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Am. S. B. No. 175

Senator Schaffer

Cosponsors: Senators Eklund, Fedor, O'Brien, Manning, Antonio, Blessing, Brenner, Coley, Craig, Hackett, Hoagland, Huffman, M., Huffman, S., Johnson, McColley, Obhof, Peterson, Roegner, Rulli, Schuring, Sykes, Thomas, Williams, Wilson, Yuko Representatives Brinkman, Carfagna, Carruthers, Cutrona, Edwards, Fraizer, Green, Jones, Jordan, Keller, Koehler, McClain, Merrin, Perales, Powell, Riedel, Smith, T., Stephens, Wiggam, Wilkin

A BILL

To amend sections 2307.601, 2901.05, 2901.09, and 2923.126 of the Revised Code to grant civil immunity to nonprofit corporations for certain injuries, deaths, or losses resulting from the carrying of handguns and to expand the locations at which a person has no duty to retreat before using force under both civil and criminal law.

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

Section 1. That sections 2307.601, 2901.05, 2901.09, and 2923.126 of the Revised Code be amended to read as follows:

Sec. 2307.601. (A) As used in this section:

(1) "Residence" ~~and "vehicle" have~~ has the same ~~meanings~~ meaning as in section 2901.05 of the Revised Code.

(2) "Tort action" has the same meaning as in section 2307.60 of the Revised Code.

(B) For purposes of determining the potential liability of
a person in a tort action related to the person's use of force
alleged to be in self-defense, defense of another, or defense of
the person's residence, ~~if the person lawfully is in that~~
~~person's residence,~~ the person has no duty to retreat before
using force in self-defense, defense of another, or defense of
that person's residence, ~~and, if the person lawfully is an~~
~~occupant of that person's vehicle or lawfully is an occupant in~~
~~a vehicle owned by an immediate family member of the person, the~~
~~person has no duty to retreat before using force in self-defense~~
~~or defense of another~~ if that person is in a place in which the
person lawfully has a right to be.

(C) A trier of fact shall not consider the possibility of
retreat as a factor in determining whether or not a person who
used force in self-defense, defense of another, or defense of
that person's residence reasonably believed that the force was
necessary to prevent injury, loss, or risk to life or safety.

Sec. 2901.05. (A) Every person accused of an offense is
presumed innocent until proven guilty beyond a reasonable doubt,
and the burden of proof for all elements of the offense is upon
the prosecution. The burden of going forward with the evidence
of an affirmative defense, and the burden of proof, by a
preponderance of the evidence, for an affirmative defense other
than self-defense, defense of another, or defense of the
accused's residence presented as described in division (B) (1) of
this section, is upon the accused.

(B) (1) A person is allowed to act in self-defense, defense
of another, or defense of that person's residence. If, at the
trial of a person who is accused of an offense that involved the
person's use of force against another, there is evidence

presented that tends to support that the accused person used the 45
force in self-defense, defense of another, or defense of that 46
person's residence, the prosecution must prove beyond a 47
reasonable doubt that the accused person did not use the force 48
in self-defense, defense of another, or defense of that person's 49
residence, as the case may be. 50

(2) Subject to division (B) (3) of this section, a person 51
is presumed to have acted in self-defense or defense of another 52
when using defensive force that is intended or likely to cause 53
death or great bodily harm to another if the person against whom 54
the defensive force is used is in the process of unlawfully and 55
without privilege to do so entering, or has unlawfully and 56
without privilege to do so entered, the residence or vehicle 57
occupied by the person using the defensive force. 58

(3) The presumption set forth in division (B) (2) of this 59
section does not apply if either of the following is true: 60

(a) The person against whom the defensive force is used 61
has a right to be in, or is a lawful resident of, the residence 62
or vehicle. 63

(b) The person who uses the defensive force uses it while 64
in a residence or vehicle and the person is unlawfully, and 65
without privilege to be, in that residence or vehicle. 66

(4) The presumption set forth in division (B) (2) of this 67
section is a rebuttable presumption and may be rebutted by a 68
preponderance of the evidence, provided that the prosecution's 69
burden of proof remains proof beyond a reasonable doubt as 70
described in divisions (A) and (B) (1) of this section. 71

(C) As part of its charge to the jury in a criminal case, 72
the court shall read the definitions of "reasonable doubt" and 73

"proof beyond a reasonable doubt," contained in division ~~(D)~~ (E) 74
of this section. 75

(D) As used in this section: 76

(1) An "affirmative defense" is either of the following: 77

(a) A defense expressly designated as affirmative; 78

(b) A defense involving an excuse or justification 79
peculiarly within the knowledge of the accused, on which the 80
accused can fairly be required to adduce supporting evidence. 81

(2) "Dwelling" means a building or conveyance of any kind 82
that has a roof over it and that is designed to be occupied by 83
people lodging in the building or conveyance at night, 84
regardless of whether the building or conveyance is temporary or 85
permanent or is mobile or immobile. As used in this division, a 86
building or conveyance includes, but is not limited to, an 87
attached porch, and a building or conveyance with a roof over it 88
includes, but is not limited to, a tent. 89

(3) "Residence" means a dwelling in which a person resides 90
either temporarily or permanently or is visiting as a guest. 91

(4) "Vehicle" means a conveyance of any kind, whether or 92
not motorized, that is designed to transport people or property. 93

(E) "Reasonable doubt" is present when the jurors, after 94
they have carefully considered and compared all the evidence, 95
cannot say they are firmly convinced of the truth of the charge. 96
It is a doubt based on reason and common sense. Reasonable doubt 97
is not mere possible doubt, because everything relating to human 98
affairs or depending on moral evidence is open to some possible 99
or imaginary doubt. "Proof beyond a reasonable doubt" is proof 100
of such character that an ordinary person would be willing to 101

rely and act upon it in the most important of the person's own 102
affairs. 103

Sec. 2901.09. (A) As used in this section, "residence" and 104
~~"vehicle"~~ have~~has~~ the same ~~meanings~~ meaning as in section 105
2901.05 of the Revised Code. 106

(B) For purposes of any section of the Revised Code that 107
sets forth a criminal offense, a person ~~who lawfully is in that~~ 108
~~person's residence~~ has no duty to retreat before using force in 109
self-defense, defense of another, or defense of that person's 110
residence, ~~and a person who lawfully is an occupant of that~~ 111
~~person's vehicle or who lawfully is an occupant in a vehicle~~ 112
~~owned by an immediate family member of the person has no duty to~~ 113
~~retreat before using force in self-defense or defense of another~~ 114
if that person is in a place in which the person lawfully has a 115
right to be. 116

(C) A trier of fact shall not consider the possibility of 117
retreat as a factor in determining whether or not a person who 118
used force in self-defense, defense of another, or defense of 119
that person's residence reasonably believed that the force was 120
necessary to prevent injury, loss, or risk to life or safety. 121

Sec. 2923.126. (A) A concealed handgun license that is 122
issued under section 2923.125 of the Revised Code shall expire 123
five years after the date of issuance. A licensee who has been 124
issued a license under that section shall be granted a grace 125
period of thirty days after the licensee's license expires 126
during which the licensee's license remains valid. Except as 127
provided in divisions (B) and (C) of this section, a licensee 128
who has been issued a concealed handgun license under section 129
2923.125 or 2923.1213 of the Revised Code may carry a concealed 130
handgun anywhere in this state if the licensee also carries a 131

valid license when the licensee is in actual possession of a 132
concealed handgun. The licensee shall give notice of any change 133
in the licensee's residence address to the sheriff who issued 134
the license within forty-five days after that change. 135

If a licensee is the driver or an occupant of a motor 136
vehicle that is stopped as the result of a traffic stop or a 137
stop for another law enforcement purpose and if the licensee is 138
transporting or has a loaded handgun in the motor vehicle at 139
that time, the licensee shall promptly inform any law 140
enforcement officer who approaches the vehicle while stopped 141
that the licensee has been issued a concealed handgun license 142
and that the licensee currently possesses or has a loaded 143
handgun; the licensee shall not knowingly disregard or fail to 144
comply with lawful orders of a law enforcement officer given 145
while the motor vehicle is stopped, knowingly fail to remain in 146
the motor vehicle while stopped, or knowingly fail to keep the 147
licensee's hands in plain sight after any law enforcement 148
officer begins approaching the licensee while stopped and before 149
the officer leaves, unless directed otherwise by a law 150
enforcement officer; and the licensee shall not knowingly have 151
contact with the loaded handgun by touching it with the 152
licensee's hands or fingers, in any manner in violation of 153
division (E) of section 2923.16 of the Revised Code, after any 154
law enforcement officer begins approaching the licensee while 155
stopped and before the officer leaves. Additionally, if a 156
licensee is the driver or an occupant of a commercial motor 157
vehicle that is stopped by an employee of the motor carrier 158
enforcement unit for the purposes defined in section 5503.34 of 159
the Revised Code and the licensee is transporting or has a 160
loaded handgun in the commercial motor vehicle at that time, the 161
licensee shall promptly inform the employee of the unit who 162

approaches the vehicle while stopped that the licensee has been 163
issued a concealed handgun license and that the licensee 164
currently possesses or has a loaded handgun. 165

If a licensee is stopped for a law enforcement purpose and 166
if the licensee is carrying a concealed handgun at the time the 167
officer approaches, the licensee shall promptly inform any law 168
enforcement officer who approaches the licensee while stopped 169
that the licensee has been issued a concealed handgun license 170
and that the licensee currently is carrying a concealed handgun; 171
the licensee shall not knowingly disregard or fail to comply 172
with lawful orders of a law enforcement officer given while the 173
licensee is stopped, or knowingly fail to keep the licensee's 174
hands in plain sight after any law enforcement officer begins 175
approaching the licensee while stopped and before the officer 176
leaves, unless directed otherwise by a law enforcement officer; 177
and the licensee shall not knowingly remove, attempt to remove, 178
grasp, or hold the loaded handgun or knowingly have contact with 179
the loaded handgun by touching it with the licensee's hands or 180
fingers, in any manner in violation of division (B) of section 181
2923.12 of the Revised Code, after any law enforcement officer 182
begins approaching the licensee while stopped and before the 183
officer leaves. 184

(B) A valid concealed handgun license does not authorize 185
the licensee to carry a concealed handgun in any manner 186
prohibited under division (B) of section 2923.12 of the Revised 187
Code or in any manner prohibited under section 2923.16 of the 188
Revised Code. A valid license does not authorize the licensee to 189
carry a concealed handgun into any of the following places: 190

(1) A police station, sheriff's office, or state highway 191
patrol station, premises controlled by the bureau of criminal 192

identification and investigation; a state correctional 193
institution, jail, workhouse, or other detention facility; any 194
area of an airport passenger terminal that is beyond a passenger 195
or property screening checkpoint or to which access is 196
restricted through security measures by the airport authority or 197
a public agency; or an institution that is maintained, operated, 198
managed, and governed pursuant to division (A) of section 199
5119.14 of the Revised Code or division (A) (1) of section 200
5123.03 of the Revised Code; 201

(2) A school safety zone if the licensee's carrying the 202
concealed handgun is in violation of section 2923.122 of the 203
Revised Code; 204

(3) A courthouse or another building or structure in which 205
a courtroom is located if the licensee's carrying the concealed 206
handgun is in violation of section 2923.123 of the Revised Code; 207

(4) Any premises or open air arena for which a D permit 208
has been issued under Chapter 4303. of the Revised Code if the 209
licensee's carrying the concealed handgun is in violation of 210
section 2923.121 of the Revised Code; 211

(5) Any premises owned or leased by any public or private 212
college, university, or other institution of higher education, 213
unless the handgun is in a locked motor vehicle or the licensee 214
is in the immediate process of placing the handgun in a locked 215
motor vehicle or unless the licensee is carrying the concealed 216
handgun pursuant to a written policy, rule, or other 217
authorization that is adopted by the institution's board of 218
trustees or other governing body and that authorizes specific 219
individuals or classes of individuals to carry a concealed 220
handgun on the premises; 221

(6) Any church, synagogue, mosque, or other place of 222
worship, unless the church, synagogue, mosque, or other place of 223
worship posts or permits otherwise; 224

(7) Any building that is a government facility of this 225
state or a political subdivision of this state and that is not a 226
building that is used primarily as a shelter, restroom, parking 227
facility for motor vehicles, or rest facility and is not a 228
courthouse or other building or structure in which a courtroom 229
is located that is subject to division (B)(3) of this section, 230
unless the governing body with authority over the building has 231
enacted a statute, ordinance, or policy that permits a licensee 232
to carry a concealed handgun into the building; 233

(8) A place in which federal law prohibits the carrying of 234
handguns. 235

(C)(1) Nothing in this section shall negate or restrict a 236
rule, policy, or practice of a private employer that is not a 237
private college, university, or other institution of higher 238
education concerning or prohibiting the presence of firearms on 239
the private employer's premises or property, including motor 240
vehicles owned by the private employer. Nothing in this section 241
shall require a private employer of that nature to adopt a rule, 242
policy, or practice concerning or prohibiting the presence of 243
firearms on the private employer's premises or property, 244
including motor vehicles owned by the private employer. 245

(2)(a) A private employer shall be immune from liability 246
in a civil action for any injury, death, or loss to person or 247
property that allegedly was caused by or related to a licensee 248
bringing a handgun onto the premises or property of the private 249
employer, including motor vehicles owned by the private 250
employer, unless the private employer acted with malicious 251

purpose. A private employer is immune from liability in a civil 252
action for any injury, death, or loss to person or property that 253
allegedly was caused by or related to the private employer's 254
decision to permit a licensee to bring, or prohibit a licensee 255
from bringing, a handgun onto the premises or property of the 256
private employer. 257

(b) A political subdivision shall be immune from liability 258
in a civil action, to the extent and in the manner provided in 259
Chapter 2744. of the Revised Code, for any injury, death, or 260
loss to person or property that allegedly was caused by or 261
related to a licensee bringing a handgun onto any premises or 262
property owned, leased, or otherwise under the control of the 263
political subdivision. As used in this division, "political 264
subdivision" has the same meaning as in section 2744.01 of the 265
Revised Code. 266

(c) An institution of higher education shall be immune 267
from liability in a civil action for any injury, death, or loss 268
to person or property that allegedly was caused by or related to 269
a licensee bringing a handgun onto the premises of the 270
institution, including motor vehicles owned by the institution, 271
unless the institution acted with malicious purpose. An 272
institution of higher education is immune from liability in a 273
civil action for any injury, death, or loss to person or 274
property that allegedly was caused by or related to the 275
institution's decision to permit a licensee or class of 276
licensees to bring a handgun onto the premises of the 277
institution. 278

(d) A nonprofit corporation shall be immune from liability 279
in a civil action for any injury, death, or loss to person or 280
property that allegedly was caused by or related to a licensee 281

bringing a handgun onto the premises of the nonprofit 282
corporation, including any motor vehicle owned by the nonprofit 283
corporation, or to any event organized by the nonprofit 284
corporation, unless the nonprofit corporation acted with 285
malicious purpose. A nonprofit corporation is immune from 286
liability in a civil action for any injury, death, or loss to 287
person or property that allegedly was caused by or related to 288
the nonprofit corporation's decision to permit a licensee to 289
bring a handgun onto the premises of the nonprofit corporation 290
or to any event organized by the nonprofit corporation. 291

(3) (a) Except as provided in division (C) (3) (b) of this 292
section and section 2923.1214 of the Revised Code, the owner or 293
person in control of private land or premises, and a private 294
person or entity leasing land or premises owned by the state, 295
the United States, or a political subdivision of the state or 296
the United States, may post a sign in a conspicuous location on 297
that land or on those premises prohibiting persons from carrying 298
firearms or concealed firearms on or onto that land or those 299
premises. Except as otherwise provided in this division, a 300
person who knowingly violates a posted prohibition of that 301
nature is guilty of criminal trespass in violation of division 302
(A) (4) of section 2911.21 of the Revised Code and is guilty of a 303
misdemeanor of the fourth degree. If a person knowingly violates 304
a posted prohibition of that nature and the posted land or 305
premises primarily was a parking lot or other parking facility, 306
the person is not guilty of criminal trespass under section 307
2911.21 of the Revised Code or under any other criminal law of 308
this state or criminal law, ordinance, or resolution of a 309
political subdivision of this state, and instead is subject only 310
to a civil cause of action for trespass based on the violation. 311

If a person knowingly violates a posted prohibition of the 312

nature described in this division and the posted land or 313
premises is a child day-care center, type A family day-care 314
home, or type B family day-care home, unless the person is a 315
licensee who resides in a type A family day-care home or type B 316
family day-care home, the person is guilty of aggravated 317
trespass in violation of section 2911.211 of the Revised Code. 318
Except as otherwise provided in this division, the offender is 319
guilty of a misdemeanor of the first degree. If the person 320
previously has been convicted of a violation of this division or 321
of any offense of violence, if the weapon involved is a firearm 322
that is either loaded or for which the offender has ammunition 323
ready at hand, or if the weapon involved is dangerous ordnance, 324
the offender is guilty of a felony of the fourth degree. 325

(b) A landlord may not prohibit or restrict a tenant who 326
is a licensee and who on or after September 9, 2008, enters into 327
a rental agreement with the landlord for the use of residential 328
premises, and the tenant's guest while the tenant is present, 329
from lawfully carrying or possessing a handgun on those 330
residential premises. 331

(c) As used in division (C) (3) of this section: 332

(i) "Residential premises" has the same meaning as in 333
section 5321.01 of the Revised Code, except "residential 334
premises" does not include a dwelling unit that is owned or 335
operated by a college or university. 336

(ii) "Landlord," "tenant," and "rental agreement" have the 337
same meanings as in section 5321.01 of the Revised Code. 338

(D) A person who holds a valid concealed handgun license 339
issued by another state that is recognized by the attorney 340
general pursuant to a reciprocity agreement entered into 341

pursuant to section 109.69 of the Revised Code or a person who 342
holds a valid concealed handgun license under the circumstances 343
described in division (B) of section 109.69 of the Revised Code 344
has the same right to carry a concealed handgun in this state as 345
a person who was issued a concealed handgun license under 346
section 2923.125 of the Revised Code and is subject to the same 347
restrictions that apply to a person who carries a license issued 348
under that section. 349

(E) (1) A peace officer has the same right to carry a 350
concealed handgun in this state as a person who was issued a 351
concealed handgun license under section 2923.125 of the Revised 352
Code, provided that the officer when carrying a concealed 353
handgun under authority of this division is carrying validating 354
identification. For purposes of reciprocity with other states, a 355
peace officer shall be considered to be a licensee in this 356
state. 357

(2) An active duty member of the armed forces of the 358
United States who is carrying a valid military identification 359
card and documentation of successful completion of firearms 360
training that meets or exceeds the training requirements 361
described in division (G) (1) of section 2923.125 of the Revised 362
Code has the same right to carry a concealed handgun in this 363
state as a person who was issued a concealed handgun license 364
under section 2923.125 of the Revised Code and is subject to the 365
same restrictions as specified in this section. 366

(3) A tactical medical professional who is qualified to 367
carry firearms while on duty under section 109.771 of the 368
Revised Code has the same right to carry a concealed handgun in 369
this state as a person who was issued a concealed handgun 370
license under section 2923.125 of the Revised Code. 371

(F) (1) A qualified retired peace officer who possesses a 372
retired peace officer identification card issued pursuant to 373
division (F) (2) of this section and a valid firearms 374
requalification certification issued pursuant to division (F) (3) 375
of this section has the same right to carry a concealed handgun 376
in this state as a person who was issued a concealed handgun 377
license under section 2923.125 of the Revised Code and is 378
subject to the same restrictions that apply to a person who 379
carries a license issued under that section. For purposes of 380
reciprocity with other states, a qualified retired peace officer 381
who possesses a retired peace officer identification card issued 382
pursuant to division (F) (2) of this section and a valid firearms 383
requalification certification issued pursuant to division (F) (3) 384
of this section shall be considered to be a licensee in this 385
state. 386

(2) (a) Each public agency of this state or of a political 387
subdivision of this state that is served by one or more peace 388
officers shall issue a retired peace officer identification card 389
to any person who retired from service as a peace officer with 390
that agency, if the issuance is in accordance with the agency's 391
policies and procedures and if the person, with respect to the 392
person's service with that agency, satisfies all of the 393
following: 394

(i) The person retired in good standing from service as a 395
peace officer with the public agency, and the retirement was not 396
for reasons of mental instability. 397

(ii) Before retiring from service as a peace officer with 398
that agency, the person was authorized to engage in or supervise 399
the prevention, detection, investigation, or prosecution of, or 400
the incarceration of any person for, any violation of law and 401

the person had statutory powers of arrest. 402

(iii) At the time of the person's retirement as a peace 403
officer with that agency, the person was trained and qualified 404
to carry firearms in the performance of the peace officer's 405
duties. 406

(iv) Before retiring from service as a peace officer with 407
that agency, the person was regularly employed as a peace 408
officer for an aggregate of fifteen years or more, or, in the 409
alternative, the person retired from service as a peace officer 410
with that agency, after completing any applicable probationary 411
period of that service, due to a service-connected disability, 412
as determined by the agency. 413

(b) A retired peace officer identification card issued to 414
a person under division (F)(2)(a) of this section shall identify 415
the person by name, contain a photograph of the person, identify 416
the public agency of this state or of the political subdivision 417
of this state from which the person retired as a peace officer 418
and that is issuing the identification card, and specify that 419
the person retired in good standing from service as a peace 420
officer with the issuing public agency and satisfies the 421
criteria set forth in divisions (F)(2)(a)(i) to (iv) of this 422
section. In addition to the required content specified in this 423
division, a retired peace officer identification card issued to 424
a person under division (F)(2)(a) of this section may include 425
the firearms requalification certification described in division 426
(F)(3) of this section, and if the identification card includes 427
that certification, the identification card shall serve as the 428
firearms requalification certification for the retired peace 429
officer. If the issuing public agency issues credentials to 430
active law enforcement officers who serve the agency, the agency 431

may comply with division (F) (2) (a) of this section by issuing 432
the same credentials to persons who retired from service as a 433
peace officer with the agency and who satisfy the criteria set 434
forth in divisions (F) (2) (a) (i) to (iv) of this section, 435
provided that the credentials so issued to retired peace 436
officers are stamped with the word "RETIRED." 437

(c) A public agency of this state or of a political 438
subdivision of this state may charge persons who retired from 439
service as a peace officer with the agency a reasonable fee for 440
issuing to the person a retired peace officer identification 441
card pursuant to division (F) (2) (a) of this section. 442

(3) If a person retired from service as a peace officer 443
with a public agency of this state or of a political subdivision 444
of this state and the person satisfies the criteria set forth in 445
divisions (F) (2) (a) (i) to (iv) of this section, the public 446
agency may provide the retired peace officer with the 447
opportunity to attend a firearms requalification program that is 448
approved for purposes of firearms requalification required under 449
section 109.801 of the Revised Code. The retired peace officer 450
may be required to pay the cost of the course. 451

If a retired peace officer who satisfies the criteria set 452
forth in divisions (F) (2) (a) (i) to (iv) of this section attends 453
a firearms requalification program that is approved for purposes 454
of firearms requalification required under section 109.801 of 455
the Revised Code, the retired peace officer's successful 456
completion of the firearms requalification program requalifies 457
the retired peace officer for purposes of division (F) of this 458
section for five years from the date on which the program was 459
successfully completed, and the requalification is valid during 460
that five-year period. If a retired peace officer who satisfies 461

the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 462
section satisfactorily completes such a firearms requalification 463
program, the retired peace officer shall be issued a firearms 464
requalification certification that identifies the retired peace 465
officer by name, identifies the entity that taught the program, 466
specifies that the retired peace officer successfully completed 467
the program, specifies the date on which the course was 468
successfully completed, and specifies that the requalification 469
is valid for five years from that date of successful completion. 470
The firearms requalification certification for a retired peace 471
officer may be included in the retired peace officer 472
identification card issued to the retired peace officer under 473
division (F) (2) of this section. 474

A retired peace officer who attends a firearms 475
requalification program that is approved for purposes of 476
firearms requalification required under section 109.801 of the 477
Revised Code may be required to pay the cost of the program. 478

(G) As used in this section: 479

(1) "Qualified retired peace officer" means a person who 480
satisfies all of the following: 481

(a) The person satisfies the criteria set forth in 482
divisions (F) (2) (a) (i) to (v) of this section. 483

(b) The person is not under the influence of alcohol or 484
another intoxicating or hallucinatory drug or substance. 485

(c) The person is not prohibited by federal law from 486
receiving firearms. 487

(2) "Retired peace officer identification card" means an 488
identification card that is issued pursuant to division (F) (2) 489
of this section to a person who is a retired peace officer. 490

(3) "Government facility of this state or a political 491
subdivision of this state" means any of the following: 492

(a) A building or part of a building that is owned or 493
leased by the government of this state or a political 494
subdivision of this state and where employees of the government 495
of this state or the political subdivision regularly are present 496
for the purpose of performing their official duties as employees 497
of the state or political subdivision; 498

(b) The office of a deputy registrar serving pursuant to 499
Chapter 4503. of the Revised Code that is used to perform deputy 500
registrar functions. 501

(4) "Governing body" has the same meaning as in section 502
154.01 of the Revised Code. 503

(5) "Tactical medical professional" has the same meaning 504
as in section 109.71 of the Revised Code. 505

(6) "Validating identification" means photographic 506
identification issued by the agency for which an individual 507
serves as a peace officer that identifies the individual as a 508
peace officer of the agency. 509

(7) "Nonprofit corporation" means any private organization 510
that is exempt from federal income taxation pursuant to 511
subsection 501(a) and described in subsection 501(c) of the 512
Internal Revenue Code. 513

Section 2. That existing sections 2307.601, 2901.05, 514
2901.09, and 2923.126 of the Revised Code are hereby repealed. 515

Section 3. Section 2923.126 of the Revised Code is 516
presented in this act as a composite of the section as amended 517
by both Am. Sub. H.B. 79 and Am. Sub. H.B. 228 of the 132nd 518

General Assembly. The General Assembly, applying the principle	519
stated in division (B) of section 1.52 of the Revised Code that	520
amendments are to be harmonized if reasonably capable of	521
simultaneous operation, finds that the composite is the	522
resulting version of the section in effect prior to the	523
effective date of the section as presented in this act.	524