E) of this section do 1152
not apply to any of the following: 1153

(a) An officer, agent, or employee of this or any other 1154
state or the United States, or a law enforcement officer, when 1155
authorized to carry or have loaded or accessible firearms in 1156
motor vehicles and acting within the scope of the officer's, 1157
agent's, or employee's duties; 1158

(b) Any person who is employed in this state, who is 1159
authorized to carry or have loaded or accessible firearms in 1160
motor vehicles, and who is subject to and in compliance with the 1161
requirements of section 109.801 of the Revised Code, unless the 1162
appointing authority of the person has expressly specified that 1163
the exemption provided in division (F) (1) (b) of this section 1164
does not apply to the person. 1165

(2) Division (A) of this section does not apply to a 1166
person if all of the following circumstances apply: 1167

(a) The person discharges a firearm from a motor vehicle 1168
at a coyote or groundhog, the discharge is not during the deer 1169
gun hunting season as set by the chief of the division of 1170
wildlife of the department of natural resources, and the 1171
discharge at the coyote or groundhog, but for the operation of 1172
this section, is lawful. 1173

(b) The motor vehicle from which the person discharges the 1174
firearm is on real property that is located in an unincorporated 1175
area of a township and that either is zoned for agriculture or 1176
is used for agriculture. 1177

(c) The person owns the real property described in 1178
division (F) (2) (b) of this section, is the spouse or a child of 1179
another person who owns that real property, is a tenant of 1180
another person who owns that real property, or is the spouse or 1181
a child of a tenant of another person who owns that real 1182

property. 1183

(d) The person does not discharge the firearm in any of 1184
the following manners: 1185

(i) While under the influence of alcohol, a drug of abuse, 1186
or alcohol and a drug of abuse; 1187

(ii) In the direction of a street, highway, or other 1188
public or private property used by the public for vehicular 1189
traffic or parking; 1190

(iii) At or into an occupied structure that is a permanent 1191
or temporary habitation; 1192

(iv) In the commission of any violation of law, including, 1193
but not limited to, a felony that includes, as an essential 1194
element, purposely or knowingly causing or attempting to cause 1195
the death of or physical harm to another and that was committed 1196
by discharging a firearm from a motor vehicle. 1197

(3) Division (A) of this section does not apply to a 1198
person if all of the following apply: 1199

(a) The person possesses a valid ~~electric-powered~~ all- 1200
purpose vehicle permit issued under section 1533.103 of the 1201
Revised Code by the chief of the division of wildlife. 1202

(b) The person discharges a firearm at a wild quadruped or 1203
game bird as defined in section 1531.01 of the Revised Code 1204
during the open hunting season for the applicable wild quadruped 1205
or game bird. 1206

(c) The person discharges a firearm from a stationary 1207
~~electric-powered~~ all-purpose vehicle as defined in section 1208
1531.01 of the Revised Code from private or publicly owned lands 1209
or from a motor vehicle that is parked on a road that is owned 1210

or administered by the division of wildlife, ~~provided that the~~ 1211
~~road is identified by an electric powered all-purpose vehicle~~ 1212
~~sign.~~ 1213

(d) The person does not discharge the firearm in any of 1214
the following manners: 1215

(i) While under the influence of alcohol, a drug of abuse, 1216
or alcohol and a drug of abuse; 1217

(ii) In the direction of a street, a highway, or other 1218
public or private property that is used by the public for 1219
vehicular traffic or parking; 1220

(iii) At or into an occupied structure that is a permanent 1221
or temporary habitation; 1222

(iv) In the commission of any violation of law, including, 1223
but not limited to, a felony that includes, as an essential 1224
element, purposely or knowingly causing or attempting to cause 1225
the death of or physical harm to another and that was committed 1226
by discharging a firearm from a motor vehicle. 1227

(4) Divisions (B) and (C) of this section do not apply to 1228
a person if all of the following circumstances apply: 1229

(a) At the time of the alleged violation of either of 1230
those divisions, the person is the operator of or a passenger in 1231
a motor vehicle. 1232

(b) The motor vehicle is on real property that is located 1233
in an unincorporated area of a township and that either is zoned 1234
for agriculture or is used for agriculture. 1235

(c) The person owns the real property described in 1236
division (D) (4) (b) of this section, is the spouse or a child of 1237
another person who owns that real property, is a tenant of 1238

another person who owns that real property, or is the spouse or 1239
a child of a tenant of another person who owns that real 1240
property. 1241

(d) The person, prior to arriving at the real property 1242
described in division (D) (4) (b) of this section, did not 1243
transport or possess a firearm in the motor vehicle in a manner 1244
prohibited by division (B) or (C) of this section while the 1245
motor vehicle was being operated on a street, highway, or other 1246
public or private property used by the public for vehicular 1247
traffic or parking. 1248

(5) Divisions (B) and (C) of this section do not apply to 1249
a person who transports or possesses a handgun in a motor 1250
vehicle if, at the time of that transportation or possession, 1251
both of the following apply: 1252

(a) The person transporting or possessing the handgun is 1253
either carrying a valid concealed handgun license or is an 1254
active duty member of the armed forces of the United States and 1255
is carrying a valid military identification card and 1256
documentation of successful completion of firearms training that 1257
meets or exceeds the training requirements described in division 1258
(G) (1) of section 2923.125 of the Revised Code. 1259

(b) The person transporting or possessing the handgun is 1260
not knowingly in a place described in division (B) of section 1261
2923.126 of the Revised Code. 1262

(6) Divisions (B) and (C) of this section do not apply to 1263
a person if all of the following apply: 1264

(a) The person possesses a valid ~~electric-powered~~ all- 1265
purpose vehicle permit issued under section 1533.103 of the 1266
Revised Code by the chief of the division of wildlife. 1267

(b) The person is on or in an ~~electric powered~~ all-purpose 1268
vehicle as defined in section 1531.01 of the Revised Code or a 1269
motor vehicle during the open hunting season for a wild 1270
quadruped or game bird. 1271

(c) The person is on or in an ~~electric powered~~ all-purpose 1272
vehicle as defined in section 1531.01 of the Revised Code on 1273
private or publicly owned lands or on or in a motor vehicle that 1274
is parked on a road that is owned or administered by the 1275
division of wildlife, ~~provided that the road is identified by an~~ 1276
~~electric powered all purpose vehicle sign.~~ 1277

(7) Nothing in this section prohibits or restricts a 1278
person from possessing, storing, or leaving a firearm in a 1279
locked motor vehicle that is parked in the state underground 1280
parking garage at the state capitol building or in the parking 1281
garage at the Riffe center for government and the arts in 1282
Columbus, if the person's transportation and possession of the 1283
firearm in the motor vehicle while traveling to the premises or 1284
facility was not in violation of division (A), (B), (C), (D), or 1285
(E) of this section or any other provision of the Revised Code. 1286

(G) (1) The affirmative defenses authorized in divisions 1287
(D) (1) and (2) of section 2923.12 of the Revised Code are 1288
affirmative defenses to a charge under division (B) or (C) of 1289
this section that involves a firearm other than a handgun. 1290

(2) It is an affirmative defense to a charge under 1291
division (B) or (C) of this section of improperly handling 1292
firearms in a motor vehicle that the actor transported or had 1293
the firearm in the motor vehicle for any lawful purpose and 1294
while the motor vehicle was on the actor's own property, 1295
provided that this affirmative defense is not available unless 1296
the person, immediately prior to arriving at the actor's own 1297

property, did not transport or possess the firearm in a motor 1298
vehicle in a manner prohibited by division (B) or (C) of this 1299
section while the motor vehicle was being operated on a street, 1300
highway, or other public or private property used by the public 1301
for vehicular traffic. 1302

(H) (1) No person who is charged with a violation of 1303
division (B), (C), or (D) of this section shall be required to 1304
obtain a concealed handgun license as a condition for the 1305
dismissal of the charge. 1306

(2) (a) If a person is convicted of, was convicted of, 1307
pleads guilty to, or has pleaded guilty to a violation of 1308
division (E) of this section as it existed prior to September 1309
30, 2011, and if the conduct that was the basis of the violation 1310
no longer would be a violation of division (E) of this section 1311
on or after September 30, 2011, the person may file an 1312
application under section 2953.37 of the Revised Code requesting 1313
the expungement of the record of conviction. 1314

If a person is convicted of, was convicted of, pleads 1315
guilty to, or has pleaded guilty to a violation of division (B) 1316
or (C) of this section as the division existed prior to 1317
September 30, 2011, and if the conduct that was the basis of the 1318
violation no longer would be a violation of division (B) or (C) 1319
of this section on or after September 30, 2011, due to the 1320
application of division (F) (5) of this section as it exists on 1321
and after September 30, 2011, the person may file an application 1322
under section 2953.37 of the Revised Code requesting the 1323
expungement of the record of conviction. 1324

(b) The attorney general shall develop a public media 1325
advisory that summarizes the expungement procedure established 1326
under section 2953.37 of the Revised Code and the offenders 1327

identified in division (H) (2) (a) of this section who are 1328
authorized to apply for the expungement. Within thirty days 1329
after September 30, 2011, the attorney general shall provide a 1330
copy of the advisory to each daily newspaper published in this 1331
state and each television station that broadcasts in this state. 1332
The attorney general may provide the advisory in a tangible 1333
form, an electronic form, or in both tangible and electronic 1334
forms. 1335

(I) Whoever violates this section is guilty of improperly 1336
handling firearms in a motor vehicle. Violation of division (A) 1337
of this section is a felony of the fourth degree. Violation of 1338
division (C) of this section is a misdemeanor of the fourth 1339
degree. A violation of division (D) of this section is a felony 1340
of the fifth degree or, if the loaded handgun is concealed on 1341
the person's person, a felony of the fourth degree. Except as 1342
otherwise provided in this division, a violation of division (E) 1343
(1) or (2) of this section is a misdemeanor of the first degree, 1344
and, in addition to any other penalty or sanction imposed for 1345
the violation, the offender's concealed handgun license shall be 1346
suspended pursuant to division (A) (2) of section 2923.128 of the 1347
Revised Code. If at the time of the stop of the offender for a 1348
traffic stop, for another law enforcement purpose, or for a 1349
purpose defined in section 5503.34 of the Revised Code that was 1350
the basis of the violation any law enforcement officer involved 1351
with the stop or the employee of the motor carrier enforcement 1352
unit who made the stop had actual knowledge of the offender's 1353
status as a licensee, a violation of division (E) (1) or (2) of 1354
this section is a minor misdemeanor, and the offender's 1355
concealed handgun license shall not be suspended pursuant to 1356
division (A) (2) of section 2923.128 of the Revised Code. A 1357
violation of division (E) (4) of this section is a felony of the 1358

fifth degree. A violation of division (E) (3) or (5) of this 1359
section is a misdemeanor of the first degree or, if the offender 1360
previously has been convicted of or pleaded guilty to a 1361
violation of division (E) (3) or (5) of this section, a felony of 1362
the fifth degree. In addition to any other penalty or sanction 1363
imposed for a misdemeanor violation of division (E) (3) or (5) of 1364
this section, the offender's concealed handgun license shall be 1365
suspended pursuant to division (A) (2) of section 2923.128 of the 1366
Revised Code. A violation of division (B) of this section is a 1367
felony of the fourth degree. 1368

(J) If a law enforcement officer stops a motor vehicle for 1369
a traffic stop or any other purpose, if any person in the motor 1370
vehicle surrenders a firearm to the officer, either voluntarily 1371
or pursuant to a request or demand of the officer, and if the 1372
officer does not charge the person with a violation of this 1373
section or arrest the person for any offense, the person is not 1374
otherwise prohibited by law from possessing the firearm, and the 1375
firearm is not contraband, the officer shall return the firearm 1376
to the person at the termination of the stop. If a court orders 1377
a law enforcement officer to return a firearm to a person 1378
pursuant to the requirement set forth in this division, division 1379
(B) of section 2923.163 of the Revised Code applies. 1380

(K) As used in this section: 1381

(1) "Motor vehicle," "street," and "highway" have the same 1382
meanings as in section 4511.01 of the Revised Code. 1383

(2) "Occupied structure" has the same meaning as in 1384
section 2909.01 of the Revised Code. 1385

(3) "Agriculture" has the same meaning as in section 1386
519.01 of the Revised Code. 1387

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

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

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

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

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

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

not contain the magazine or speed loader; 1417

(ii) A pocket or other enclosure on the person of the 1418
person in question that closes using a snap, button, buckle, 1419
zipper, hook and loop closing mechanism, or other fastener that 1420
must be opened to access the contents. 1421

(c) For the purposes of divisions (K) (5) (a) and (b) of 1422
this section, ammunition held in stripper-clips or in en-bloc 1423
clips is not considered ammunition that is loaded into a 1424
magazine or speed loader. 1425

(6) "Unloaded" means, with respect to a firearm employing 1426
a percussion cap, flintlock, or other obsolete ignition system, 1427
when the weapon is uncapped or when the priming charge is 1428
removed from the pan. 1429

(7) "Commercial motor vehicle" has the same meaning as in 1430
division (A) of section 4506.25 of the Revised Code. 1431

(8) "Motor carrier enforcement unit" means the motor 1432
carrier enforcement unit in the department of public safety, 1433
division of state highway patrol, that is created by section 1434
5503.34 of the Revised Code. 1435

(L) Divisions (K) (5) (a) and (b) of this section do not 1436
affect the authority of a person who is carrying a valid 1437
concealed handgun license to have one or more magazines or speed 1438
loaders containing ammunition anywhere in a vehicle, without 1439
being transported as described in those divisions, as long as no 1440
ammunition is in a firearm, other than a handgun, in the vehicle 1441
other than as permitted under any other provision of this 1442
chapter. A person who is carrying a valid concealed handgun 1443
license may have one or more magazines or speed loaders 1444
containing ammunition anywhere in a vehicle without further 1445

restriction, as long as no ammunition is in a firearm, other 1446
than a handgun, in the vehicle other than as permitted under any 1447
provision of this chapter. 1448

Section 2. That existing sections 1531.01, 1533.01, 1449
1533.10, 1533.101, 1533.102, 1533.103, 1533.11, 1533.111, 1450
1533.13, 1533.32, and 2923.16 of the Revised Code are hereby 1451
repealed. 1452