

As Introduced

132nd General Assembly

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H. B. No. 703

Representative Becker

**Cosponsors: Representatives Patton, Thompson, Retherford, Lang, Dean, Antani,
Riedel, Roegner, Henne**

A BILL

To amend sections 9.68, 2923.12, 2923.121,	1
2923.122, 2923.123, 2923.126, 2923.1212, and	2
4117.10 and to enact sections 2923.22 and	3
3345.90 of the Revised Code to enact the	4
"Decriminalization Effort For Ending Notorious	5
Deaths -- Teachers With Options (DEFEND-TWO)" to	6
allow a concealed handgun licensee or qualified	7
military member to carry a concealed handgun in	8
certain public premises, to reduce the penalty	9
for a concealed handgun licensee who carries a	10
concealed handgun in a prohibited place, and to	11
prohibit public employers and universities from	12
disciplining employees or students who lawfully	13
carry a concealed handgun on the premises.	14

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

Section 1. That sections 9.68, 2923.12, 2923.121,	15
2923.122, 2923.123, 2923.126, 2923.1212, and 4117.10 be amended	16
and sections 2923.22 and 3345.90 of the Revised Code be enacted	17
to read as follows:	18

Sec. 9.68. (A) The individual right to keep and bear arms, 19
being a fundamental individual right that predates the United 20
States Constitution and Ohio Constitution, and being a 21
constitutionally protected right in every part of Ohio, the 22
general assembly finds the need to provide uniform laws 23
throughout the state regulating the ownership, possession, 24
purchase, other acquisition, transport, storage, carrying, sale, 25
or other transfer of firearms, their components, accessories, 26
attachments, and their ammunition. Except as specifically 27
provided by the United States Constitution, Ohio Constitution, 28
~~state-law statute,~~ or federal law, a person, without further 29
license, permission, restriction, delay, or process, may own, 30
possess, purchase, sell, transfer, transport, store, or keep any 31
firearm, part of a firearm, and its components, accessories, 32
attachments, and ~~its~~ ammunition. 33

(B) In addition to any other relief provided, the court 34
shall award costs and reasonable attorney fees to any person, 35
group, or entity that prevails in a challenge to an ordinance, 36
rule, or regulation as being in conflict with this section. 37

(C) As used in this section: 38

(1) The possession, transporting, or carrying of firearms, 39
their components, or their ammunition include, but are not 40
limited to, the possession, transporting, or carrying, openly or 41
concealed on a person's person or concealed ready at hand, of 42
firearms, their components, or their ammunition. 43

(2) "Firearm" has the same meaning as in section 2923.11 44
of the Revised Code. 45

(D) This section does not apply to either of the 46
following: 47

(1) A zoning ordinance that regulates or prohibits the 48
commercial sale of firearms, firearm components, or ammunition 49
for firearms in areas zoned for residential or agricultural 50
uses; 51

(2) A zoning ordinance that specifies the hours of 52
operation or the geographic areas where the commercial sale of 53
firearms, firearm components, or ammunition for firearms may 54
occur, provided that the zoning ordinance is consistent with 55
zoning ordinances for other retail establishments in the same 56
geographic area and does not result in a de facto prohibition of 57
the commercial sale of firearms, firearm components, or 58
ammunition for firearms in areas zoned for commercial, retail, 59
or industrial uses. 60

Sec. 2923.12. (A) No person shall knowingly carry or have, 61
concealed on the person's person or concealed ready at hand, any 62
of the following: 63

(1) A deadly weapon other than a handgun; 64

(2) A handgun other than a dangerous ordnance; 65

(3) A dangerous ordnance. 66

(B) No person who has been issued a concealed handgun 67
license shall do any of the following: 68

(1) If the person is stopped for a law enforcement purpose 69
and is carrying a concealed handgun, fail to promptly inform any 70
law enforcement officer who approaches the person after the 71
person has been stopped that the person has been issued a 72
concealed handgun license and that the person then is carrying a 73
concealed handgun; 74

(2) If the person is stopped for a law enforcement purpose 75

and is carrying a concealed handgun, knowingly fail to keep the 76
person's hands in plain sight at any time after any law 77
enforcement officer begins approaching the person while stopped 78
and before the law enforcement officer leaves, unless the 79
failure is pursuant to and in accordance with directions given 80
by a law enforcement officer; 81

(3) If the person is stopped for a law enforcement 82
purpose, if the person is carrying a concealed handgun, and if 83
the person is approached by any law enforcement officer while 84
stopped, knowingly remove or attempt to remove the loaded 85
handgun from the holster, pocket, or other place in which the 86
person is carrying it, knowingly grasp or hold the loaded 87
handgun, or knowingly have contact with the loaded handgun by 88
touching it with the person's hands or fingers at any time after 89
the law enforcement officer begins approaching and before the 90
law enforcement officer leaves, unless the person removes, 91
attempts to remove, grasps, holds, or has contact with the 92
loaded handgun pursuant to and in accordance with directions 93
given by the law enforcement officer; 94

(4) If the person is stopped for a law enforcement purpose 95
and is carrying a concealed handgun, knowingly disregard or fail 96
to comply with any lawful order of any law enforcement officer 97
given while the person is stopped, including, but not limited 98
to, a specific order to the person to keep the person's hands in 99
plain sight. 100

(C) (1) This section does not apply to any of the 101
following: 102

(a) An officer, agent, or employee of this or any other 103
state or the United States, or to a law enforcement officer, who 104
is authorized to carry concealed weapons or dangerous ordnance 105

or is authorized to carry handguns and is acting within the 106
scope of the officer's, agent's, or employee's duties; 107

(b) Any person who is employed in this state, who is 108
authorized to carry concealed weapons or dangerous ordnance or 109
is authorized to carry handguns, and who is subject to and in 110
compliance with the requirements of section 109.801 of the 111
Revised Code, unless the appointing authority of the person has 112
expressly specified that the exemption provided in division (C) 113
(1) (b) of this section does not apply to the person; 114

(c) A person's transportation or storage of a firearm, 115
other than a firearm described in divisions (G) to (M) of 116
section 2923.11 of the Revised Code, in a motor vehicle for any 117
lawful purpose if the firearm is not on the actor's person; 118

(d) A person's storage or possession of a firearm, other 119
than a firearm described in divisions (G) to (M) of section 120
2923.11 of the Revised Code, in the actor's own home for any 121
lawful purpose. 122

(2) Division (A) (2) of this section does not apply to any 123
person who, at the time of the alleged carrying or possession of 124
a handgun, either is carrying a valid concealed handgun license 125
or is an active duty member of the armed forces of the United 126
States and is carrying a valid military identification card and 127
documentation of successful completion of firearms training that 128
meets or exceeds the training requirements described in division 129
(G) (1) of section 2923.125 of the Revised Code, unless the 130
person knowingly is in a place described in division (B) of 131
section 2923.126 of the Revised Code. 132

(D) It is an affirmative defense to a charge under 133
division (A) (1) of this section of carrying or having control of 134

a weapon other than a handgun and other than a dangerous 135
ordnance that the actor was not otherwise prohibited by law from 136
having the weapon and that any of the following applies: 137

(1) The weapon was carried or kept ready at hand by the 138
actor for defensive purposes while the actor was engaged in or 139
was going to or from the actor's lawful business or occupation, 140
which business or occupation was of a character or was 141
necessarily carried on in a manner or at a time or place as to 142
render the actor particularly susceptible to criminal attack, 143
such as would justify a prudent person in going armed. 144

(2) The weapon was carried or kept ready at hand by the 145
actor for defensive purposes while the actor was engaged in a 146
lawful activity and had reasonable cause to fear a criminal 147
attack upon the actor, a member of the actor's family, or the 148
actor's home, such as would justify a prudent person in going 149
armed. 150

(3) The weapon was carried or kept ready at hand by the 151
actor for any lawful purpose and while in the actor's own home. 152

(E) No person who is charged with a violation of this 153
section shall be required to obtain a concealed handgun license 154
as a condition for the dismissal of the charge. 155

(F) (1) Whoever violates this section is guilty of carrying 156
concealed weapons. Except as otherwise provided in this division 157
or divisions (F) (2), (6), and (7) of this section, carrying 158
concealed weapons in violation of division (A) of this section 159
is a misdemeanor of the first degree. Except as otherwise 160
provided in this division or divisions (F) (2), (6), and (7) of 161
this section, if the offender previously has been convicted of a 162
violation of this section or of any offense of violence, if the 163

weapon involved is a firearm that is either loaded or for which 164
the offender has ammunition ready at hand, or if the weapon 165
involved is dangerous ordnance, carrying concealed weapons in 166
violation of division (A) of this section is a felony of the 167
fourth degree. Except as otherwise provided in divisions (F) (2) 168
and (6) of this section, if the offense is committed aboard an 169
aircraft, or with purpose to carry a concealed weapon aboard an 170
aircraft, regardless of the weapon involved, carrying concealed 171
weapons in violation of division (A) of this section is a felony 172
of the third degree. 173

(2) Except as provided in division (F) (6) of this section, 174
if a person being arrested for a violation of division (A) (2) of 175
this section promptly produces a valid concealed handgun 176
license, and if at the time of the violation the person was not 177
knowingly in a place described in division (B) of section 178
2923.126 of the Revised Code, the officer shall not arrest the 179
person for a violation of that division. If the person is not 180
able to promptly produce any concealed handgun license and if 181
the person is not in a place described in that section, the 182
officer may arrest the person for a violation of that division, 183
and the offender shall be punished as follows: 184

(a) The offender shall be guilty of a minor misdemeanor if 185
both of the following apply: 186

(i) Within ten days after the arrest, the offender 187
presents a concealed handgun license, which license was valid at 188
the time of the arrest to the law enforcement agency that 189
employs the arresting officer. 190

(ii) At the time of the arrest, the offender was not 191
knowingly in a place described in division (B) of section 192
2923.126 of the Revised Code. 193

(b) The offender shall be guilty of a misdemeanor and 194
shall be fined five hundred dollars if all of the following 195
apply: 196

(i) The offender previously had been issued a concealed 197
handgun license, and that license expired within the two years 198
immediately preceding the arrest. 199

(ii) Within forty-five days after the arrest, the offender 200
presents a concealed handgun license to the law enforcement 201
agency that employed the arresting officer, and the offender 202
waives in writing the offender's right to a speedy trial on the 203
charge of the violation that is provided in section 2945.71 of 204
the Revised Code. 205

(iii) At the time of the commission of the offense, the 206
offender was not knowingly in a place described in division (B) 207
of section 2923.126 of the Revised Code. 208

(c) If divisions (F)(2)(a) and (b) and (F)(6) of this 209
section do not apply, the offender shall be punished under 210
division (F)(1) or (7) of this section. 211

(3) Except as otherwise provided in this division, 212
carrying concealed weapons in violation of division (B)(1) of 213
this section is a misdemeanor of the first degree, and, in 214
addition to any other penalty or sanction imposed for a 215
violation of division (B)(1) of this section, the offender's 216
concealed handgun license shall be suspended pursuant to 217
division (A)(2) of section 2923.128 of the Revised Code. If, at 218
the time of the stop of the offender for a law enforcement 219
purpose that was the basis of the violation, any law enforcement 220
officer involved with the stop had actual knowledge that the 221
offender has been issued a concealed handgun license, carrying 222

concealed weapons in violation of division (B) (1) of this 223
section is a minor misdemeanor, and the offender's concealed 224
handgun license shall not be suspended pursuant to division (A) 225
(2) of section 2923.128 of the Revised Code. 226

(4) Carrying concealed weapons in violation of division 227
(B) (2) or (4) of this section is a misdemeanor of the first 228
degree or, if the offender previously has been convicted of or 229
pleaded guilty to a violation of division (B) (2) or (4) of this 230
section, a felony of the fifth degree. In addition to any other 231
penalty or sanction imposed for a misdemeanor violation of 232
division (B) (2) or (4) of this section, the offender's concealed 233
handgun license shall be suspended pursuant to division (A) (2) 234
of section 2923.128 of the Revised Code. 235

(5) Carrying concealed weapons in violation of division 236
(B) (3) of this section is a felony of the fifth degree. 237

(6) If a person being arrested for a violation of division 238
(A) (2) of this section is an active duty member of the armed 239
forces of the United States and is carrying a valid military 240
identification card and documentation of successful completion 241
of firearms training that meets or exceeds the training 242
requirements described in division (G) (1) of section 2923.125 of 243
the Revised Code, and if at the time of the violation the person 244
was not knowingly in a place described in division (B) of 245
section 2923.126 of the Revised Code, the officer shall not 246
arrest the person for a violation of that division. If the 247
person is not able to promptly produce a valid military 248
identification card and documentation of successful completion 249
of firearms training that meets or exceeds the training 250
requirements described in division (G) (1) of section 2923.125 of 251
the Revised Code and if the person is not in a place described 252

in division (B) of section 2923.126 of the Revised Code, the 253
officer shall issue a citation and the offender shall be 254
assessed a civil penalty of not more than five hundred dollars. 255
The citation shall be automatically dismissed and the civil 256
penalty shall not be assessed if both of the following apply: 257

(a) Within ten days after the issuance of the citation, 258
the offender presents a valid military identification card and 259
documentation of successful completion of firearms training that 260
meets or exceeds the training requirements described in division 261
(G) (1) of section 2923.125 of the Revised Code, which were both 262
valid at the time of the issuance of the citation to the law 263
enforcement agency that employs the citing officer. 264

(b) At the time of the citation, the offender was not 265
knowingly in a place described in division (B) of section 266
2923.126 of the Revised Code. 267

(7) If a person being arrested for a violation of division 268
(A) (2) of this section is ~~knowingly in a place described in~~ 269
~~division (B) (5) of section 2923.126 of the Revised Code and is~~ 270
~~not authorized to carry a handgun or have a handgun concealed on~~ 271
~~the person's person or concealed ready at hand under that~~ 272
~~division, the penalty shall be as follows:~~ 273

~~(a) Except as otherwise provided in this division, if the~~ 274
~~person produces a valid concealed handgun license within ten~~ 275
~~days after the arrest and has not previously been convicted or~~ 276
~~pleaded guilty to a violation of division (A) (2) of this~~ 277
~~section, the person is guilty of a minor misdemeanor;~~ 278

~~(b) Except as otherwise provided in this division, if the~~ 279
~~person has previously been convicted of or pleaded guilty to a~~ 280
~~violation of division (A) (2) of this section, the person is~~ 281

~~guilty of a misdemeanor of the fourth degree;~~

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

~~(d) Except as otherwise provided in this division, if the person has previously been convicted of or pleaded guilty to three or more violations of division (A) (2) of this section, or convicted of or pleaded guilty to any offense of violence, if the weapon involved is a firearm that is either loaded or for which the offender has ammunition ready at hand, or if the weapon involved is a dangerous ordnance, the person is guilty of a misdemeanor of the second degree~~carrying a valid concealed handgun license or is an active duty member of the armed forces of the United States and is carrying a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G) (1) of section 2923.125 of the Revised Code, and if the person is knowingly in a place described in division (B) (1), (5), (6), (7), or (8) of section 2923.126 of the Revised Code, the person is guilty of a misdemeanor of the fourth degree or, if carrying firearms or concealed firearms is prohibited on the premises but no sign is posted, a minor misdemeanor subject to a fine of not more than twenty-five dollars.

(G) If a law enforcement officer stops a person to question the person regarding a possible violation of this section, for a traffic stop, or for any other law enforcement purpose, if the person surrenders a firearm to the officer, either voluntarily or pursuant to a request or demand of the

officer, and if the officer does not charge the person with a 312
violation of this section or arrest the person for any offense, 313
the person is not otherwise prohibited by law from possessing 314
the firearm, and the firearm is not contraband, the officer 315
shall return the firearm to the person at the termination of the 316
stop. If a court orders a law enforcement officer to return a 317
firearm to a person pursuant to the requirement set forth in 318
this division, division (B) of section 2923.163 of the Revised 319
Code applies. 320

Sec. 2923.121. (A) No person shall knowingly possess a 321
firearm in any room in which any person is consuming beer or 322
intoxicating liquor in a premises for which a D permit has been 323
issued under Chapter 4303. of the Revised Code or in an open air 324
arena for which a permit of that nature has been issued. 325

(B) (1) This section does not apply to any of the 326
following: 327

(a) An officer, agent, or employee of this or any other 328
state or the United States, or to a law enforcement officer, who 329
is authorized to carry firearms and is acting within the scope 330
of the officer's, agent's, or employee's duties; 331

(b) Any person who is employed in this state, who is 332
authorized to carry firearms, and who is subject to and in 333
compliance with the requirements of section 109.801 of the 334
Revised Code, unless the appointing authority of the person has 335
expressly specified that the exemption provided in division (B) 336
(1) (b) of this section does not apply to the person; 337

(c) Any room used for the accommodation of guests of a 338
hotel, as defined in section 4301.01 of the Revised Code; 339

(d) The principal holder of a D permit issued for a 340

premises or an open air arena under Chapter 4303. of the Revised 341
Code while in the premises or open air arena for which the 342
permit was issued if the principal holder of the D permit also 343
possesses a valid concealed handgun license and as long as the 344
principal holder is not consuming beer or intoxicating liquor or 345
under the influence of alcohol or a drug of abuse, or any agent 346
or employee of that holder who also is a peace officer, as 347
defined in section 2151.3515 of the Revised Code, who is off 348
duty, and who otherwise is authorized to carry firearms while in 349
the course of the officer's official duties and while in the 350
premises or open air arena for which the permit was issued and 351
as long as the agent or employee of that holder is not consuming 352
beer or intoxicating liquor or under the influence of alcohol or 353
a drug of abuse. 354

(e) Any person who is carrying a valid concealed handgun 355
license or any person who is an active duty member of the armed 356
forces of the United States and is carrying a valid military 357
identification card and documentation of successful completion 358
of firearms training that meets or exceeds the training 359
requirements described in division (G) (1) of section 2923.125 of 360
the Revised Code, as long as the person is not consuming beer or 361
intoxicating liquor or under the influence of alcohol or a drug 362
of abuse. 363

(2) This section does not prohibit any person who is a 364
member of a veteran's organization, as defined in section 365
2915.01 of the Revised Code, from possessing a rifle in any room 366
in any premises owned, leased, or otherwise under the control of 367
the veteran's organization, if the rifle is not loaded with live 368
ammunition and if the person otherwise is not prohibited by law 369
from having the rifle. 370

(3) This section does not apply to any person possessing 371
or displaying firearms in any room used to exhibit unloaded 372
firearms for sale or trade in a soldiers' memorial established 373
pursuant to Chapter 345. of the Revised Code, in a convention 374
center, or in any other public meeting place, if the person is 375
an exhibitor, trader, purchaser, or seller of firearms and is 376
not otherwise prohibited by law from possessing, trading, 377
purchasing, or selling the firearms. 378

(C) It is an affirmative defense to a charge under this 379
section of illegal possession of a firearm in a liquor permit 380
premises that involves the possession of a firearm other than a 381
handgun, that the actor was not otherwise prohibited by law from 382
having the firearm, and that any of the following apply: 383

(1) The firearm was carried or kept ready at hand by the 384
actor for defensive purposes, while the actor was engaged in or 385
was going to or from the actor's lawful business or occupation, 386
which business or occupation was of such character or was 387
necessarily carried on in such manner or at such a time or place 388
as to render the actor particularly susceptible to criminal 389
attack, such as would justify a prudent person in going armed. 390

(2) The firearm was carried or kept ready at hand by the 391
actor for defensive purposes, while the actor was engaged in a 392
lawful activity, and had reasonable cause to fear a criminal 393
attack upon the actor or a member of the actor's family, or upon 394
the actor's home, such as would justify a prudent person in 395
going armed. 396

(D) No person who is charged with a violation of this 397
section shall be required to obtain a concealed handgun license 398
as a condition for the dismissal of the charge. 399

(E) (1) Whoever violates this section is guilty of illegal possession of a firearm in a liquor permit premises. Except as otherwise provided in this division and division (E) (2) of this section, illegal possession of a firearm in a liquor permit premises is a felony of the fifth degree. ~~If Except as provided in division (E) (2) of this section, if~~ the offender commits the violation of this section by knowingly carrying or having the firearm concealed on the offender's person or concealed ready at hand, illegal possession of a firearm in a liquor permit premises is a felony of the third degree.

(2) If the offender is carrying a valid concealed handgun license or the offender is an active duty member of the armed forces of the United States and is carrying a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G) (1) of section 2923.125 of the Revised Code, illegal possession of a firearm in a liquor permit premises is a misdemeanor of the fourth degree.

(F) As used in this section, "beer" and "intoxicating liquor" have the same meanings as in section 4301.01 of the Revised Code.

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

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

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

(1) The object is indistinguishable from a firearm,

whether or not the object is capable of being fired. 429

(2) The person indicates that the person possesses the 430
object and that it is a firearm, or the person knowingly 431
displays or brandishes the object and indicates that it is a 432
firearm. 433

(D) (1) This section does not apply to any of the 434
following: 435

(a) An officer, agent, or employee of this or any other 436
state or the United States who is authorized to carry deadly 437
weapons or dangerous ordnance and is acting within the scope of 438
the officer's, agent's, or employee's duties, a law enforcement 439
officer who is authorized to carry deadly weapons or dangerous 440
ordnance, a security officer employed by a board of education or 441
governing body of a school during the time that the security 442
officer is on duty pursuant to that contract of employment, or 443
any other person who has written authorization from the board of 444
education or governing body of a school to convey deadly weapons 445
or dangerous ordnance into a school safety zone or to possess a 446
deadly weapon or dangerous ordnance in a school safety zone and 447
who conveys or possesses the deadly weapon or dangerous ordnance 448
in accordance with that authorization; 449

(b) Any person who is employed in this state, who is 450
authorized to carry deadly weapons or dangerous ordnance, and 451
who is subject to and in compliance with the requirements of 452
section 109.801 of the Revised Code, unless the appointing 453
authority of the person has expressly specified that the 454
exemption provided in division (D) (1) (b) of this section does 455
not apply to the person. 456

(2) Division (C) of this section does not apply to 457

premises upon which home schooling is conducted. Division (C) of 458
this section also does not apply to a school administrator, 459
teacher, or employee who possesses an object that is 460
indistinguishable from a firearm for legitimate school purposes 461
during the course of employment, a student who uses an object 462
that is indistinguishable from a firearm under the direction of 463
a school administrator, teacher, or employee, or any other 464
person who with the express prior approval of a school 465
administrator possesses an object that is indistinguishable from 466
a firearm for a legitimate purpose, including the use of the 467
object in a ceremonial activity, a play, reenactment, or other 468
dramatic presentation, school safety training, or a ROTC 469
activity or another similar use of the object. 470

(3) This section does not apply to a person who conveys or 471
attempts to convey a handgun into, or possesses a handgun in, a 472
school safety zone if, at the time of that conveyance, attempted 473
conveyance, or possession of the handgun, all of the following 474
apply: 475

(a) The person does not enter into a school building or 476
onto school premises and is not at a school activity. 477

(b) The person is carrying a valid concealed handgun 478
license or the person is an active duty member of the armed 479
forces of the United States and is carrying a valid military 480
identification card and documentation of successful completion 481
of firearms training that meets or exceeds the training 482
requirements described in division (G)(1) of section 2923.125 of 483
the Revised Code. 484

(c) The person is in the school safety zone in accordance 485
with 18 U.S.C. 922(q)(2)(B). 486

(d) The person is not knowingly in a place described in 487
division (B) (1) or (B) (3) to (8) of section 2923.126 of the 488
Revised Code. 489

(4) This section does not apply to a person who conveys or 490
attempts to convey a handgun into, or possesses a handgun in, a 491
school safety zone if at the time of that conveyance, attempted 492
conveyance, or possession of the handgun all of the following 493
apply: 494

(a) The person is carrying a valid concealed handgun 495
license or the person is an active duty member of the armed 496
forces of the United States and is carrying a valid military 497
identification card and documentation of successful completion 498
of firearms training that meets or exceeds the training 499
requirements described in division (G) (1) of section 2923.125 of 500
the Revised Code. 501

(b) The person leaves the handgun in a motor vehicle. 502

(c) The handgun does not leave the motor vehicle. 503

(d) If the person exits the motor vehicle, the person 504
locks the motor vehicle. 505

(5) This section does not apply to a person who conveys or 506
attempts to convey a handgun into, or possesses a handgun in, a 507
school safety zone, including any school building, if, at the 508
time of that conveyance, attempted conveyance, or possession of 509
the handgun, all of the following apply: 510

(a) Either the school safety zone is on property owned or 511
leased by a public school district and the area in which the 512
person conveys, attempts to convey, or possesses a handgun is 513
not secured, or the school safety zone is on private property 514
owned or leased by a chartered nonpublic school and the 515

chartered nonpublic school has not posted a sign in a 516
conspicuous location prohibiting deadly weapons or dangerous 517
ordnance in the school safety zone. 518

(b) The person is an active or reserve member of the armed 519
forces of the United States, has retired from or was honorably 520
discharged from military service, is a former law enforcement 521
officer, or is a person who has successfully completed a 522
firearms training program that exceeds the training requirements 523
described in division (G) (1) of section 2923.125 of the Revised 524
Code. 525

(c) The person makes reasonable efforts to keep the 526
handgun concealed and secured on the person's person or within 527
the person's immediate control or the person stores the handgun 528
in a locked compartment. 529

(E) (1) Whoever violates division (A) or (B) of this 530
section is guilty of illegal conveyance or possession of a 531
deadly weapon or dangerous ordnance in a school safety zone. 532
Except as otherwise provided in this division, illegal 533
conveyance or possession of a deadly weapon or dangerous 534
ordnance in a school safety zone is a felony of the fifth 535
degree. ~~If Except as otherwise provided in this division, if the~~ 536
offender previously has been convicted of a violation of this 537
section, illegal conveyance or possession of a deadly weapon or 538
dangerous ordnance in a school safety zone is a felony of the 539
fourth degree. If the offender is carrying a valid concealed 540
handgun license or the offender is an active duty member of the 541
armed forces of the United States and is carrying a valid 542
military identification card and documentation of successful 543
completion of firearms training that meets or exceeds the 544
training requirements described in division (G) (1) of section 545

2923.125 of the Revised Code, illegal conveyance or possession 546
of a deadly weapon or dangerous ordnance in a school safety zone 547
is a misdemeanor of the fourth degree. 548

(2) Whoever violates division (C) of this section is 549
guilty of illegal possession of an object indistinguishable from 550
a firearm in a school safety zone. Except as otherwise provided 551
in this division, illegal possession of an object 552
indistinguishable from a firearm in a school safety zone is a 553
misdemeanor of the first degree. If the offender previously has 554
been convicted of a violation of this section, illegal 555
possession of an object indistinguishable from a firearm in a 556
school safety zone is a felony of the fifth degree. 557

(F) (1) In addition to any other penalty imposed upon a 558
person who is convicted of or pleads guilty to a violation of 559
this section and subject to division (F) (2) of this section, if 560
the offender has not attained nineteen years of age, regardless 561
of whether the offender is attending or is enrolled in a school 562
operated by a board of education or for which the state board of 563
education prescribes minimum standards under section 3301.07 of 564
the Revised Code, the court shall impose upon the offender a 565
class four suspension of the offender's probationary driver's 566
license, restricted license, driver's license, commercial 567
driver's license, temporary instruction permit, or probationary 568
commercial driver's license that then is in effect from the 569
range specified in division (A) (4) of section 4510.02 of the 570
Revised Code and shall deny the offender the issuance of any 571
permit or license of that type during the period of the 572
suspension. 573

If the offender is not a resident of this state, the court 574
shall impose a class four suspension of the nonresident 575

operating privilege of the offender from the range specified in 576
division (A) (4) of section 4510.02 of the Revised Code. 577

(2) If the offender shows good cause why the court should 578
not suspend one of the types of licenses, permits, or privileges 579
specified in division (F) (1) of this section or deny the 580
issuance of one of the temporary instruction permits specified 581
in that division, the court in its discretion may choose not to 582
impose the suspension, revocation, or denial required in that 583
division, but the court, in its discretion, instead may require 584
the offender to perform community service for a number of hours 585
determined by the court. 586

(G) (1) A school safety zone, including a school bus, shall 587
be considered secured if access is restricted at each student 588
entrance by a screening checkpoint or other security measures 589
sufficient to intercept deadly weapons or dangerous ordnance and 590
by at least two persons authorized to carry firearms pursuant to 591
division (D) (1) of this section. If five hundred or more 592
students are enrolled in a school and the school safety zone is 593
to be secured, the school shall assign the following number of 594
authorized persons to carry firearms at each student entrance in 595
the school safety zone: 596

(a) Three persons if there are five hundred or more but 597
less than one thousand students; 598

(b) Four persons if there are one thousand or more but 599
less than one thousand five hundred students; 600

(c) Five persons if there are one thousand five hundred or 601
more but less than two thousand students; 602

(d) Six persons if there are two thousand or more but less 603
than two thousand five hundred students; 604

(e) Seven persons if there are two thousand five hundred 605
or more but less than three thousand students; 606

(f) Eight persons if there are three thousand or more but 607
less than three thousand five hundred students; 608

(g) Nine persons if there are three thousand five hundred 609
or more students. 610

(2) A school district, STEM school, community school, or 611
chartered nonpublic school is not liable in damages in a civil 612
action for any injury, death, or loss to person or property that 613
allegedly was caused by or related to a person bringing a 614
firearm into the school safety zone. Any person authorized to 615
carry firearms in a school safety zone pursuant to division (D) 616
(1) of this section is not liable in damages in a civil action 617
for any injury, death, or loss to person or property that 618
allegedly was caused by or related to that person bringing a 619
firearm into the school safety zone, unless the person acted 620
with malicious purpose, in bad faith, or in a wanton or reckless 621
manner. 622

(3) No board of education or governing body of a public 623
school shall discharge, discipline, or otherwise discriminate 624
against any employee or contractor with respect to hire, tenure, 625
terms, conditions, or privileges of employment, or any matter 626
directly or indirectly related to employment, if the employee or 627
contractor is carrying a concealed handgun as permitted under 628
this section. Whoever violates this provision is subject to a 629
civil action for damages, injunctive relief, or any other 630
appropriate relief. 631

(H) As used in this section, "object that is 632
indistinguishable from a firearm" means an object made, 633

constructed, or altered so that, to a reasonable person without
specialized training in firearms, the object appears to be a
firearm.

Sec. 2923.123. (A) ~~No~~ Unless permitted by a rule of
superintendence or another type of rule adopted by the supreme
court pursuant to Article IV, Ohio Constitution, or an
applicable local rule of court, no person shall knowingly convey
or attempt to convey a deadly weapon or dangerous ordnance into
a courthouse or into ~~another building or structure in which a~~
courtroom that is located in another building or structure or
into an official proceeding involving a judge or magistrate.

(B) ~~No~~ Unless permitted by a rule of superintendence or
another type of rule adopted by the supreme court pursuant to
Article IV, Ohio Constitution, or an applicable local rule of
court, no person shall knowingly possess or have under the
person's control a deadly weapon or dangerous ordnance in a
courthouse or in ~~another building or structure in which a~~
courtroom that is located in another building or structure or
into an official proceeding involving a judge or magistrate.

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

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

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

(a) Except as provided in division (E) of this section, a
peace officer, or an officer of a law enforcement agency of
another state, a political subdivision of another state, or the
United States, who is authorized to carry a deadly weapon or
dangerous ordnance, who possesses or has under that individual's

control a deadly weapon or dangerous ordnance as a requirement 663
of that individual's duties, and who is acting within the scope 664
of that individual's duties at the time of that possession or 665
control; 666

(b) Except as provided in division (E) of this section, a 667
person who is employed in this state, who is authorized to carry 668
a deadly weapon or dangerous ordnance, who possesses or has 669
under that individual's control a deadly weapon or dangerous 670
ordnance as a requirement of that person's duties, and who is 671
subject to and in compliance with the requirements of section 672
109.801 of the Revised Code, unless the appointing authority of 673
the person has expressly specified that the exemption provided 674
in division (C) (2) (b) of this section does not apply to the 675
person. 676

(3) A person who conveys, attempts to convey, possesses, 677
or has under the person's control a deadly weapon or dangerous 678
ordnance that is to be used as evidence in a pending criminal or 679
civil action or proceeding; 680

(4) Except as provided in division (E) of this section, a 681
bailiff or deputy bailiff of a court of record of this state who 682
is authorized to carry a firearm pursuant to section 109.77 of 683
the Revised Code, who possesses or has under that individual's 684
control a firearm as a requirement of that individual's duties, 685
and who is acting within the scope of that individual's duties 686
at the time of that possession or control; 687

(5) Except as provided in division (E) of this section, a 688
prosecutor, or a secret service officer appointed by a county 689
prosecuting attorney, who is authorized to carry a deadly weapon 690
or dangerous ordnance in the performance of the individual's 691
duties, who possesses or has under that individual's control a 692

deadly weapon or dangerous ordnance as a requirement of that 693
individual's duties, and who is acting within the scope of that 694
individual's duties at the time of that possession or control; 695

(6) Except as provided in division (E) of this section, a 696
person who conveys or attempts to convey a handgun into a 697
courthouse or into ~~another building or structure in which a~~ 698
courtroom that is located in another building or structure or 699
into an official proceeding involving a judge or magistrate, 700
who, at the time of the conveyance or attempt, either is 701
carrying a valid concealed handgun license or is an active duty 702
member of the armed forces of the United States and is carrying 703
a valid military identification card and documentation of 704
successful completion of firearms training that meets or exceeds 705
the training requirements described in division (G) (1) of 706
section 2923.125 of the Revised Code, ~~and who transfers unless~~ 707
the court is in session or access to the courthouse, courtroom, 708
or proceeding is restricted by a screening checkpoint or other 709
security measures sufficient to intercept deadly weapons or 710
dangerous ordnance and by at least two persons authorized to 711
carry firearms at each public entrance. If access is restricted 712
as described above or if the court is in session, the person 713
shall transfer possession of the handgun to the officer or 714
officer's designee who has charge of the courthouse or building. 715
The officer shall secure the handgun until the licensee is 716
prepared to leave the premises. The exemption described in this 717
division applies only if the officer who has charge of the 718
courthouse or building provides services of the nature described 719
in this division. An officer who has charge of the courthouse or 720
building is not required to offer services of the nature 721
described in this division. 722

(D) (1) Whoever violates division (A) of this section is 723

guilty of illegal conveyance of a deadly weapon or dangerous 724
ordnance into a courthouse. Except as otherwise provided in this 725
division or division (D) (2) of this section, illegal conveyance 726
of a deadly weapon or dangerous ordnance into a courthouse is a 727
felony of the fifth degree. ~~If~~ Except as otherwise provided in 728
division (D) (2) of this section, if the offender previously has 729
been convicted of a violation of division (A) or (B) of this 730
section, illegal conveyance of a deadly weapon or dangerous 731
ordnance into a courthouse is a felony of the fourth degree. 732

(2) If the offender is carrying a valid concealed handgun 733
license or the offender is an active duty member of the armed 734
forces of the United States and is carrying a valid military 735
identification card and documentation of successful completion 736
of firearms training that meets or exceeds the training 737
requirements described in division (G) (1) of section 2923.125 of 738
the Revised Code, and if the exemption described in division (C) 739
(6) of this section does not apply, illegal possession or 740
control of a deadly weapon or dangerous ordnance in a courthouse 741
is a misdemeanor of the fourth degree. 742

(3) Whoever violates division (B) of this section is 743
guilty of illegal possession or control of a deadly weapon or 744
dangerous ordnance in a courthouse. Except as otherwise provided 745
in this division or division (D) (4) of this section, illegal 746
possession or control of a deadly weapon or dangerous ordnance 747
in a courthouse is a felony of the fifth degree. ~~If~~ Except as 748
otherwise provided in division (D) (4) of this section, if the 749
offender previously has been convicted of a violation of 750
division (A) or (B) of this section, illegal possession or 751
control of a deadly weapon or dangerous ordnance in a courthouse 752
is a felony of the fourth degree. 753

(4) If the offender is carrying a valid concealed handgun 754
license or the offender is an active duty member of the armed 755
forces of the United States and is carrying a valid military 756
identification card and documentation of successful completion 757
of firearms training that meets or exceeds the training 758
requirements described in division (G)(1) of section 2923.125 of 759
the Revised Code, and if the exemption described in division (C) 760
(6) of this section does not apply, illegal possession or 761
control of a deadly weapon or dangerous ordnance in a courthouse 762
is a misdemeanor of the fourth degree. 763

(E) The exemptions described in divisions (C)(1), (2)(a), 764
(2)(b), (4), (5), and (6) of this section do not apply to any 765
judge, magistrate, peace officer, officer of a law enforcement 766
agency, bailiff, deputy bailiff, prosecutor, secret service 767
officer, or other person described in any of those divisions if 768
a rule of superintendence or another type of rule adopted by the 769
supreme court pursuant to Article IV, Ohio Constitution, or an 770
applicable local rule of court prohibits all persons from 771
conveying or attempting to convey a deadly weapon or dangerous 772
ordnance into a courthouse or into ~~another building or structure~~ 773
~~in which a courtroom~~ that is located in another building or 774
structure or from possessing or having under one's control a 775
deadly weapon or dangerous ordnance in a courthouse or in 776
~~another building or structure in which a courtroom~~ that is 777
located in another building or structure. 778

(F) As used in this section: 779

(1) "Magistrate" means an individual who is appointed by a 780
court of record of this state and who has the powers and may 781
perform the functions specified in Civil Rule 53, Criminal Rule 782
19, or Juvenile Rule 40. 783

(2) "Peace officer" and "prosecutor" have the same 784
meanings as in section 2935.01 of the Revised Code. 785

Sec. 2923.126. (A) A concealed handgun license that is 786
issued under section 2923.125 of the Revised Code shall expire 787
five years after the date of issuance. A licensee who has been 788
issued a license under that section shall be granted a grace 789
period of thirty days after the licensee's license expires 790
during which the licensee's license remains valid. Except as 791
provided in divisions (B) and (C) of this section, a licensee 792
who has been issued a concealed handgun license under section 793
2923.125 or 2923.1213 of the Revised Code may carry a concealed 794
handgun anywhere in this state if the licensee also carries a 795
valid license and valid identification when the licensee is in 796
actual possession of a concealed handgun. The licensee shall 797
give notice of any change in the licensee's residence address to 798
the sheriff who issued the license within forty-five days after 799
that change. 800

If a licensee is the driver or an occupant of a motor 801
vehicle that is stopped as the result of a traffic stop or a 802
stop for another law enforcement purpose and if the licensee is 803
transporting or has a loaded handgun in the motor vehicle at 804
that time, the licensee shall promptly inform any law 805
enforcement officer who approaches the vehicle while stopped 806
that the licensee has been issued a concealed handgun license 807
and that the licensee currently possesses or has a loaded 808
handgun; the licensee shall not knowingly disregard or fail to 809
comply with lawful orders of a law enforcement officer given 810
while the motor vehicle is stopped, knowingly fail to remain in 811
the motor vehicle while stopped, or knowingly fail to keep the 812
licensee's hands in plain sight after any law enforcement 813
officer begins approaching the licensee while stopped and before 814

the officer leaves, unless directed otherwise by a law 815
enforcement officer; and the licensee shall not knowingly have 816
contact with the loaded handgun by touching it with the 817
licensee's hands or fingers, in any manner in violation of 818
division (E) of section 2923.16 of the Revised Code, after any 819
law enforcement officer begins approaching the licensee while 820
stopped and before the officer leaves. Additionally, if a 821
licensee is the driver or an occupant of a commercial motor 822
vehicle that is stopped by an employee of the motor carrier 823
enforcement unit for the purposes defined in section 5503.34 of 824
the Revised Code and if the licensee is transporting or has a 825
loaded handgun in the commercial motor vehicle at that time, the 826
licensee shall promptly inform the employee of the unit who 827
approaches the vehicle while stopped that the licensee has been 828
issued a concealed handgun license and that the licensee 829
currently possesses or has a loaded handgun. 830

If a licensee is stopped for a law enforcement purpose and 831
if the licensee is carrying a concealed handgun at the time the 832
officer approaches, the licensee shall promptly inform any law 833
enforcement officer who approaches the licensee while stopped 834
that the licensee has been issued a concealed handgun license 835
and that the licensee currently is carrying a concealed handgun; 836
the licensee shall not knowingly disregard or fail to comply 837
with lawful orders of a law enforcement officer given while the 838
licensee is stopped or knowingly fail to keep the licensee's 839
hands in plain sight after any law enforcement officer begins 840
approaching the licensee while stopped and before the officer 841
leaves, unless directed otherwise by a law enforcement officer; 842
and the licensee shall not knowingly remove, attempt to remove, 843
grasp, or hold the loaded handgun or knowingly have contact with 844
the loaded handgun by touching it with the licensee's hands or 845

fingers, in any manner in violation of division (B) of section 846
2923.12 of the Revised Code, after any law enforcement officer 847
begins approaching the licensee while stopped and before the 848
officer leaves. 849

(B) A valid concealed handgun license does not authorize 850
the licensee to carry a concealed handgun in any manner 851
prohibited under division (B) of section 2923.12 of the Revised 852
Code or in any manner prohibited under section 2923.16 of the 853
Revised Code. A valid license does not authorize the licensee to 854
carry a concealed handgun into any of the following places: 855

(1) A—Unless permitted by the governing body with 856
authority over the premises, a police station, sheriff's office, 857
or state highway patrol station, premises controlled by the 858
bureau of criminal identification and investigation; a state 859
correctional institution, jail, workhouse, or other detention 860
facility; any area of an airport passenger terminal that is 861
beyond a passenger or property screening checkpoint or to which 862
access is restricted through security measures by the airport 863
authority or a public agency; or an institution that is 864
maintained, operated, managed, and governed pursuant to division 865
(A) of section 5119.14 of the Revised Code or division (A)(1) of 866
section 5123.03 of the Revised Code, not including any part of 867
the institution that consists of only administrative offices; 868

(2) A school safety zone if the licensee's carrying the 869
concealed handgun is in violation of section 2923.122 of the 870
Revised Code; 871

(3) A courthouse or ~~another building or structure in which~~ 872
a courtroom that is located in another building or structure or 873
an official proceeding involving a judge or magistrate, in 874
violation of section 2923.123 of the Revised Code; 875

(4) Any premises or open air arena for which a D permit 876
has been issued under Chapter 4303. of the Revised Code if the 877
licensee's carrying the concealed handgun is in violation of 878
section 2923.121 of the Revised Code; 879

(5) Any premises owned or leased by any public ~~or private~~ 880
college, public university, or other public institution of 881
higher education where access is restricted by a screening 882
checkpoint or other security measures sufficient to intercept 883
deadly weapons or dangerous ordnance and by at least two persons 884
authorized to carry firearms at each public entrance, unless the 885
handgun is in a locked motor vehicle or the licensee is in the 886
immediate process of placing the handgun in a locked motor 887
vehicle or unless the licensee is carrying the concealed handgun 888
pursuant to a written policy, rule, or other authorization that 889
is adopted by the institution's board of trustees or other 890
governing body and that authorizes specific individuals or 891
classes of individuals to carry a concealed and secured handgun 892
on the premises; 893

(6) Any church, synagogue, mosque, or other place of 894
worship, unless the church, synagogue, mosque, or other place of 895
worship posts or permits otherwise; 896

(7) Any area of a building that is a government facility 897
of this state or a political subdivision of this state ~~and where~~ 898
access is restricted by a screening checkpoint or other security 899
measures sufficient to intercept deadly weapons or dangerous 900
ordnance and by at least two persons authorized to carry 901
firearms at each public entrance, that is not a building that is 902
used primarily as a shelter, restroom, parking facility for 903
motor vehicles, or rest facility, and is not a courthouse or 904
~~other building or structure in which a courtroom is located~~ that 905

is subject to division (B)(3) of this section, unless the 906
governing body with authority over the building has enacted a 907
statute, ordinance, or policy that permits ~~a licensee~~ all or 908
certain specific licensees to carry a concealed handgun into 909
that area of the building; 910

(8) A place in which federal law prohibits the carrying of 911
handguns. 912

(C)(1) Nothing in this section shall negate or restrict a 913
rule, policy, or practice of a private employer that is not a 914
private college, university, or other institution of higher 915
education concerning or prohibiting the presence of firearms on 916
the private employer's premises or property, including motor 917
vehicles owned by the private employer. Nothing in this section 918
shall require a private employer of that nature to adopt a rule, 919
policy, or practice concerning or prohibiting the presence of 920
firearms on the private employer's premises or property, 921
including motor vehicles owned by the private employer. 922

(2)(a) A private employer shall be immune from liability 923
in a civil action for any injury, death, or loss to person or 924
property that allegedly was caused by or related to a licensee 925
bringing a handgun onto the premises or property of the private 926
employer, including motor vehicles owned by the private 927
employer, unless the private employer acted with malicious 928
purpose. A private employer is immune from liability in a civil 929
action for any injury, death, or loss to person or property that 930
allegedly was caused by or related to the private employer's 931
decision to permit a licensee to bring, or prohibit a licensee 932
from bringing, a handgun onto the premises or property of the 933
private employer. 934

(b) A political subdivision shall be immune from liability 935

in a civil action, to the extent and in the manner provided in 936
Chapter 2744. of the Revised Code, for any injury, death, or 937
loss to person or property that allegedly was caused by or 938
related to a licensee bringing a handgun onto any premises or 939
property owned, leased, or otherwise under the control of the 940
political subdivision. As used in this division, "political 941
subdivision" has the same meaning as in section 2744.01 of the 942
Revised Code. 943

(c) An institution of higher education shall be immune 944
from liability in a civil action for any injury, death, or loss 945
to person or property that allegedly was caused by or related to 946
a licensee bringing a handgun onto the premises of the 947
institution, including motor vehicles owned by the institution, 948
unless the institution acted with malicious purpose. An 949
institution of higher education is immune from liability in a 950
civil action for any injury, death, or loss to person or 951
property that allegedly was caused by or related to the 952
institution's decision to permit a licensee or class of 953
licensees to bring a handgun onto the premises of the 954
institution. 955

(3) (a) Except as provided in division (C) (3) (b) of this 956
section, the owner or person in control of private land or 957
premises, and a private person or entity leasing land or 958
premises owned by the state, the United States, or a political 959
subdivision of the state or the United States, may post a sign 960
in a conspicuous location on that land or on those premises 961
prohibiting persons from carrying firearms or concealed firearms 962
on or onto that land or those premises. Except as otherwise 963
provided in this division, a person who knowingly violates a 964
posted prohibition of that nature is guilty of criminal trespass 965
in violation of division (A) (4) of section 2911.21 of the 966

Revised Code and is guilty of a misdemeanor of the fourth 967
degree. If a person knowingly violates a posted prohibition of 968
that nature and the posted land or premises primarily was a 969
parking lot or other parking facility, the person is not guilty 970
of criminal trespass under section 2911.21 of the Revised Code 971
or under any other criminal law of this state or criminal law, 972
ordinance, or resolution of a political subdivision of this 973
state, and instead is subject only to a civil cause of action 974
for trespass based on the violation. 975

If a ~~person knowingly violates a posted prohibition of the~~ 976
~~nature described in this division and the posted land or~~ 977
~~premises is a~~ child day-care center, type A family day-care 978
home, or type B family day-care home allows firearms on the 979
premises, ~~unless the person is a licensee who resides in a type~~ 980
~~A family day care home or type B family day care home, the any~~ 981
~~person is guilty of aggravated trespass in violation of section~~ 982
~~2911.211 of the Revised Code. Except as otherwise provided in~~ 983
~~this division, the offender is guilty of a misdemeanor of the~~ 984
~~first degree. If the person previously has been convicted of a~~ 985
~~violation of this division or of any offense of violence, if the~~ 986
~~weapon involved is~~ who carries a firearm ~~that is either loaded~~ 987
~~or for which the offender has ammunition ready at hand, or if~~ 988
~~the weapon involved is dangerous ordnance, the offender is~~ 989
~~guilty of a felony of the fourth degree~~ on the premises shall 990
conceal and secure the firearm on the person's person or within 991
the person's immediate control or store the firearm in a locked 992
compartment. 993

(b) A landlord may not prohibit or restrict a tenant who 994
is a licensee and who on or after September 9, 2008, enters into 995
a rental agreement with the landlord for the use of residential 996
premises, and the tenant's guest while the tenant is present, 997

from lawfully carrying or possessing a handgun on those 998
residential premises. 999

(c) As used in division (C) (3) of this section: 1000

(i) "Residential premises" has the same meaning as in 1001
section 5321.01 of the Revised Code, except "residential 1002
premises" does not include a dwelling unit that is owned or 1003
operated by a college or university. 1004

(ii) "Landlord," "tenant," and "rental agreement" have the 1005
same meanings as in section 5321.01 of the Revised Code. 1006

(4) If any of the following places described in division 1007
(B) (1) of this section is located within a building used for 1008
other purposes, the restriction on carrying a concealed handgun 1009
described in that division applies only to the portion of the 1010
building used as one of the following: 1011

(a) A police station, sheriff's office, or state highway 1012
patrol station; 1013

(b) Premises controlled by the bureau of criminal 1014
identification and investigation; 1015

(c) A jail, workhouse, or other detention facility; 1016

(d) An institution that is maintained, operated, managed, 1017
and governed pursuant to division (A) of section 5119.14 of the 1018
Revised Code or division (A) (1) of section 5123.03 of the 1019
Revised Code, not including any part of the institution that 1020
consists of only administrative offices. 1021

(D) A person who holds a valid concealed handgun license 1022
issued by another state that is recognized by the attorney 1023
general pursuant to a reciprocity agreement entered into 1024
pursuant to section 109.69 of the Revised Code or a person who 1025

holds a valid concealed handgun license under the circumstances 1026
described in division (B) of section 109.69 of the Revised Code 1027
has the same right to carry a concealed handgun in this state as 1028
a person who was issued a concealed handgun license under 1029
section 2923.125 of the Revised Code and is subject to the same 1030
restrictions that apply to a person who carries a license issued 1031
under that section. 1032

(E) (1) A peace officer has the same right to carry a 1033
concealed handgun in this state as a person who was issued a 1034
concealed handgun license under section 2923.125 of the Revised 1035
Code. For purposes of reciprocity with other states, a peace 1036
officer shall be considered to be a licensee in this state. 1037

(2) An active duty member of the armed forces of the 1038
United States who is carrying a valid military identification 1039
card and documentation of successful completion of firearms 1040
training that meets or exceeds the training requirements 1041
described in division (G) (1) of section 2923.125 of the Revised 1042
Code has the same right to carry a concealed handgun in this 1043
state as a person who was issued a concealed handgun license 1044
under section 2923.125 of the Revised Code and is subject to the 1045
same restrictions as specified in this section. 1046

(3) A tactical medical professional who is qualified to 1047
carry firearms while on duty under section 109.771 of the 1048
Revised Code has the same right to carry a concealed handgun in 1049
this state as a person who was issued a concealed handgun 1050
license under section 2923.125 of the Revised Code. 1051

(F) (1) A qualified retired peace officer who possesses a 1052
retired peace officer identification card issued pursuant to 1053
division (F) (2) of this section and a valid firearms 1054
requalification certification issued pursuant to division (F) (3) 1055

of this section has the same right to carry a concealed handgun 1056
in this state as a person who was issued a concealed handgun 1057
license under section 2923.125 of the Revised Code and is 1058
subject to the same restrictions that apply to a person who 1059
carries a license issued under that section. For purposes of 1060
reciprocity with other states, a qualified retired peace officer 1061
who possesses a retired peace officer identification card issued 1062
pursuant to division (F)(2) of this section and a valid firearms 1063
requalification certification issued pursuant to division (F)(3) 1064
of this section shall be considered to be a licensee in this 1065
state. 1066

(2)(a) Each public agency of this state or of a political 1067
subdivision of this state that is served by one or more peace 1068
officers shall issue a retired peace officer identification card 1069
to any person who retired from service as a peace officer with 1070
that agency, if the issuance is in accordance with the agency's 1071
policies and procedures and if the person, with respect to the 1072
person's service with that agency, satisfies all of the 1073
following: 1074

(i) The person retired in good standing from service as a 1075
peace officer with the public agency, and the retirement was not 1076
for reasons of mental instability. 1077

(ii) Before retiring from service as a peace officer with 1078
that agency, the person was authorized to engage in or supervise 1079
the prevention, detection, investigation, or prosecution of, or 1080
the incarceration of any person for, any violation of law and 1081
the person had statutory powers of arrest. 1082

(iii) At the time of the person's retirement as a peace 1083
officer with that agency, the person was trained and qualified 1084
to carry firearms in the performance of the peace officer's 1085

duties. 1086

(iv) Before retiring from service as a peace officer with 1087
that agency, the person was regularly employed as a peace 1088
officer for an aggregate of fifteen years or more, or, in the 1089
alternative, the person retired from service as a peace officer 1090
with that agency, after completing any applicable probationary 1091
period of that service, due to a service-connected disability, 1092
as determined by the agency. 1093

(b) A retired peace officer identification card issued to 1094
a person under division (F)(2)(a) of this section shall identify 1095
the person by name, contain a photograph of the person, identify 1096
the public agency of this state or of the political subdivision 1097
of this state from which the person retired as a peace officer 1098
and that is issuing the identification card, and specify that 1099
the person retired in good standing from service as a peace 1100
officer with the issuing public agency and satisfies the 1101
criteria set forth in divisions (F)(2)(a)(i) to (iv) of this 1102
section. In addition to the required content specified in this 1103
division, a retired peace officer identification card issued to 1104
a person under division (F)(2)(a) of this section may include 1105
the firearms requalification certification described in division 1106
(F)(3) of this section, and if the identification card includes 1107
that certification, the identification card shall serve as the 1108
firearms requalification certification for the retired peace 1109
officer. If the issuing public agency issues credentials to 1110
active law enforcement officers who serve the agency, the agency 1111
may comply with division (F)(2)(a) of this section by issuing 1112
the same credentials to persons who retired from service as a 1113
peace officer with the agency and who satisfy the criteria set 1114
forth in divisions (F)(2)(a)(i) to (iv) of this section, 1115
provided that the credentials so issued to retired peace 1116

officers are stamped with the word "RETIRED." 1117

(c) A public agency of this state or of a political 1118
subdivision of this state may charge persons who retired from 1119
service as a peace officer with the agency a reasonable fee for 1120
issuing to the person a retired peace officer identification 1121
card pursuant to division (F)(2)(a) of this section. 1122

(3) If a person retired from service as a peace officer 1123
with a public agency of this state or of a political subdivision 1124
of this state and the person satisfies the criteria set forth in 1125
divisions (F)(2)(a)(i) to (iv) of this section, the public 1126
agency may provide the retired peace officer with the 1127
opportunity to attend a firearms requalification program that is 1128
approved for purposes of firearms requalification required under 1129
section 109.801 of the Revised Code. The retired peace officer 1130
may be required to pay the cost of the course. 1131

If a retired peace officer who satisfies the criteria set 1132
forth in divisions (F)(2)(a)(i) to (iv) of this section attends 1133
a firearms requalification program that is approved for purposes 1134
of firearms requalification required under section 109.801 of 1135
the Revised Code, the retired peace officer's successful 1136
completion of the firearms requalification program requalifies 1137
the retired peace officer for purposes of division (F) of this 1138
section for five years from the date on which the program was 1139
successfully completed, and the requalification is valid during 1140
that five-year period. If a retired peace officer who satisfies 1141
the criteria set forth in divisions (F)(2)(a)(i) to (iv) of this 1142
section satisfactorily completes such a firearms requalification 1143
program, the retired peace officer shall be issued a firearms 1144
requalification certification that identifies the retired peace 1145
officer by name, identifies the entity that taught the program, 1146

specifies that the retired peace officer successfully completed 1147
the program, specifies the date on which the course was 1148
successfully completed, and specifies that the requalification 1149
is valid for five years from that date of successful completion. 1150
The firearms requalification certification for a retired peace 1151
officer may be included in the retired peace officer 1152
identification card issued to the retired peace officer under 1153
division (F) (2) of this section. 1154

A retired peace officer who attends a firearms 1155
requalification program that is approved for purposes of 1156
firearms requalification required under section 109.801 of the 1157
Revised Code may be required to pay the cost of the program. 1158

(G) No public employer shall discharge, discipline, or 1159
otherwise discriminate against an employee or contractor with 1160
respect to hire, tenure, terms, conditions, or privileges of 1161
employment, or any matter directly or indirectly related to 1162
employment, if the person is carrying a concealed handgun in a 1163
place and manner that is permitted under this section. Whoever 1164
violates this provision is subject to a civil action for 1165
damages, injunctive relief, or any other appropriate relief. 1166

(H) As used in this section: 1167

(1) "Qualified retired peace officer" means a person who 1168
satisfies all of the following: 1169

(a) The person satisfies the criteria set forth in 1170
divisions (F) (2) (a) (i) to (v) of this section. 1171

(b) The person is not under the influence of alcohol or 1172
another intoxicating or hallucinatory drug or substance. 1173

(c) The person is not prohibited by federal law from 1174
receiving firearms. 1175

(2) "Retired peace officer identification card" means an 1176
identification card that is issued pursuant to division (F) (2) 1177
of this section to a person who is a retired peace officer. 1178

(3) "Government facility of this state or a political 1179
subdivision of this state" means any of the following: 1180

(a) A building or part of a building that is owned or 1181
leased by the government of this state or a political 1182
subdivision of this state and where employees of the government 1183
of this state or the political subdivision regularly are present 1184
for the purpose of performing their official duties as employees 1185
of the state or political subdivision; 1186

(b) The office of a deputy registrar serving pursuant to 1187
Chapter 4503. of the Revised Code that is used to perform deputy 1188
registrar functions. 1189

(4) "Governing body" has the same meaning as in section 1190
154.01 of the Revised Code. 1191

(5) "Tactical medical professional" has the same meaning 1192
as in section 109.71 of the Revised Code. 1193

(6) "Public employer" has the same meaning as in section 1194
145.01 of the Revised Code. 1195

Sec. 2923.1212. (A) The Unless the governing body with 1196
authority over the premises permits all or certain persons to 1197
carry deadly weapons or dangerous ordnance on the premises, the 1198
following persons, boards, and entities, or designees, shall 1199
post in the following locations a sign that contains a statement 1200
in substantially the following form: "Unless otherwise 1201
authorized by law, pursuant to the Ohio Revised Code, no person 1202
shall knowingly possess, have under the person's control, 1203
convey, or attempt to convey a deadly weapon or dangerous 1204

ordnance onto these premises.": 1205

(1) The director of public safety or the person or board 1206
charged with the erection, maintenance, or repair of police 1207
stations, municipal jails, and the municipal courthouse and 1208
courtrooms in a conspicuous location at all police stations, 1209
municipal jails, and municipal courthouses and courtrooms; 1210

(2) The sheriff or sheriff's designee who has charge of 1211
the sheriff's office in a conspicuous location in that office; 1212

(3) The superintendent of the state highway patrol or the 1213
superintendent's designee in a conspicuous location at all state 1214
highway patrol stations; 1215

(4) Each sheriff, chief of police, or person in charge of 1216
every county, multicounty, municipal, municipal-county, or 1217
multicounty-municipal jail or workhouse, community-based 1218
correctional facility, halfway house, alternative residential 1219
facility, or other local or state correctional institution or 1220
detention facility within the state, or that person's designee, 1221
in a conspicuous location at that facility under that person's 1222
charge; 1223

(5) The board of trustees of a regional airport authority, 1224
chief administrative officer of an airport facility, or other 1225
person in charge of an airport facility in a conspicuous 1226
location at each ~~airport facility under that person's control~~ 1227
passenger or property screening checkpoint and wherever access 1228
is restricted through security measures by the airport authority 1229
or a public agency; 1230

(6) The officer or officer's designee who has charge of a 1231
courthouse or ~~the building or structure in which~~ a courtroom 1232
that is located in another building or structure in a 1233

conspicuous location in that building or structure; 1234

(7) The superintendent of the bureau of criminal 1235
identification and investigation or the superintendent's 1236
designee in a conspicuous location in all premises controlled by 1237
that bureau; 1238

~~(8) The owner, administrator, or operator of a child day-~~ 1239
~~care center, a type A family day care home, or a type B family-~~ 1240
~~day care home;~~ 1241

~~(9)~~ The officer of this state or of a political 1242
subdivision of this state, or the officer's designee, who has 1243
charge of a building that is a government facility of this state 1244
or the political subdivision of this state, as ~~defined~~ described 1245
in section 2923.126 of the Revised Code, and that is not a 1246
building that is used primarily as a shelter, restroom, parking 1247
facility for motor vehicles, or rest facility and is not a 1248
courthouse or ~~other building or structure in which a courtroom~~ 1249
~~is located~~ that is subject to division (B) (3) of that section, 1250
wherever access is restricted by a screening checkpoint or other 1251
security measures sufficient to intercept deadly weapons or 1252
dangerous ordnance. 1253

(B) The following boards, bodies, and persons, or 1254
designees, shall post in the following locations a sign that 1255
contains a statement in substantially the following form: 1256
"Unless otherwise authorized by law, pursuant to Ohio Revised 1257
Code section 2923.122, no person shall knowingly possess, have 1258
under the person's control, convey, or attempt to convey a 1259
deadly weapon or dangerous ordnance into a school safety zone.": 1260

(1) A board of education of a city, local, exempted 1261
village, or joint vocational school district or that board's 1262

designee in a conspicuous location in each building and on each 1263
parcel of real property owned or controlled by the board; 1264

(2) A governing body of a school for which the state board 1265
of education prescribes minimum standards under section 3301.07 1266
of the Revised Code or that body's designee in a conspicuous 1267
location in each building and on each parcel of real property 1268
owned or controlled by the school; 1269

(3) The principal or chief administrative officer of a 1270
nonpublic school in a conspicuous location on property owned or 1271
controlled by that nonpublic school. 1272

Sec. 2923.22. (A) No person shall knowingly possess a 1273
firearm in any area of a building that is a government facility 1274
of this state or a political subdivision of this state where 1275
access is restricted by a screening checkpoint or other security 1276
measures sufficient to intercept deadly weapons or dangerous 1277
ordnance and by at least two persons authorized to carry 1278
firearms under division (B) (3) or (4) of this section at each 1279
public entrance, unless the governing body with authority over 1280
the building has enacted a statute, ordinance, or policy that 1281
permits all or certain specific persons to carry firearms into 1282
that area of the building. 1283

(B) This section does not apply to any of the following: 1284

(1) A building that is used primarily as a shelter, 1285
restroom, parking facility for motor vehicles, or rest facility; 1286

(2) A courthouse or courtroom that is subject to section 1287
2923.123 of the Revised Code; 1288

(3) An officer, agent, or employee of this or any other 1289
state or the United States, or to a law enforcement officer, who 1290
is authorized to carry firearms and is acting within the scope 1291

of their duties; 1292

(4) Any person who is employed in this state, who is 1293
authorized to carry firearms, and who is subject to and in 1294
compliance with the requirements of section 109.801 of the 1295
Revised Code, unless the appointing authority of the person has 1296
expressly specified that the person is not exempt from this 1297
section. 1298

(C) Whoever violates this section is guilty of illegal 1299
possession of a firearm in a government facility, a misdemeanor 1300
of the fourth degree. 1301

(D) The governing body of a government facility of this 1302
state or a political subdivision of this state is not liable in 1303
damages in a civil action for any injury, death, or loss to 1304
person or property that allegedly was caused by or related to a 1305
person bringing a firearm into the government facility. Any 1306
person authorized to carry firearms under division (B) (3) or (4) 1307
of this section is not liable in damages in a civil action for 1308
any injury, death, or loss to person or property that allegedly 1309
was caused by or related to that person bringing a firearm into 1310
the government facility, unless the person acted with malicious 1311
purpose, in bad faith, or in a wanton or reckless manner. 1312

(E) As used in this section: 1313

(1) "Government facility of this state or a political 1314
subdivision of this state" means any of the following: 1315

(a) A building or part of a building that is owned or 1316
leased by the government of this state or a political 1317
subdivision of this state and where employees of the government 1318
of this state or the political subdivision regularly are present 1319
for the purpose of performing their official duties as employees 1320

of the state or political subdivision; 1321

(b) The office of a deputy registrar serving pursuant to 1322
Chapter 4503. of the Revised Code that is used to perform deputy 1323
registrar functions. 1324

(2) "Governing body" has the same meaning as in section 1325
154.01 of the Revised Code. 1326

Sec. 3345.90. (A) As used in this section: 1327

(1) "State institution of higher education" has the same 1328
meaning as in section 3345.011 of the Revised Code. 1329

(2) "Handgun" and "valid concealed handgun license" have 1330
the same meanings as in section 2923.11 of the Revised Code. 1331

(B) No student who is enrolled in a state institution of 1332
higher education and who possesses a valid concealed handgun 1333
license shall lose any form of financial assistance provided by 1334
that institution for educational expenses, including grants, 1335
scholarships, and fellowships, for the sole reason of carrying a 1336
concealed handgun on premises owned or leased by the institution 1337
if the student's conduct is permissible under division (B)(5) of 1338
section 2923.126 of the Revised Code. Additionally, no state 1339
institution of higher education shall take any disciplinary 1340
action, including the imposition of academic penalties, against 1341
that student for the sole reason of carrying a concealed handgun 1342
on premises owned or leased by the institution if the student's 1343
conduct is permissible under division (B)(5) of section 2923.126 1344
of the Revised Code. 1345

Sec. 4117.10. (A) An agreement between a public employer 1346
and an exclusive representative entered into pursuant to this 1347
chapter governs the wages, hours, and terms and conditions of 1348
public employment covered by the agreement. If the agreement 1349

provides for a final and binding arbitration of grievances, 1350
public employers, employees, and employee organizations are 1351
subject solely to that grievance procedure and the state 1352
personnel board of review or civil service commissions have no 1353
jurisdiction to receive and determine any appeals relating to 1354
matters that were the subject of a final and binding grievance 1355
procedure. Where no agreement exists or where an agreement makes 1356
no specification about a matter, the public employer and public 1357
employees are subject to all applicable state or local laws or 1358
ordinances pertaining to the wages, hours, and terms and 1359
conditions of employment for public employees. All of the 1360
following prevail over conflicting provisions of agreements 1361
between employee organizations and public employers: 1362

(1) Laws pertaining to any of the following subjects: 1363

(a) Civil rights; 1364

(b) Affirmative action; 1365

(c) Unemployment compensation; 1366

(d) Workers' compensation; 1367

(e) The retirement of public employees; 1368

(f) Residency requirements; 1369

(g) The minimum educational requirements contained in the 1370
Revised Code pertaining to public education including the 1371
requirement of a certificate by the fiscal officer of a school 1372
district pursuant to section 5705.41 of the Revised Code; 1373

(h) The provisions of division (A) of section 124.34 of 1374
the Revised Code governing the disciplining of officers and 1375
employees who have been convicted of a felony; 1376

(i) The minimum standards promulgated by the state board 1377
of education pursuant to division (D) of section 3301.07 of the 1378
Revised Code; 1379

(j) The provisions of sections 2923.122 and 2923.126 of 1380
the Revised Code pertaining to the right of an employee who has 1381
been issued a concealed handgun license or who is authorized to 1382
carry a concealed handgun as an active duty member of the armed 1383
forces of the United States to carry a concealed handgun in 1384
compliance with those sections. 1385

(2) The law pertaining to the leave of absence and 1386
compensation provided under section 5923.05 of the Revised Code, 1387
if the terms of the agreement contain benefits which are less 1388
than those contained in that section or the agreement contains 1389
no such terms and the public authority is the state or any 1390
agency, authority, commission, or board of the state or if the 1391
public authority is another entity listed in division (B) of 1392
section 4117.01 of the Revised Code that elects to provide leave 1393
of absence and compensation as provided in section 5923.05 of 1394
the Revised Code; 1395

(3) The law pertaining to the leave established under 1396
section 5906.02 of the Revised Code, if the terms of the 1397
agreement contain benefits that are less than those contained in 1398
section 5906.02 of the Revised Code; 1399

(4) The law pertaining to excess benefits prohibited under 1400
section 3345.311 of the Revised Code with respect to an 1401
agreement between an employee organization and a public employer 1402
entered into on or after ~~the effective date of this amendment~~ 1403
September 29, 2015. 1404

Except for sections 306.08, 306.12, 306.35, and 4981.22 of 1405

the Revised Code and arrangements entered into thereunder, and 1406
section 4981.21 of the Revised Code as necessary to comply with 1407
section 13(c) of the "Urban Mass Transportation Act of 1964," 87 1408
Stat. 295, 49 U.S.C.A. 1609(c), as amended, and arrangements 1409
entered into thereunder, this chapter prevails over any and all 1410
other conflicting laws, resolutions, provisions, present or 1411
future, except as otherwise specified in this chapter or as 1412
otherwise specified by the general assembly. Nothing in this 1413
section prohibits or shall be construed to invalidate the 1414
provisions of an agreement establishing supplemental workers' 1415
compensation or unemployment compensation benefits or exceeding 1416
minimum requirements contained in the Revised Code pertaining to 1417
public education or the minimum standards promulgated by the 1418
state board of education pursuant to division (D) of section 1419
3301.07 of the Revised Code. 1420

(B) The public employer shall submit a request for funds 1421
necessary to implement an agreement and for approval of any 1422
other matter requiring the approval of the appropriate 1423
legislative body to the legislative body within fourteen days of 1424
the date on which the parties finalize the agreement, unless 1425
otherwise specified, but if the appropriate legislative body is 1426
not in session at the time, then within fourteen days after it 1427
convenes. The legislative body must approve or reject the 1428
submission as a whole, and the submission is deemed approved if 1429
the legislative body fails to act within thirty days after the 1430
public employer submits the agreement. The parties may specify 1431
that those provisions of the agreement not requiring action by a 1432
legislative body are effective and operative in accordance with 1433
the terms of the agreement, provided there has been compliance 1434
with division (C) of this section. If the legislative body 1435
rejects the submission of the public employer, either party may 1436

reopen all or part of the entire agreement. 1437

As used in this section, "legislative body" includes the 1438
governing board of a municipal corporation, school district, 1439
college or university, village, township, or board of county 1440
commissioners or any other body that has authority to approve 1441
the budget of their public jurisdiction and, with regard to the 1442
state, "legislative body" means the controlling board. 1443

(C) The chief executive officer, or the chief executive 1444
officer's representative, of each municipal corporation, the 1445
designated representative of the board of education of each 1446
school district, college or university, or any other body that 1447
has authority to approve the budget of their public 1448
jurisdiction, the designated representative of the board of 1449
county commissioners and of each elected officeholder of the 1450
county whose employees are covered by the collective 1451
negotiations, and the designated representative of the village 1452
or the board of township trustees of each township is 1453
responsible for negotiations in the collective bargaining 1454
process; except that the legislative body may accept or reject a 1455
proposed collective bargaining agreement. When the matters about 1456
which there is agreement are reduced to writing and approved by 1457
the employee organization and the legislative body, the 1458
agreement is binding upon the legislative body, the employer, 1459
and the employee organization and employees covered by the 1460
agreement. 1461

(D) There is hereby established an office of collective 1462
bargaining in the department of administrative services for the 1463
purpose of negotiating with and entering into written agreements 1464
between state agencies, departments, boards, and commissions and 1465
the exclusive representative on matters of wages, hours, terms 1466

and other conditions of employment and the continuation, 1467
modification, or deletion of an existing provision of a 1468
collective bargaining agreement. Nothing in any provision of law 1469
to the contrary shall be interpreted as excluding the bureau of 1470
workers' compensation and the industrial commission from the 1471
preceding sentence. This office shall not negotiate on behalf of 1472
other statewide elected officials or boards of trustees of state 1473
institutions of higher education who shall be considered as 1474
separate public employers for the purposes of this chapter; 1475
however, the office may negotiate on behalf of these officials 1476
or trustees where authorized by the officials or trustees. The 1477
staff of the office of collective bargaining are in the 1478
unclassified service. The director of administrative services 1479
shall fix the compensation of the staff. 1480

The office of collective bargaining shall: 1481

(1) Assist the director in formulating management's 1482
philosophy for public collective bargaining as well as planning 1483
bargaining strategies; 1484

(2) Conduct negotiations with the exclusive 1485
representatives of each employee organization; 1486

(3) Coordinate the state's resources in all mediation, 1487
fact-finding, and arbitration cases as well as in all labor 1488
disputes; 1489

(4) Conduct systematic reviews of collective bargaining 1490
agreements for the purpose of contract negotiations; 1491

(5) Coordinate the systematic compilation of data by all 1492
agencies that is required for negotiating purposes; 1493

(6) Prepare and submit an annual report and other reports 1494
as requested to the governor and the general assembly on the 1495

implementation of this chapter and its impact upon state 1496
government. 1497

Section 2. That existing sections 9.68, 2923.12, 2923.121, 1498
2923.122, 2923.123, 2923.126, 2923.1212, and 4117.10 of the 1499
Revised Code are hereby repealed. 1500

Section 3. This act shall be known as the 1501
"Decriminalization Effort For Ending Notorious Deaths -- 1502
Teachers With Options (DEFEND-TWO)." 1503