

As Introduced

133rd General Assembly

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H. B. No. 178

Representatives Hood, Brinkman

**Cosponsors: Representatives Vitale, Antani, Keller, Lang, Becker, Merrin, Koehler,
Butler, Blessing, Jordan, Riedel, Schaffer, Dean, Manchester, Manning, D.,
Carruthers, Smith, T., Cross, Zeltwanger, Baldrige, Lipps, Smith, R., Wiggam,
Powell, Wilkin, McClain, Romanchuk**

A BILL

To amend sections 109.69, 109.731, 311.41, 311.42,	1
311.43, 1547.69, 2921.13, 2923.11, 2923.12,	2
2923.121, 2923.122, 2923.123, 2923.124,	3
2923.125, 2923.126, 2923.127, 2923.128,	4
2923.129, 2923.1210, 2923.1211, 2923.1212,	5
2923.1213, 2923.16, 2953.37, and 4749.10 and to	6
enact section 2923.111 of the Revised Code to	7
modify the Weapons Law by renaming a concealed	8
handgun license as a concealed weapons license,	9
allowing a concealed weapons licensee to carry	10
concealed all deadly weapons not otherwise	11
prohibited by law, repealing a notice	12
requirement applicable to licensees stopped for	13
a law enforcement purpose, authorizing	14
expungement of convictions of a violation of	15
that requirement, and allowing a person age 21	16
or older and not prohibited by federal law from	17
firearm possession to carry a concealed deadly	18
weapon without needing a license subject to the	19
same carrying laws as a licensee.	20

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

Section 1. That sections 109.69, 109.731, 311.41, 311.42, 21
311.43, 1547.69, 2921.13, 2923.11, 2923.12, 2923.121, 2923.122, 22
2923.123, 2923.124, 2923.125, 2923.126, 2923.127, 2923.128, 23
2923.129, 2923.1210, 2923.1211, 2923.1212, 2923.1213, 2923.16, 24
2953.37, and 4749.10 be amended and section 2923.111 of the 25
Revised Code be enacted to read as follows: 26

Sec. 109.69. (A) (1) The attorney general shall negotiate 27
and enter into a reciprocity agreement with any other license- 28
issuing state under which a ~~concealed handgun~~-license that is 29
issued by the other state and that authorizes the carrying of 30
concealed handguns, firearms, or deadly weapons is recognized in 31
this state, except as provided in division (B) of this section, 32
if the attorney general determines that both of the following 33
apply: 34

(a) The eligibility requirements imposed by that license- 35
issuing state for that license are substantially comparable to 36
the eligibility requirements for a concealed ~~handgun~~-weapons 37
license issued under section 2923.125 of the Revised Code. 38

(b) That license-issuing state recognizes a concealed 39
~~handgun~~-weapons license issued under section 2923.125 of the 40
Revised Code. 41

(2) A reciprocity agreement entered into under division 42
(A) (1) of this section also may provide for the recognition in 43
this state of a ~~concealed handgun~~-license issued on a temporary 44
or emergency basis by the other license-issuing state that 45
authorizes the carrying of concealed handguns, firearms, or 46
deadly weapons, if the eligibility requirements imposed by that 47

license-issuing state for the temporary or emergency license are 48
substantially comparable to the eligibility requirements for a 49
concealed ~~handgun-weapons~~ license issued under section 2923.125 50
or 2923.1213 of the Revised Code and if that license-issuing 51
state recognizes a concealed ~~handgun-weapons~~ license issued 52
under section 2923.1213 of the Revised Code. 53

(3) The attorney general shall not negotiate any agreement 54
with any other license-issuing state under which a ~~concealed-~~ 55
~~handgun~~ license that is issued by the other state and that 56
authorizes the carrying of concealed handguns, firearms, or 57
deadly weapons is recognized in this state other than as 58
provided in divisions (A) (1) and (2) of this section. 59

(B) (1) If, on or after ~~the effective date of this~~ 60
~~amendment~~ March 23, 2015, a person who is a resident of this 61
state has a valid ~~concealed handgun~~ license that was issued by 62
another license-issuing state and that authorizes the carrying 63
of concealed handguns, firearms, or deadly weapons and the other 64
state has entered into a reciprocity agreement with the attorney 65
general under division (A) (1) of this section or the attorney 66
general determines that the eligibility requirements imposed by 67
that license-issuing state for that license are substantially 68
comparable to the eligibility requirements for a concealed 69
~~handgun-weapons~~ license issued under section 2923.125 of the 70
Revised Code, the license issued by the other license-issuing 71
state shall be recognized in this state, shall be accepted and 72
valid in this state, and grants the person the same right to 73
carry a concealed ~~handgun-deadly weapon~~ in this state as a 74
person who was issued a concealed ~~handgun-weapons~~ license under 75
section 2923.125 of the Revised Code prior to, on, or after the 76
effective date of this amendment. 77

(2) If, on or after ~~the effective date of this amendment~~ 78
March 23, 2015, a person who is a resident of this state has a 79
valid ~~concealed handgun~~ license that was issued by another 80
license-issuing state and that authorizes the carrying of 81
concealed handguns, firearms, or deadly weapons and the other 82
state has not entered into a reciprocity agreement with the 83
attorney general under division (A)(1) of this section, the 84
license issued by the other license-issuing state shall be 85
recognized in this state, shall be accepted and valid in this 86
state, and grants the person the same right to carry a concealed 87
~~handgun-deadly weapon~~ in this state as a person who was issued a 88
concealed ~~handgun-weapons~~ license under section 2923.125 of the 89
Revised Code prior to, on, or after the effective date of this 90
amendment, for a period of six months after the person became a 91
resident of this state. After that six-month period, if the 92
person wishes to obtain a concealed ~~handgun-weapons~~ license, the 93
person shall apply for a concealed ~~handgun-weapons~~ license 94
pursuant to section 2923.125 of the Revised Code. 95

(3) If, on or after ~~the effective date of this amendment~~ 96
March 23, 2015, a person who is not a resident of this state has 97
a valid ~~concealed handgun~~ license that was issued by another 98
license-issuing state and that authorizes the carrying of 99
concealed handguns, firearms, or deadly weapons, regardless of 100
whether the other license-issuing state has entered into a 101
reciprocity agreement with the attorney general under division 102
(A)(1) of this section, and if the person is temporarily in this 103
state, during the time that the person is temporarily in this 104
state the license issued by the other license-issuing state 105
shall be recognized in this state, shall be accepted and valid 106
in this state, and grants the person the same right to carry a 107
concealed ~~handgun-deadly weapon~~ in this state as a person who 108

was issued a concealed ~~handgun-weapons~~ license under section 109
2923.125 of the Revised Code prior to, on, or after the 110
effective date of this amendment. 111

(C) The attorney general shall publish each determination 112
described in division (B) (1) of this section that the attorney 113
general makes in the same manner that written agreements entered 114
into under division (A) (1) or (2) of this section are published. 115

(D) As used in this section: 116

(1) "Handgun," "firearm," "concealed ~~handgun-weapons~~ 117
license," "deadly weapon," and "valid concealed ~~handgun-weapons~~ 118
license" have the same meanings as in section 2923.11 of the 119
Revised Code. 120

(2) "License-issuing state" means a state other than this 121
state that, pursuant to law, provides for the issuance of a 122
license to carry a concealed handgun, to carry a concealed 123
firearm, or to carry a concealed deadly weapon. 124

Sec. 109.731. (A) (1) The attorney general shall prescribe, 125
and shall make available to sheriffs an application form that is 126
to be used under section 2923.125 of the Revised Code by a 127
person who applies for a concealed ~~handgun-weapons~~ license and 128
an application form that is to be used under section 2923.125 of 129
the Revised Code by a person who applies for the renewal of a 130
license of that nature. The attorney general shall design the 131
form to enable applicants to provide the information that is 132
required by law to be collected, and shall update the form as 133
necessary. Burdens or restrictions to obtaining a concealed 134
~~handgun-weapons~~ license that are not expressly prescribed in law 135
shall not be incorporated into the form. The attorney general 136
shall post a printable version of the form on the web site of 137

the attorney general and shall provide the address of the web 138
site to any person who requests the form. 139

(2) The Ohio peace officer training commission shall 140
prescribe, and shall make available to sheriffs, all of the 141
following: 142

(a) A form for the concealed ~~handgun-weapons~~ license that 143
is to be issued by sheriffs to persons who qualify for a 144
concealed ~~handgun-weapons~~ license under section 2923.125 of the 145
Revised Code and that conforms to the following requirements: 146

(i) It has space for the licensee's full name, residence 147
address, and date of birth and for a color photograph of the 148
licensee. 149

(ii) It has space for the date of issuance of the license, 150
its expiration date, its county of issuance, the name of the 151
sheriff who issues the license, and the unique combination of 152
letters and numbers that identify the county of issuance and the 153
license given to the licensee by the sheriff in accordance with 154
division (A) (2) (c) of this section. 155

(iii) It has space for the signature of the licensee and 156
the signature or a facsimile signature of the sheriff who issues 157
the license. 158

(iv) It does not require the licensee to include serial 159
numbers of ~~handguns~~ firearms or other deadly weapons, other 160
identification related to ~~handguns~~ firearms or other deadly 161
weapons, or similar data that is not pertinent or relevant to 162
obtaining the license and that could be used as a de facto means 163
of registration of ~~handguns~~ firearms or other deadly weapons 164
owned by the licensee. 165

(b) A series of three-letter county codes that identify 166

each county in this state; 167

(c) A procedure by which a sheriff shall give each 168
concealed ~~handgun-weapons~~ license, replacement concealed ~~handgun-~~ 169
~~weapons~~ license, or renewal concealed ~~handgun-weapons~~ license 170
and each concealed ~~handgun-weapons~~ license on a temporary 171
emergency basis or replacement concealed weapons license on a 172
temporary emergency basis the sheriff issues under section 173
2923.125 or 2923.1213 of the Revised Code a unique combination 174
of letters and numbers that identifies the county in which the 175
license was issued and that uses the county code and a unique 176
number for each license the sheriff of that county issues; 177

(d) A form for a concealed ~~handgun-weapons~~ license on a 178
temporary emergency basis that is to be issued by sheriffs to 179
persons who qualify for such a license under section 2923.1213 180
of the Revised Code, which form shall conform to all the 181
requirements set forth in divisions (A) (2) (a) (i) to (iv) of this 182
section and shall additionally conspicuously specify that the 183
license is issued on a temporary emergency basis and the date of 184
its issuance. 185

(B) (1) The Ohio peace officer training commission, in 186
consultation with the attorney general, shall prepare a pamphlet 187
that does all of the following, in everyday language: 188

(a) Explains the ~~firearms-deadly weapons~~ laws of this 189
state, including the aspects of those laws with respect to 190
firearms; 191

(b) Instructs the reader in dispute resolution and 192
explains the laws of this state related to that matter; 193

(c) Provides information to the reader regarding all 194
aspects of the use of deadly force with a ~~firearm~~ deadly weapon, 195

including, but not limited to, the steps that should be taken 196
before contemplating the use of, or using, deadly force with a 197
~~firearm~~ deadly weapon, possible alternatives to using deadly 198
force with a ~~firearm~~ deadly weapon, and the law governing the 199
use of deadly force with a ~~firearm~~ deadly weapon. The 200
information provided as described in this division shall cover 201
all deadly weapons, including firearms. 202

(2) The attorney general shall consult with and assist the 203
commission in the preparation of the pamphlet described in 204
division (B) (1) of this section and, as necessary, shall 205
recommend to the commission changes in the pamphlet to reflect 206
changes in the law that are relevant to it. The attorney general 207
shall publish the pamphlet on the web site of the attorney 208
general and shall provide the address of the web site to any 209
person who requests the pamphlet. 210

(3) The attorney general shall create and maintain a 211
section on the attorney general's web site that provides 212
information on ~~firearms~~ deadly weapons laws of this state, 213
including the aspects of those laws with respect to firearms, 214
that are specifically applicable to members of the armed forces 215
of the United States and a link to the pamphlet described in 216
division (B) (1) of this section. 217

(C) The Ohio peace officer training commission shall 218
maintain statistics with respect to the issuance, renewal, 219
suspension, revocation, and denial of concealed ~~handgun~~ weapons 220
licenses under section 2923.125 of the Revised Code and the 221
suspension of processing of applications for those licenses, and 222
with respect to the issuance, suspension, revocation, and denial 223
of concealed ~~handgun~~ weapons licenses on a temporary emergency 224
basis under section 2923.1213 of the Revised Code, as reported 225

by the sheriffs pursuant to division (C) of section 2923.129 of 226
the Revised Code. Not later than the first day of March in each 227
year, the commission shall submit a statistical report to the 228
governor, the president of the senate, and the speaker of the 229
house of representatives indicating the number of concealed 230
~~handgun-weapons~~ licenses that were issued, renewed, suspended, 231
revoked, and denied under section 2923.125 of the Revised Code 232
in the previous calendar year, the number of applications for 233
those licenses for which processing was suspended in accordance 234
with division (D)(3) of that section in the previous calendar 235
year, and the number of concealed ~~handgun-weapons~~ licenses on a 236
temporary emergency basis that were issued, suspended, revoked, 237
or denied under section 2923.1213 of the Revised Code in the 238
previous calendar year. Nothing in the statistics or the 239
statistical report shall identify, or enable the identification 240
of, any individual who was issued or denied a license, for whom 241
a license was renewed, whose license was suspended or revoked, 242
or for whom application processing was suspended. The statistics 243
and the statistical report are public records for the purpose of 244
section 149.43 of the Revised Code. The requirements of this 245
division apply regarding all concealed weapons licenses, 246
regardless of whether the issuance, renewal, suspension, 247
revocation, or denial in question occurred prior to, on, or 248
after the effective date of this amendment. 249

(D) As used in this section, "concealed ~~handgun-weapons~~ 250
license," "~~deadly weapon~~," and "handgun" have the same meanings 251
as in section 2923.11 of the Revised Code. 252

Sec. 311.41. (A)(1) Upon receipt of an application for a 253
concealed ~~handgun-weapons~~ license under division (C) of section 254
2923.125 of the Revised Code, an application to renew a 255
concealed ~~handgun-weapons~~ license under division (F) of that 256

section, or an application for a concealed ~~handgun~~ weapons 257
license on a temporary emergency basis under section 2923.1213 258
of the Revised Code, the sheriff shall conduct a criminal 259
records check and an incompetency check of the applicant to 260
determine whether the applicant fails to meet the criteria 261
described in division (D) (1) of section 2923.125 of the Revised 262
Code. As part of any such criminal records check, the sheriff 263
shall contact the national instant criminal background check 264
system to verify that the applicant is eligible lawfully to 265
receive or possess a firearm in the United States. The sheriff 266
shall conduct the criminal records check and the incompetency 267
records check required by this division through use of an 268
electronic fingerprint reading device or, if the sheriff does 269
not possess and does not have ready access to the use of an 270
electronic fingerprint reading device, by requesting the bureau 271
of criminal identification and investigation to conduct the 272
checks as described in this division. 273

In order to conduct the criminal records check and the 274
incompetency records check, the sheriff shall obtain the 275
fingerprints of at least four fingers of the applicant by using 276
an electronic fingerprint reading device for the purpose of 277
conducting the criminal records check and the incompetency 278
records check or, if the sheriff does not possess and does not 279
have ready access to the use of an electronic fingerprint 280
reading device, shall obtain from the applicant a completed 281
standard fingerprint impression sheet prescribed pursuant to 282
division (C) (2) of section 109.572 of the Revised Code. The 283
fingerprints so obtained, along with the applicant's social 284
security number, shall be used to conduct the criminal records 285
check and the incompetency records check. If the sheriff does 286
not use an electronic fingerprint reading device to obtain the 287

fingerprints and conduct the records checks, the sheriff shall 288
submit the completed standard fingerprint impression sheet of 289
the applicant, along with the applicant's social security 290
number, to the superintendent of the bureau of criminal 291
identification and investigation and shall request the bureau to 292
conduct the criminal records check and the incompetency records 293
check of the applicant and, if necessary, shall request the 294
superintendent of the bureau to obtain information from the 295
federal bureau of investigation as part of the criminal records 296
check for the applicant. If it is not possible to use an 297
electronic fingerprint reading device to conduct an incompetency 298
records check, the sheriff shall submit the completed standard 299
fingerprint impression sheet of the applicant, along with the 300
applicant's social security number, to the superintendent of the 301
bureau of criminal identification and investigation and shall 302
request the bureau to conduct the incompetency records check. 303
The sheriff shall not retain the applicant's fingerprints as 304
part of the application. 305

(2) Except as otherwise provided in this division, if at 306
any time the applicant decides not to continue with the 307
application process, the sheriff immediately shall cease any 308
investigation that is being conducted under division (A)(1) of 309
this section. The sheriff shall not cease that investigation if, 310
at the time of the applicant's decision not to continue with the 311
application process, the sheriff had determined from any of the 312
sheriff's investigations that the applicant then was engaged in 313
activity of a criminal nature. 314

(B) If a criminal records check and an incompetency 315
records check conducted under division (A) of this section do 316
not indicate that the applicant fails to meet the criteria 317
described in division (D)(1) of section 2923.125 of the Revised 318

Code, except as otherwise provided in this division, the sheriff 319
shall destroy or cause a designated employee to destroy all 320
records other than the application for a concealed ~~handgun-~~ 321
~~weapons~~ license, the application to renew a concealed ~~handgun-~~ 322
~~weapons~~ license, or the affidavit submitted regarding an 323
application for a concealed ~~handgun-weapons~~ license on a 324
temporary emergency basis that were made in connection with the 325
criminal records check and incompetency records check within 326
twenty days after conducting the criminal records check and 327
incompetency records check. If an applicant appeals a denial of 328
an application as described in division (D) (2) of section 329
2923.125 of the Revised Code or challenges the results of a 330
criminal records check pursuant to section 2923.127 of the 331
Revised Code, records of fingerprints of the applicant shall not 332
be destroyed during the pendency of the appeal or the challenge 333
and review. When an applicant appeals a denial as described in 334
that division, the twenty-day period described in this division 335
commences regarding the fingerprints upon the determination of 336
the appeal. When required as a result of a challenge and review 337
performed pursuant to section 2923.127 of the Revised Code, the 338
source the sheriff used in conducting the criminal records check 339
shall destroy or the chief operating officer of the source shall 340
cause an employee of the source designated by the chief to 341
destroy all records other than the application for a concealed 342
~~handgun-weapons~~ license, the application to renew a concealed 343
~~handgun-weapons~~ license, or the affidavit submitted regarding an 344
application for a concealed ~~handgun-weapons~~ license on a 345
temporary emergency basis that were made in connection with the 346
criminal records check within twenty days after completion of 347
that challenge and review. 348

(C) If division (B) of this section applies to a 349

particular criminal records check or incompetency records check, 350
no sheriff, employee of a sheriff designated by the sheriff to 351
destroy records under that division, source the sheriff used in 352
conducting the criminal records check or incompetency records 353
check, or employee of the source designated by the chief 354
operating officer of the source to destroy records under that 355
division shall fail to destroy or cause to be destroyed within 356
the applicable twenty-day period specified in that division all 357
records other than the application for a concealed ~~handgun-~~ 358
~~weapons~~ license, the application to renew a concealed ~~handgun-~~ 359
~~weapons~~ license, or the affidavit submitted regarding an 360
application for a concealed ~~handgun-weapons~~ license on a 361
temporary emergency basis made in connection with the particular 362
criminal records check or incompetency records check. 363

(D) Divisions (B) and (C) of this section apply with 364
respect to all applications for a concealed weapons license, 365
regardless of whether the application was made prior to, on, or 366
after the effective date of this amendment. 367

(E) Whoever violates division (C) of this section is 368
guilty of failure to destroy records, a misdemeanor of the 369
second degree. 370

~~(E)~~ (F) As used in this section: 371

(1) "Concealed ~~handgun-weapons~~ license," "deadly weapon," 372
and "handgun" have the same meanings as in section 2923.11 of 373
the Revised Code. 374

(2) "National instant criminal background check system" 375
means the system established by the United States attorney 376
general pursuant to section 103 of the "Brady Handgun Violence 377
Prevention Act," Pub. L. No. 103-159. 378

Sec. 311.42. (A) Each county shall establish in the county treasury a sheriff's concealed ~~handgun-weapons~~ license issuance expense fund. The sheriff of that county shall deposit into that fund all fees paid by applicants for the issuance or renewal of a concealed ~~handgun-weapons~~ license or duplicate concealed ~~handgun-weapons~~ license under section 2923.125 of the Revised Code ~~and all fees paid or by the a~~ person seeking a concealed ~~handgun-weapons~~ license on a temporary emergency basis under section 2923.1213 of the Revised Code. The county shall distribute all fees deposited into the fund except forty dollars of each fee paid by an applicant under division (B) of section 2923.125 of the Revised Code, fifteen dollars of each fee paid under section 2923.1213 of the Revised Code, and thirty-five dollars of each fee paid under division (F) of section 2923.125 of the Revised Code to the attorney general to be used to pay the cost of background checks performed by the bureau of criminal identification and investigation and the federal bureau of investigation and to cover administrative costs associated with issuing the license. This division applies with respect to all applications for issuance or renewal of a concealed weapons license, regardless of whether the application occurred prior to, on, or after the effective date of this amendment.

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

(1) Any costs incurred by the sheriff in connection with performing any administrative functions related to the issuance of concealed ~~handgun-weapons~~ licenses under section 2923.125 or 2923.1213 of the Revised Code, including, but not limited to, personnel expenses and any costs associated with a firearm

safety education program, or a firearm training or qualification 410
program that the sheriff chooses to fund; 411

(2) Ammunition and firearms to be used by the sheriff and 412
the sheriff's employees. 413

(C) As used in this section, "concealed weapons license," 414
"deadly weapon," and "handgun" have the same meanings as in 415
section 2923.11 of the Revised Code. 416

Sec. 311.43. (A) As used in this section: 417

(1) "Certification" means the participation and assent of 418
the chief law enforcement officer necessary under federal law 419
for the approval of an application to make or transfer a 420
firearm. 421

(2) "Chief law enforcement officer" means any official the 422
bureau of alcohol, tobacco, firearms, and explosives, or any 423
successor agency, identifies by regulation or otherwise as 424
eligible to provide any required certification for the making or 425
transfer of a firearm. 426

(3) "Concealed ~~handgun~~ weapons license" has the same 427
meaning as in section 2923.11 of the Revised Code. 428

(B) A resident of this state may submit to the sheriff of 429
the county in which the resident resides or to the sheriff of 430
any county adjacent to the county in which the resident resides 431
any federal form that requires a law enforcement certification 432
by a chief law enforcement officer. 433

(C) The sheriff shall accept and process the certification 434
in the same manner as an application for a concealed ~~handgun~~ 435
weapons license is processed under section 2923.125 of the 436
Revised Code, including the requirement for a background check, 437

except as follows:

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

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

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

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

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

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

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

(D) No person shall knowingly transport or have a firearm 466
in a vessel unless it is unloaded and is carried in one of the 467
following ways: 468

(1) In a closed package, box, or case; 469

(2) In plain sight with the action opened or the weapon 470
stripped, or, if the firearm is of a type on which the action 471
will not stay open or that cannot easily be stripped, in plain 472
sight. 473

(E) (1) The affirmative defenses authorized in divisions 474
(D) (1) and (2) of section 2923.12 of the Revised Code are 475
affirmative defenses to a charge under division (C) or (D) of 476
this section that involves a firearm other than a handgun if 477
division (H) (2) of this section does not apply to the person 478
charged. It is an affirmative defense to a charge under division 479
(C) or (D) of this section of transporting or having a firearm 480
of any type, including a handgun, in a vessel that the actor 481
transported or had the firearm in the vessel for any lawful 482
purpose and while the vessel was on the actor's own property, 483
provided that this affirmative defense is not available unless 484
the actor, prior to arriving at the vessel on the actor's own 485
property, did not transport or possess the firearm in the vessel 486
or in a motor vehicle in a manner prohibited by this section or 487
division (B) or (C) of section 2923.16 of the Revised Code while 488
the vessel was being operated on a waterway that was not on the 489
actor's own property or while the motor vehicle was being 490
operated on a street, highway, or other public or private 491
property used by the public for vehicular traffic. 492

(2) No person who is charged with a violation of division 493
(C) or (D) of this section shall be required to obtain a license 494
or temporary emergency license to carry a concealed ~~handgun~~ 495

weapon under section 2923.125 or 2923.1213 of the Revised Code 496
as a condition for the dismissal of the charge. 497

(F) Divisions (B), (C), and (D) of this section do not 498
apply to the possession or discharge of a United States coast 499
guard approved signaling device required to be carried aboard a 500
vessel under section 1547.251 of the Revised Code when the 501
signaling device is possessed or used for the purpose of giving 502
a visual distress signal. No person shall knowingly transport or 503
possess any signaling device of that nature in or on a vessel in 504
a loaded condition at any time other than immediately prior to 505
the discharge of the signaling device for the purpose of giving 506
a visual distress signal. 507

(G) No person shall operate or permit to be operated any 508
vessel on the waters in this state in violation of this section. 509

(H) (1) This section does not apply to any of the 510
following: 511

(a) An officer, agent, or employee of this or any other 512
state or of the United States, or to a law enforcement officer, 513
when authorized to carry or have loaded or accessible firearms 514
in a vessel and acting within the scope of the officer's, 515
agent's, or employee's duties; 516

(b) Any person who is employed in this state, who is 517
authorized to carry or have loaded or accessible firearms in a 518
vessel, and who is subject to and in compliance with the 519
requirements of section 109.801 of the Revised Code, unless the 520
appointing authority of the person has expressly specified that 521
the exemption provided in division (H) (1) (b) of this section 522
does not apply to the person; 523

(c) Any person legally engaged in hunting. 524

(2) ~~Divisions~~ (a) Subject to division (H) (2) (b) of this 525
section, divisions (C) and (D) of this section do not apply to a 526
person who transports or possesses ~~a handgun~~ in a vessel a 527
firearm that is not a restricted deadly weapon and who, at the 528
time of that transportation or possession, ~~either~~ is carrying a 529
valid concealed ~~handgun weapons~~ license, is deemed under 530
division (C) of section 2923.111 of the Revised Code to have 531
been issued a concealed weapons license under section 2923.125 532
of the Revised Code, or is an active duty member of the armed 533
forces of the United States and is carrying a valid military 534
identification card and documentation of successful completion 535
of firearms training that meets or exceeds the training 536
requirements described in division (G) (1) of section 2923.125 of 537
the Revised Code, ~~unless.~~ 538

(b) The exemptions specified in division (H) (2) (a) of this 539
section do not apply to a person if the person, at the time of 540
the transport or possession in question, knowingly is in a ~~an~~ 541
unauthorized place on the vessel described specified in division 542
(B) of section 2923.126 of the Revised Code or knowingly is 543
transporting or possessing the deadly weapon in any prohibited 544
manner listed in that division. 545

(I) If a law enforcement officer stops a vessel for a 546
violation of this section or any other law enforcement purpose, 547
if any person on the vessel surrenders a ~~firearm~~ deadly weapon 548
to the officer, either voluntarily or pursuant to a request or 549
demand of the officer, and if the officer does not charge the 550
person with a violation of this section or arrest the person for 551
any offense, the person is not otherwise prohibited by law from 552
possessing the ~~firearm~~ deadly weapon, and the ~~firearm~~ deadly 553
weapon is not contraband, the officer shall return the ~~firearm~~ 554
deadly weapon to the person at the termination of the stop. 555

(J) Division (L) of section 2923.16 of the Revised Code 556
applies with respect to division (A)(2) of this section, except 557
that all references in division (L) of section 2923.16 of the 558
Revised Code to "vehicle," to "this chapter," or to "division 559
(K)(5)(a) or (b) of this section" shall be construed for 560
purposes of this section to be, respectively, references to 561
"vessel," to "section 1547.69 of the Revised Code," and to 562
"divisions (K)(5)(a) and (b) of section 2923.16 of the Revised 563
Code as incorporated under the definition of firearm adopted 564
under division (A)(2) of this section." 565

Sec. 2921.13. (A) No person shall knowingly make a false 566
statement, or knowingly swear or affirm the truth of a false 567
statement previously made, when any of the following applies: 568

(1) The statement is made in any official proceeding. 569

(2) The statement is made with purpose to incriminate 570
another. 571

(3) The statement is made with purpose to mislead a public 572
official in performing the public official's official function. 573

(4) The statement is made with purpose to secure the 574
payment of unemployment compensation; Ohio works first; 575
prevention, retention, and contingency benefits and services; 576
disability financial assistance; retirement benefits or health 577
care coverage from a state retirement system; economic 578
development assistance, as defined in section 9.66 of the 579
Revised Code; or other benefits administered by a governmental 580
agency or paid out of a public treasury. 581

(5) The statement is made with purpose to secure the 582
issuance by a governmental agency of a license, permit, 583
authorization, certificate, registration, release, or provider 584

agreement. 585

(6) The statement is sworn or affirmed before a notary 586
public or another person empowered to administer oaths. 587

(7) The statement is in writing on or in connection with a 588
report or return that is required or authorized by law. 589

(8) The statement is in writing and is made with purpose 590
to induce another to extend credit to or employ the offender, to 591
confer any degree, diploma, certificate of attainment, award of 592
excellence, or honor on the offender, or to extend to or bestow 593
upon the offender any other valuable benefit or distinction, 594
when the person to whom the statement is directed relies upon it 595
to that person's detriment. 596

(9) The statement is made with purpose to commit or 597
facilitate the commission of a theft offense. 598

(10) The statement is knowingly made to a probate court in 599
connection with any action, proceeding, or other matter within 600
its jurisdiction, either orally or in a written document, 601
including, but not limited to, an application, petition, 602
complaint, or other pleading, or an inventory, account, or 603
report. 604

(11) The statement is made on an account, form, record, 605
stamp, label, or other writing that is required by law. 606

(12) The statement is made in connection with the purchase 607
of a firearm, as defined in section 2923.11 of the Revised Code, 608
and in conjunction with the furnishing to the seller of the 609
firearm of a fictitious or altered driver's or commercial 610
driver's license or permit, a fictitious or altered 611
identification card, or any other document that contains false 612
information about the purchaser's identity. 613

(13) The statement is made in a document or instrument of 614
writing that purports to be a judgment, lien, or claim of 615
indebtedness and is filed or recorded with the secretary of 616
state, a county recorder, or the clerk of a court of record. 617

(14) The statement is made in an application filed with a 618
county sheriff pursuant to section 2923.125 of the Revised Code 619
in order to obtain or renew a concealed ~~handgun~~-weapons license 620
or ~~is made~~ in an affidavit submitted to a county sheriff to 621
obtain a concealed ~~handgun~~-weapons license on a temporary 622
emergency basis under section 2923.1213 of the Revised Code, 623
regardless of whether the application was made or affidavit was 624
submitted prior to, on, or after the effective date of this 625
amendment. 626

(15) The statement is required under section 5743.71 of 627
the Revised Code in connection with the person's purchase of 628
cigarettes or tobacco products in a delivery sale. 629

(B) No person, in connection with the purchase of a 630
firearm, as defined in section 2923.11 of the Revised Code, 631
shall knowingly furnish to the seller of the firearm a 632
fictitious or altered driver's or commercial driver's license or 633
permit, a fictitious or altered identification card, or any 634
other document that contains false information about the 635
purchaser's identity. 636

(C) No person, in an attempt to obtain a concealed ~~handgun~~-weapons 637
license under section 2923.125 of the Revised Code, 638
shall knowingly present to a sheriff a fictitious or altered 639
document that purports to be certification of the person's 640
competence in handling a ~~handgun~~-firearm as described in 641
division (B) (3) of that section. 642

(D) It is no defense to a charge under division (A)(6) of 643
this section that the oath or affirmation was administered or 644
taken in an irregular manner. 645

(E) If contradictory statements relating to the same fact 646
are made by the offender within the period of the statute of 647
limitations for falsification, it is not necessary for the 648
prosecution to prove which statement was false but only that one 649
or the other was false. 650

(F)(1) Whoever violates division (A)(1), (2), (3), (4), 651
(5), (6), (7), (8), (10), (11), (13), or (15) of this section is 652
guilty of falsification. Except as otherwise provided in this 653
division, falsification is a misdemeanor of the first degree. 654

(2) Whoever violates division (A)(9) of this section is 655
guilty of falsification in a theft offense. Except as otherwise 656
provided in this division, falsification in a theft offense is a 657
misdemeanor of the first degree. If the value of the property or 658
services stolen is one thousand dollars or more and is less than 659
seven thousand five hundred dollars, falsification in a theft 660
offense is a felony of the fifth degree. If the value of the 661
property or services stolen is seven thousand five hundred 662
dollars or more and is less than one hundred fifty thousand 663
dollars, falsification in a theft offense is a felony of the 664
fourth degree. If the value of the property or services stolen 665
is one hundred fifty thousand dollars or more, falsification in 666
a theft offense is a felony of the third degree. 667

(3) Whoever violates division (A)(12) or (B) of this 668
section is guilty of falsification to purchase a firearm, a 669
felony of the fifth degree. 670

(4) Whoever violates division (A)(14) or (C) of this 671

section is guilty of falsification to obtain a concealed ~~handgun-~~ 672
weapons license, a felony of the fourth degree. 673

(5) Whoever violates division (A) of this section in 674
removal proceedings under section 319.26, 321.37, 507.13, or 675
733.78 of the Revised Code is guilty of falsification regarding 676
a removal proceeding, a felony of the third degree. 677

(G) A person who violates this section is liable in a 678
civil action to any person harmed by the violation for injury, 679
death, or loss to person or property incurred as a result of the 680
commission of the offense and for reasonable attorney's fees, 681
court costs, and other expenses incurred as a result of 682
prosecuting the civil action commenced under this division. A 683
civil action under this division is not the exclusive remedy of 684
a person who incurs injury, death, or loss to person or property 685
as a result of a violation of this section. 686

(H) As used in this section, "concealed weapons license" 687
has the same meaning as in section 2923.11 of the Revised Code. 688

Sec. 2923.11. As used in sections 2923.11 to 2923.24 of 689
the Revised Code: 690

(A) "Deadly weapon" means any instrument, device, or thing 691
capable of inflicting death, and designed or specially adapted 692
for use as a weapon, or possessed, carried, or used as a weapon. 693

(B) (1) "Firearm" means any deadly weapon capable of 694
expelling or propelling one or more projectiles by the action of 695
an explosive or combustible propellant. "Firearm" includes an 696
unloaded firearm, and any firearm that is inoperable but that 697
can readily be rendered operable. 698

(2) When determining whether a firearm is capable of 699
expelling or propelling one or more projectiles by the action of 700

an explosive or combustible propellant, the trier of fact may 701
rely upon circumstantial evidence, including, but not limited 702
to, the representations and actions of the individual exercising 703
control over the firearm. 704

(C) "Handgun" means any of the following: 705

(1) Any firearm that has a short stock and is designed to 706
be held and fired by the use of a single hand; 707

(2) Any combination of parts from which a firearm of a 708
type described in division (C) (1) of this section can be 709
assembled. 710

(D) "Semi-automatic firearm" means any firearm designed or 711
specially adapted to fire a single cartridge and automatically 712
chamber a succeeding cartridge ready to fire, with a single 713
function of the trigger. 714

(E) "Automatic firearm" means any firearm designed or 715
specially adapted to fire a succession of cartridges with a 716
single function of the trigger. 717

(F) "Sawed-off firearm" means a shotgun with a barrel less 718
than eighteen inches long, or a rifle with a barrel less than 719
sixteen inches long, or a shotgun or rifle less than twenty-six 720
inches long overall. "Sawed-off firearm" does not include any 721
firearm with an overall length of at least twenty-six inches 722
that is approved for sale by the federal bureau of alcohol, 723
tobacco, firearms, and explosives under the "Gun Control Act of 724
1968," 82 Stat. 1213, 18 U.S.C. 921(a) (3), but that is found by 725
the bureau not to be regulated under the "National Firearms 726
Act," 68A Stat. 725 (1934), 26 U.S.C. 5845(a). 727

(G) "Zip-gun" means any of the following: 728

- (1) Any firearm of crude and extemporized manufacture; 729
- (2) Any device, including without limitation a starter's 730
pistol, that is not designed as a firearm, but that is specially 731
adapted for use as a firearm; 732
- (3) Any industrial tool, ~~signalling~~ signaling device, or 733
safety device, that is not designed as a firearm, but that as 734
designed is capable of use as such, when possessed, carried, or 735
used as a firearm. 736
- (H) "Explosive device" means any device designed or 737
specially adapted to cause physical harm to persons or property 738
by means of an explosion, and consisting of an explosive 739
substance or agency and a means to detonate it. "Explosive 740
device" includes without limitation any bomb, any explosive 741
demolition device, any blasting cap or detonator containing an 742
explosive charge, and any pressure vessel that has been 743
knowingly tampered with or arranged so as to explode. 744
- (I) "Incendiary device" means any firebomb, and any device 745
designed or specially adapted to cause physical harm to persons 746
or property by means of fire, and consisting of an incendiary 747
substance or agency and a means to ignite it. 748
- (J) "Ballistic knife" means a knife with a detachable 749
blade that is propelled by a spring-operated mechanism. 750
- (K) "Dangerous ordnance" means any of the following, 751
except as provided in division (L) of this section: 752
- (1) Any automatic or sawed-off firearm, zip-gun, or 753
ballistic knife; 754
- (2) Any explosive device or incendiary device; 755
- (3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, 756

cyclonite, TNT, picric acid, and other high explosives; amatol, 757
tritonite, tetrytol, pentolite, peccretol, cyclotol, and other 758
high explosive compositions; plastic explosives; dynamite, 759
blasting gelatin, gelatin dynamite, sensitized ammonium nitrate, 760
liquid-oxygen blasting explosives, blasting powder, and other 761
blasting agents; and any other explosive substance having 762
sufficient brisance or power to be particularly suitable for use 763
as a military explosive, or for use in mining, quarrying, 764
excavating, or demolitions; 765

(4) Any firearm, rocket launcher, mortar, artillery piece, 766
grenade, mine, bomb, torpedo, or similar weapon, designed and 767
manufactured for military purposes, and the ammunition for that 768
weapon; 769

(5) Any firearm muffler or suppressor; 770

(6) Any combination of parts that is intended by the owner 771
for use in converting any firearm or other device into a 772
dangerous ordnance. 773

(L) "Dangerous ordnance" does not include any of the 774
following: 775

(1) Any firearm, including a military weapon and the 776
ammunition for that weapon, and regardless of its actual age, 777
that employs a percussion cap or other obsolete ignition system, 778
or that is designed and safe for use only with black powder; 779

(2) Any pistol, rifle, or shotgun, designed or suitable 780
for sporting purposes, including a military weapon as issued or 781
as modified, and the ammunition for that weapon, unless the 782
firearm is an automatic or sawed-off firearm; 783

(3) Any cannon or other artillery piece that, regardless 784
of its actual age, is of a type in accepted use prior to 1887, 785

has no mechanical, hydraulic, pneumatic, or other system for 786
absorbing recoil and returning the tube into battery without 787
displacing the carriage, and is designed and safe for use only 788
with black powder; 789

(4) Black powder, priming quills, and percussion caps 790
possessed and lawfully used to fire a cannon of a type defined 791
in division (L) (3) of this section during displays, 792
celebrations, organized matches or shoots, and target practice, 793
and smokeless and black powder, primers, and percussion caps 794
possessed and lawfully used as a propellant or ignition device 795
in small-arms or small-arms ammunition; 796

(5) Dangerous ordnance that is inoperable or inert and 797
cannot readily be rendered operable or activated, and that is 798
kept as a trophy, souvenir, curio, or museum piece; 799

(6) Any device that is expressly excepted from the 800
definition of a destructive device pursuant to the "Gun Control 801
Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a) (4), as amended, 802
and regulations issued under that act; 803

(7) Any firearm with an overall length of at least twenty- 804
six inches that is approved for sale by the federal bureau of 805
alcohol, tobacco, firearms, and explosives under the "Gun 806
Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a) (3), but 807
that is found by the bureau not to be regulated under the 808
"National Firearms Act," 68A Stat. 725 (1934), 26 U.S.C. 809
5845(a). 810

(M) "Explosive" means any chemical compound, mixture, or 811
device, the primary or common purpose of which is to function by 812
explosion. "Explosive" includes all materials that have been 813
classified as division 1.1, division 1.2, division 1.3, or 814

division 1.4 explosives by the United States department of 815
transportation in its regulations and includes, but is not 816
limited to, dynamite, black powder, pellet powders, initiating 817
explosives, blasting caps, electric blasting caps, safety fuses, 818
fuse igniters, squibs, cordeau detonant fuses, instantaneous 819
fuses, and igniter cords and igniters. "Explosive" does not 820
include "fireworks," as defined in section 3743.01 of the 821
Revised Code, or any substance or material otherwise meeting the 822
definition of explosive set forth in this section that is 823
manufactured, sold, possessed, transported, stored, or used in 824
any activity described in section 3743.80 of the Revised Code, 825
provided the activity is conducted in accordance with all 826
applicable laws, rules, and regulations, including, but not 827
limited to, the provisions of section 3743.80 of the Revised 828
Code and the rules of the fire marshal adopted pursuant to 829
section 3737.82 of the Revised Code. 830

(N) (1) "Concealed ~~handgun-weapon~~ license" or "license to 831
carry a concealed-~~handgun~~ weapon" means, subject to division (N) 832
(2) of this section, ~~a~~ any of the following: 833

(a) A license or temporary emergency license to carry a 834
concealed handgun issued on or after the effective date of this 835
amendment under section 2923.125 or 2923.1213 of the Revised 836
Code ~~or a~~ that authorizes the person to whom it is issued to 837
carry a concealed deadly weapon other than a restricted deadly 838
weapon; 839

(b) A license or temporary emergency license to carry a 840
concealed handgun issued prior to the effective date of this 841
amendment under section 2923.125 or 2923.1213 of the Revised 842
Code as those sections existed prior to that date that, when 843
issued, authorized the person to whom it was issued to carry a 844

concealed handgun and that, on and after the effective date of 845
this amendment, authorizes the person to whom it was issued to 846
carry a concealed deadly weapon other than a restricted deadly 847
weapon; 848

(c) A license to carry a concealed handgun issued by 849
another state with which the attorney general has entered into a 850
reciprocity agreement under section 109.69 of the Revised Code 851
that authorizes the person to whom it is issued to carry a 852
concealed handgun, concealed firearm, or concealed deadly 853
weapon. 854

(2) A reference in any provision of the Revised Code to a 855
concealed ~~handgun-weapon~~ license issued under section 2923.125 856
of the Revised Code or a license to carry a concealed ~~handgun-~~ 857
~~weapon~~ issued under section 2923.125 of the Revised Code means 858
only a license of the type that is specified in that section or 859
a license of the type described in division (N) (1) (b) of this 860
section issued under section 2923.125 of the Revised Code as it 861
existed prior to the effective date of this amendment. ~~A~~ 862

A reference in any provision of the Revised Code to a 863
concealed ~~handgun-weapon~~ license issued under section 2923.1213 864
of the Revised Code, a license to carry a concealed ~~handgun-~~ 865
~~weapon~~ issued under section 2923.1213 of the Revised Code, or a 866
license to carry a concealed ~~handgun-weapon~~ on a temporary 867
emergency basis means only a license of the type that is 868
specified in that section-2923.1213 of the Revised Code or a 869
license of the type described in division (N) (1) (b) of this 870
section issued under section 2923.1213 of the Revised Code as it 871
existed prior to the effective date of this amendment. ~~A~~ 872

A reference in any provision of the Revised Code to a 873
~~concealed handgun~~ license issued by another state or a license- 874

~~to carry a concealed handgun issued by another state that~~ 875
authorizes the carrying of concealed handguns, firearms, or 876
deadly weapons means only a license issued by another state with 877
which the attorney general has entered into a reciprocity 878
agreement under section 109.69 of the Revised Code. 879

A reference in any provision of the Revised Code to a 880
person who is deemed under division (C) of section 2923.111 of 881
the Revised Code to have been issued a concealed weapons license 882
under section 2923.125 of the Revised Code means only a person 883
who is so deemed and does not include a person who has been 884
issued a license of a type described in division (N)(1) of this 885
section. 886

(O) "Valid concealed ~~handgun-weapons~~ license" or "valid 887
license to carry a concealed ~~handgun~~ weapon" means ~~a~~ any of the 888
following: 889

(1) A concealed ~~handgun-weapons~~ license of the type 890
described in division (N)(1)(a) or (c) of this section that is 891
currently valid, that is not under a suspension under division 892
(A)(1) of section 2923.128 of the Revised Code, under section 893
2923.1213 of the Revised Code, or under a suspension provision 894
of the state other than this state in which the license was 895
issued, and that has not been revoked under division (B)(1) of 896
section 2923.128 of the Revised Code, under section 2923.1213 of 897
the Revised Code, or under a revocation provision of the state 898
other than this state in which the license was issued; 899

(2) A concealed weapons license of the type described in 900
division (N)(1)(b) of this section that is currently valid, that 901
is not under a suspension of any type described in division (O) 902
(1) of this section, and that has not been revoked in any manner 903
described in division (O)(1) of this section. 904

(P) "Misdemeanor punishable by imprisonment for a term 905
exceeding one year" does not include any of the following: 906

(1) Any federal or state offense pertaining to antitrust 907
violations, unfair trade practices, restraints of trade, or 908
other similar offenses relating to the regulation of business 909
practices; 910

(2) Any misdemeanor offense punishable by a term of 911
imprisonment of two years or less. 912

(Q) "Alien registration number" means the number issued by 913
the United States citizenship and immigration services agency 914
that is located on the alien's permanent resident card and may 915
also be commonly referred to as the "USCIS number" or the "alien 916
number." 917

(R) "Active duty" has the same meaning as defined in 10 918
U.S.C. 101. 919

(S) "Restricted firearm" means a firearm that is a 920
dangerous ordnance or that is a firearm that any law of this 921
state or the United States prohibits the subject person from 922
possessing, having, or carrying. 923

(T) "Restricted deadly weapon" means a deadly weapon that 924
is a restricted firearm or that is a deadly weapon that any law 925
of this state or the United States prohibits the subject person 926
from possessing, having, or carrying. 927

Sec. 2923.111. (A) Notwithstanding any other Revised Code 928
section to the contrary, subject to the limitations specified in 929
this division and to division (C)(2) of this section, a person 930
who is twenty-one years of age or older and is not legally 931
prohibited from possessing or receiving a firearm under 18 932
U.S.C. 922(g)(1) to (9) shall not be required to obtain a 933

concealed weapons license under section 2923.125 or 2923.1213 of 934
the Revised Code in order to carry in this state a concealed 935
deadly weapon that is not a restricted deadly weapon. 936

Except as provided in divisions (B) and (C) of section 937
2923.126 of the Revised Code and regardless of whether the 938
person has been issued a concealed weapons license under section 939
2923.125 or 2923.1213 of the Revised Code or by another state, a 940
person who is twenty-one years of age or older and is not 941
legally prohibited from possessing or receiving a firearm under 942
18 U.S.C. 922(g)(1) to (9) may carry a concealed deadly weapon 943
that is not a restricted deadly weapon anywhere in this state. 944
The person's right to carry a concealed deadly weapon that is 945
not a restricted deadly weapon that is granted under this 946
division is the same right as is granted to a person who has 947
been issued a concealed weapons license under section 2923.125 948
of the Revised Code, and the person described in this division 949
is subject to the same restrictions as apply to a person who has 950
been issued a concealed weapons license under section 2923.125 951
of the Revised Code. 952

(B) The mere carrying or possession of a deadly weapon 953
that is not a restricted deadly weapon pursuant to the right 954
described in division (A) of this section, with or without a 955
concealed weapons license issued under section 2923.125 or 956
2923.1213 of the Revised Code or a concealed weapons license 957
issued by another state, does not constitute grounds for any law 958
enforcement officer or any agent of the state, a county, a 959
municipal corporation, or a township to conduct any search, 960
seizure, or detention, no matter how temporary in duration, of 961
an otherwise law-abiding person. 962

(C) (1) For purposes of sections 1547.69 and 2923.12 to 963

2923.1213 of the Revised Code and any other provision of law 964
that refers to a concealed weapons license or a concealed 965
weapons licensee, except when the context clearly indicates 966
otherwise, a person who is described in division (A) of this 967
section and is carrying or has, concealed on the person's person 968
or ready at hand, a deadly weapon that is not a restricted 969
deadly weapon shall be deemed to have been issued a concealed 970
weapons license under section 2923.125 of the Revised Code. 971

(2) The concealed weapons license expiration provisions of 972
section 2923.125 of the Revised Code and the concealed weapons 973
license suspension and revocation provisions of section 2923.128 974
of the Revised Code do not apply with respect to a person who is 975
described in division (A) of this section unless the person has 976
been issued a concealed weapons license. If a person is 977
described in division (A) of this section and the person 978
thereafter comes within any category of persons specified in 18 979
U.S.C. 922(g) (1) to (9) so that the person as a result is 980
legally prohibited under the applicable provision from 981
possessing or receiving a firearm, both of the following apply 982
automatically and immediately upon the person coming within that 983
category: 984

(a) Division (A) of this section and the authority and 985
right to carry a concealed deadly weapon that are described in 986
that division do not apply to the person. 987

(b) Division (C) (1) of this section does not apply to the 988
person, and the person no longer is deemed to have been issued a 989
concealed weapons license under section 2923.125 of the Revised 990
Code as described in that division. 991

Sec. 2923.12. (A) No person shall knowingly carry or have, 992
concealed on the person's person or concealed ready at hand, any 993

of the following: 994

(1) A deadly weapon other than a handgun; 995

(2) A handgun other than a dangerous ordnance; 996

(3) A dangerous ordnance. 997

(B) No person who has been issued a concealed ~~handgun~~ 998
weapons license and is carrying a concealed deadly weapon that 999
is not a restricted deadly weapon or who is deemed under 1000
division (C) of section 2923.111 of the Revised Code to have 1001
been issued a concealed weapons license under section 2923.125 1002
of the Revised Code and is carrying a concealed deadly weapon 1003
that is not a restricted deadly weapon shall do any of the 1004
following: 1005

~~(1) If the person is stopped for a law enforcement purpose~~ 1006
~~and is carrying a concealed handgun, fail to promptly inform any~~ 1007
~~law enforcement officer who approaches the person after the~~ 1008
~~person has been stopped that the person has been issued a~~ 1009
~~concealed handgun license and that the person then is carrying a~~ 1010
~~concealed handgun;~~ 1011

~~(2)~~ If the person is stopped for a law enforcement purpose 1012
~~and is carrying a concealed handgun,~~ knowingly fail to keep the 1013
person's hands in plain sight at any time after any law 1014
enforcement officer begins approaching the person while stopped 1015
and before the law enforcement officer leaves, unless the 1016
failure is pursuant to and in accordance with directions given 1017
by a law enforcement officer; 1018

~~(3)~~ (2) If the person is stopped for a law enforcement 1019
purpose, if the ~~person is carrying a concealed handgun~~ deadly 1020
weapon is a loaded firearm, and if the person is approached by 1021
any law enforcement officer while stopped, knowingly remove or 1022

attempt to remove the loaded ~~handgun~~ firearm from the holster, 1023
pocket, or other place in which the person is carrying it, 1024
knowingly grasp or hold the loaded ~~handgun~~ firearm, or knowingly 1025
have contact with the loaded ~~handgun~~ firearm by touching it with 1026
the person's hands or fingers at any time after the law 1027
enforcement officer begins approaching and before the law 1028
enforcement officer leaves, unless the person removes, attempts 1029
to remove, grasps, holds, or has contact with the loaded ~~handgun~~ 1030
firearm pursuant to and in accordance with directions given by 1031
the law enforcement officer; 1032

~~(4)~~ (3) If the person is stopped for a law enforcement 1033
purpose ~~and is carrying a concealed handgun~~, knowingly disregard 1034
or fail to comply with any lawful order of any law enforcement 1035
officer given while the person is stopped, including, but not 1036
limited to, a specific order to the person to keep the person's 1037
hands in plain sight. 1038

(C) (1) This section does not apply to any of the 1039
following: 1040

(a) An officer, agent, or employee of this or any other 1041
state or the United States, or to a law enforcement officer, who 1042
is authorized to carry concealed weapons or dangerous ordnance 1043
or is authorized to carry ~~handguns~~ firearms or other deadly 1044
weapons and is acting within the scope of the officer's, 1045
agent's, or employee's duties; 1046

(b) Any person who is employed in this state, who is 1047
authorized to carry concealed weapons or dangerous ordnance or 1048
is authorized to carry ~~handguns~~ firearms or other deadly 1049
weapons, and who is subject to and in compliance with the 1050
requirements of section 109.801 of the Revised Code, unless the 1051
appointing authority of the person has expressly specified that 1052

the exemption provided in division (C) (1) (b) of this section 1053
does not apply to the person; 1054

(c) A person's transportation or storage of a ~~firearm~~ 1055
deadly weapon, other than a firearm described in divisions (G) 1056
to (M) of section 2923.11 of the Revised Code, in a motor 1057
vehicle for any lawful purpose if the ~~firearm~~ deadly weapon is 1058
not on the actor's person; 1059

(d) A person's storage or possession of a ~~firearm~~ deadly 1060
weapon, other than a firearm described in divisions (G) to (M) 1061
of section 2923.11 of the Revised Code, in the actor's own home 1062
for any lawful purpose. 1063

~~(2) Division (a)~~ Subject to division (C) (2) (b) of this 1064
section, divisions (A) (1) and (2) of this section does do not 1065
apply to any person who with respect to the carrying or 1066
possession of any deadly weapon that is not a restricted deadly 1067
weapon if, at the time of the alleged carrying or possession of 1068
a handgun the deadly weapon, either the person is carrying a 1069
valid concealed handgun weapons license, is deemed under 1070
division (C) of section 2923.111 of the Revised Code to have 1071
been issued a concealed weapons license under section 2923.125 1072
of the Revised Code, or is an active duty member of the armed 1073
forces of the United States and is carrying a valid military 1074
identification card and documentation of successful completion 1075
of firearms training that meets or exceeds the training 1076
requirements described in division (G) (1) of section 2923.125 of 1077
the Revised Code, unless. 1078

(b) The exemptions specified in division (C) (2) (a) of this 1079
section do not apply to a person if the person, at the time of 1080
the carrying or possession in question, knowingly is in a-an 1081
unauthorized place described specified in division (B) of 1082

section 2923.126 of the Revised Code or knowingly is 1083
transporting or possessing the deadly weapon in any prohibited 1084
manner listed in that division. 1085

(D) It is an affirmative defense to a charge under 1086
division (A)(1) of this section of carrying or having control of 1087
a deadly weapon other than a handgun and other than a dangerous 1088
ordnance that neither division (C)(1) nor (2) of this section 1089
applies, that the actor was not otherwise prohibited by law from 1090
having the weapon, and that any of the following applies: 1091

(1) The weapon was carried or kept ready at hand by the 1092
actor for defensive purposes while the actor was engaged in or 1093
was going to or from the actor's lawful business or occupation, 1094
which business or occupation was of a character or was 1095
necessarily carried on in a manner or at a time or place as to 1096
render the actor particularly susceptible to criminal attack, 1097
such as would justify a prudent person in going armed. 1098

(2) The weapon was carried or kept ready at hand by the 1099
actor for defensive purposes while the actor was engaged in a 1100
lawful activity and had reasonable cause to fear a criminal 1101
attack upon the actor, a member of the actor's family, or the 1102
actor's home, such as would justify a prudent person in going 1103
armed. 1104

(3) The weapon was carried or kept ready at hand by the 1105
actor for any lawful purpose and while in the actor's own home. 1106

(E) (1) No person who is charged with a violation of this 1107
section shall be required to obtain a concealed ~~handgun~~ weapons 1108
license as a condition for the dismissal of the charge. 1109

(2) If a person is convicted of, was convicted of, pleads 1110
guilty to, or has pleaded guilty to a violation of division (B) 1111

(1) of this section as it existed prior to the effective date of 1112
this amendment, the person may file an application under section 1113
2953.37 of the Revised Code requesting the expungement of the 1114
record of conviction. 1115

(F) (1) Whoever violates this section is guilty of carrying 1116
concealed weapons. Except as otherwise provided in this division 1117
or divisions (F) ~~(2), (6), (4)~~ and ~~(7) (5)~~ of this section, 1118
carrying concealed weapons in violation of division (A) of this 1119
section is a misdemeanor of the first degree. Except as 1120
otherwise provided in this division or divisions (F) ~~(2), (6),~~ 1121
~~(4)~~ and ~~(7) (5)~~ of this section, if the offender previously has 1122
been convicted of a violation of this section or of any offense 1123
of violence, if the weapon involved is a firearm that is either 1124
loaded or for which the offender has ammunition ready at hand, 1125
or if the weapon involved is dangerous ordnance, carrying 1126
concealed weapons in violation of division (A) of this section 1127
is a felony of the fourth degree. Except as otherwise provided 1128
in ~~divisions~~ division (F) ~~(2) and (6) (4)~~ of this section, if the 1129
offense is committed aboard an aircraft, or with purpose to 1130
carry a concealed weapon aboard an aircraft, regardless of the 1131
weapon involved, carrying concealed weapons in violation of 1132
division (A) of this section is a felony of the third degree. 1133

~~(2) Except as provided in division (F) (6) of this section,~~ 1134
~~if a person being arrested for a violation of division (A) (2) of~~ 1135
~~this section promptly produces a valid concealed handgun~~ 1136
~~license, and if at the time of the violation the person was not~~ 1137
~~knowingly in a place described in division (B) of section~~ 1138
~~2923.126 of the Revised Code, the officer shall not arrest the~~ 1139
~~person for a violation of that division. If the person is not~~ 1140
~~able to promptly produce any concealed handgun license and if~~ 1141
~~the person is not in a place described in that section, the~~ 1142

~~officer may arrest the person for a violation of that division,~~ 1143
~~and the offender shall be punished as follows:~~ 1144

~~(a) The offender shall be guilty of a minor misdemeanor if~~ 1145
~~both of the following apply:~~ 1146

~~(i) Within ten days after the arrest, the offender~~ 1147
~~presents a concealed handgun license, which license was valid at~~ 1148
~~the time of the arrest to the law enforcement agency that~~ 1149
~~employs the arresting officer.~~ 1150

~~(ii) At the time of the arrest, the offender was not~~ 1151
~~knowingly in a place described in division (B) of section~~ 1152
~~2923.126 of the Revised Code.~~ 1153

~~(b) The offender shall be guilty of a misdemeanor and~~ 1154
~~shall be fined five hundred dollars if all of the following~~ 1155
~~apply:~~ 1156

~~(i) The offender previously had been issued a concealed~~ 1157
~~handgun license, and that license expired within the two years~~ 1158
~~immediately preceding the arrest.~~ 1159

~~(ii) Within forty five days after the arrest, the offender~~ 1160
~~presents a concealed handgun license to the law enforcement~~ 1161
~~agency that employed the arresting officer, and the offender~~ 1162
~~waives in writing the offender's right to a speedy trial on the~~ 1163
~~charge of the violation that is provided in section 2945.71 of~~ 1164
~~the Revised Code.~~ 1165

~~(iii) At the time of the commission of the offense, the~~ 1166
~~offender was not knowingly in a place described in division (B)~~ 1167
~~of section 2923.126 of the Revised Code.~~ 1168

~~(c) If divisions (F) (2) (a) and (b) and (F) (6) of this~~ 1169
~~section do not apply, the offender shall be punished under~~ 1170

~~division (F) (1) or (7) of this section.~~

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

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~~(4)~~ Carrying concealed weapons in violation of division
(B) ~~(2)~~ (1) or ~~(4)~~ (3) of this section is a misdemeanor of the
first degree or, if the offender previously has been convicted
of or pleaded guilty to a violation of division (B) ~~(2)~~ (1) or ~~(4)~~
(3) of this section, a felony of the fifth degree. In addition
to any other penalty or sanction imposed for a misdemeanor
violation of division (B) ~~(2)~~ (1) or ~~(4)~~ (3) of this section, if
the offender has been issued a concealed weapons license, the
offender's ~~concealed handgun~~ license shall be suspended pursuant
to division (A) (2) of section 2923.128 of the Revised Code.

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~~(5)~~ (3) Carrying concealed weapons in violation of
division (B) ~~(3)~~ (2) of this section is a felony of the fifth
degree.

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~~(6)~~ (4) If a person being arrested for a violation of

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division (A) (1) or (2) of this section based on carrying a 1201
concealed deadly weapon that is not a restricted deadly weapon 1202
is an active duty member of the armed forces of the United 1203
States and is carrying a valid military identification card and 1204
documentation of successful completion of firearms training that 1205
meets or exceeds the training requirements described in division 1206
(G) (1) of section 2923.125 of the Revised Code, and if at the 1207
time of the violation the person was not knowingly in ~~a~~an 1208
unauthorized place described specified in division (B) of 1209
section 2923.126 of the Revised Code or knowingly carrying or 1210
having the deadly weapon in any prohibited manner listed in that 1211
division, the officer shall not arrest the person for a 1212
violation of ~~that~~ division (A) (1) or (2) of this section. If the 1213
person is not able to promptly produce a valid military 1214
identification card and documentation of successful completion 1215
of firearms training that meets or exceeds the training 1216
requirements described in division (G) (1) of section 2923.125 of 1217
the Revised Code and if the person at the time of the violation 1218
is not knowingly in a ~~an~~ unauthorized place described specified 1219
in division (B) of section 2923.126 of the Revised Code or 1220
knowingly carrying or having the deadly weapon in any prohibited 1221
manner listed in that division, the officer shall issue a 1222
citation and the offender shall be assessed a civil penalty of 1223
not more than five hundred dollars. The citation shall be 1224
automatically dismissed and the civil penalty shall not be 1225
assessed if both of the following apply: 1226

(a) Within ten days after the issuance of the citation, 1227
the offender presents a valid military identification card and 1228
documentation of successful completion of firearms training that 1229
meets or exceeds the training requirements described in division 1230
(G) (1) of section 2923.125 of the Revised Code, which were both 1231

valid at the time of the issuance of the citation to the law 1232
enforcement agency that employs the citing officer. 1233

(b) At the time of the citation, the offender was not 1234
knowingly in ~~a~~any unauthorized place described specified in 1235
division (B) of section 2923.126 of the Revised Code or 1236
knowingly carrying or having the deadly weapon in any prohibited 1237
manner listed in that division. 1238

~~(7)~~(5) If a person being arrested for a violation of 1239
division (A) (1) or (2) of this section based on carrying a 1240
concealed deadly weapon that is not a restricted deadly weapon 1241
is knowingly in ~~a~~any unauthorized place described in division 1242
(B) (5) of section 2923.126 of the Revised Code and is not 1243
authorized to carry a ~~handgun~~deadly weapon or have a ~~handgun~~ 1244
deadly weapon concealed on the person's person or concealed 1245
ready at hand under that division, the penalty shall be as 1246
follows: 1247

(a) Except as otherwise provided in ~~this division, if the~~ 1248
~~person produces a valid concealed handgun license within ten~~ 1249
~~days after the arrest and has not previously been convicted or~~ 1250
~~pleaded guilty to a violation of division (A) (2) of this section~~ 1251
(F) (5) (b), (c), or (d) of this section, the person is guilty of 1252
a minor misdemeanor; 1253

(b) Except as otherwise provided in ~~this division~~ (F) (5) 1254
(c) or (d) of this section, if the person has previously been 1255
convicted of or pleaded guilty to a violation of division (A) (1) 1256
or (2) of this section, the person is guilty of a misdemeanor of 1257
the fourth degree; 1258

(c) Except as otherwise provided in ~~this division~~ (F) (5) 1259
(d) of this section, if the person has previously been convicted 1260

of or pleaded guilty to two violations of division (A) (1) or (2) 1261
of this section, the person is guilty of a misdemeanor of the 1262
third degree; 1263

(d) ~~Except as otherwise provided in this division, if~~ If 1264
the person has previously been convicted of or pleaded guilty to 1265
three or more violations of division (A) (1) or (2) of this 1266
section, or convicted of or pleaded guilty to any offense of 1267
violence, if the deadly weapon involved is a firearm that is 1268
either loaded or for which the offender has ammunition ready at 1269
hand, or if the deadly weapon involved is a dangerous ordnance, 1270
the person is guilty of a misdemeanor of the second degree. 1271

(G) If a law enforcement officer stops a person to 1272
question the person regarding a possible violation of this 1273
section, for a traffic stop, or for any other law enforcement 1274
purpose, if the person surrenders a ~~firearm~~ deadly weapon to the 1275
officer, either voluntarily or pursuant to a request or demand 1276
of the officer, and if the officer does not charge the person 1277
with a violation of this section or arrest the person for any 1278
offense, the person is not otherwise prohibited by law from 1279
possessing the ~~firearm~~ deadly weapon, and the ~~firearm~~ deadly 1280
weapon is not contraband, the officer shall return the ~~firearm~~ 1281
deadly weapon to the person at the termination of the stop. If a 1282
court orders a law enforcement officer to return a ~~firearm~~ 1283
deadly weapon to a person pursuant to the requirement set forth 1284
in this division, division (B) of section 2923.163 of the 1285
Revised Code applies. 1286

Sec. 2923.121. (A) No person shall possess a firearm in 1287
any room in which any person is consuming beer or intoxicating 1288
liquor in a premises for which a D permit has been issued under 1289
Chapter 4303. of the Revised Code or in an open air arena for 1290

which a permit of that nature has been issued. 1291

(B) (1) This section does not apply to any of the 1292
following: 1293

(a) An officer, agent, or employee of this or any other 1294
state or the United States, or a law enforcement officer, who is 1295
authorized to carry firearms and is acting within the scope of 1296
the officer's, agent's, or employee's duties; 1297

(b) A law enforcement officer or investigator who is 1298
authorized to carry firearms but is not acting within the scope 1299
of the officer's or investigator's duties, as long as all of the 1300
following apply: 1301

(i) The officer or investigator is carrying validating 1302
identification. 1303

(ii) If the firearm the officer or investigator possesses 1304
is a firearm issued or approved by the law enforcement agency 1305
served by the officer or by the bureau of criminal 1306
identification and investigation with respect to an 1307
investigator, the agency or bureau does not have a restrictive 1308
firearms carrying policy. 1309

(iii) The officer or investigator is not consuming beer or 1310
intoxicating liquor and is not under the influence of alcohol or 1311
a drug of abuse. 1312

(c) Any room used for the accommodation of guests of a 1313
hotel, as defined in section 4301.01 of the Revised Code; 1314

(d) The principal holder of a D permit issued for a 1315
premises or an open air arena under Chapter 4303. of the Revised 1316
Code while in the premises or open air arena for which the 1317
permit was issued if the principal holder of the D permit also 1318

possesses a valid concealed ~~handgun-weapons~~ license or is deemed 1319
under division (C) of section 2923.111 of the Revised Code to 1320
have been issued a concealed weapons license under section 1321
2923.125 of the Revised Code and as long as the firearm is not a 1322
restricted firearm and the principal holder is not consuming 1323
beer or intoxicating liquor or under the influence of alcohol or 1324
a drug of abuse, or any agent or employee of that holder who 1325
also is a peace officer, as defined in section 2151.3515 of the 1326
Revised Code, who is off duty, and who otherwise is authorized 1327
to carry firearms while in the course of the officer's official 1328
duties and while in the premises or open air arena for which the 1329
permit was issued and as long as the firearm is not a restricted 1330
firearm and the agent or employee of that holder is not 1331
consuming beer or intoxicating liquor or under the influence of 1332
alcohol or a drug of abuse. 1333

(e) Any person who is carrying a valid concealed ~~handgun-~~ 1334
~~weapons~~ license, any person who is deemed under division (C) of 1335
section 2923.111 of the Revised Code to have been issued a 1336
concealed weapons license under section 2923.125 of the Revised 1337
Code, or any person who is an active duty member of the armed 1338
forces of the United States and is carrying a valid military 1339
identification card and documentation of successful completion 1340
of firearms training that meets or exceeds the training 1341
requirements described in division (G)(1) of section 2923.125 of 1342
the Revised Code, as long as the firearm is not a restricted 1343
firearm and the person is not consuming beer or intoxicating 1344
liquor or under the influence of alcohol or a drug of abuse. 1345

(2) This section does not prohibit any person who is a 1346
member of a veteran's organization, as defined in section 1347
2915.01 of the Revised Code, from possessing a rifle in any room 1348
in any premises owned, leased, or otherwise under the control of 1349

the veteran's organization, if the rifle is not loaded with live 1350
ammunition and if the person otherwise is not prohibited by law 1351
from having the rifle. 1352

(3) This section does not apply to any person possessing 1353
or displaying firearms in any room used to exhibit unloaded 1354
firearms for sale or trade in a soldiers' memorial established 1355
pursuant to Chapter 345. of the Revised Code, in a convention 1356
center, or in any other public meeting place, if the person is 1357
an exhibitor, trader, purchaser, or seller of firearms and is 1358
not otherwise prohibited by law from possessing, trading, 1359
purchasing, or selling the firearms. 1360

(C) It is an affirmative defense to a charge under this 1361
section of illegal possession of a firearm in a liquor permit 1362
premises ~~that involves~~ involving the possession of a firearm 1363
other than a handgun, that neither division (B) (1) (d) nor (e) of
this section applies, that the actor was not otherwise 1364
prohibited by law from having the firearm, and that any of the 1365
following apply: 1366
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(1) The firearm was carried or kept ready at hand by the 1368
actor for defensive purposes, while the actor was engaged in or 1369
was going to or from the actor's lawful business or occupation, 1370
which business or occupation was of such character or was 1371
necessarily carried on in such manner or at such a time or place 1372
as to render the actor particularly susceptible to criminal 1373
attack, such as would justify a prudent person in going armed. 1374

(2) The firearm was carried or kept ready at hand by the 1375
actor for defensive purposes, while the actor was engaged in a 1376
lawful activity, and had reasonable cause to fear a criminal 1377
attack upon the actor or a member of the actor's family, or upon 1378
the actor's home, such as would justify a prudent person in 1379

going armed. 1380

(D) No person who is charged with a violation of this 1381
section shall be required to obtain a concealed ~~handgun~~ weapons 1382
license as a condition for the dismissal of the charge. 1383

(E) Whoever violates this section is guilty of illegal 1384
possession of a firearm in a liquor permit premises. Except as 1385
otherwise provided in this division, illegal possession of a 1386
firearm in a liquor permit premises is a felony of the fifth 1387
degree. If the offender commits the violation of this section by 1388
knowingly carrying or having the firearm concealed on the 1389
offender's person or concealed ready at hand, illegal possession 1390
of a firearm in a liquor permit premises is a felony of the 1391
third degree. 1392

(F) As used in this section: 1393

(1) "Beer" and "intoxicating liquor" have the same 1394
meanings as in section 4301.01 of the Revised Code. 1395

(2) "Investigator" has the same meaning as in section 1396
109.541 of the Revised Code. 1397

(3) "Restrictive firearms carrying policy" means a 1398
specific policy of a law enforcement agency or the bureau of 1399
criminal identification and investigation that prohibits all 1400
officers of the agency or all investigators of the bureau, while 1401
not acting within the scope of the officer's or investigator's 1402
duties, from doing either of the following: 1403

(a) Carrying a firearm issued or approved by the agency or 1404
bureau in any room, premises, or arena described in division (A) 1405
of this section; 1406

(b) Carrying a firearm issued or approved by the agency or 1407

bureau in premises described in division (A) of section 1408
2923.1214 of the Revised Code. 1409

(4) "Law enforcement officer" has the same meaning as in 1410
section 9.69 of the Revised Code. 1411

(5) "Validating identification" means one of the 1412
following: 1413

(a) Photographic identification issued by the law 1414
enforcement agency for which an individual serves as a law 1415
enforcement officer that identifies the individual as a law 1416
enforcement officer of the agency; 1417

(b) Photographic identification issued by the bureau of 1418
criminal identification and investigation that identifies an 1419
individual as an investigator of the bureau. 1420

Sec. 2923.122. (A) No person shall knowingly convey, or 1421
attempt to convey, a deadly weapon or dangerous ordnance into a 1422
school safety zone. 1423

(B) No person shall knowingly possess a deadly weapon or 1424
dangerous ordnance in a school safety zone. 1425

(C) No person shall knowingly possess an object in a 1426
school safety zone if both of the following apply: 1427

(1) The object is indistinguishable from a firearm, 1428
whether or not the object is capable of being fired. 1429

(2) The person indicates that the person possesses the 1430
object and that it is a firearm, or the person knowingly 1431
displays or brandishes the object and indicates that it is a 1432
firearm. 1433

(D) (1) This section does not apply to any of the 1434

following: 1435

(a) An officer, agent, or employee of this or any other 1436
state or the United States who is authorized to carry deadly 1437
weapons or dangerous ordnance and is acting within the scope of 1438
the officer's, agent's, or employee's duties, a law enforcement 1439
officer who is authorized to carry deadly weapons or dangerous 1440
ordnance, a security officer employed by a board of education or 1441
governing body of a school during the time that the security 1442
officer is on duty pursuant to that contract of employment, or 1443
any other person who has written authorization from the board of 1444
education or governing body of a school to convey deadly weapons 1445
or dangerous ordnance into a school safety zone or to possess a 1446
deadly weapon or dangerous ordnance in a school safety zone and 1447
who conveys or possesses the deadly weapon or dangerous ordnance 1448
in accordance with that authorization; 1449

(b) Any person who is employed in this state, who is 1450
authorized to carry deadly weapons or dangerous ordnance, and 1451
who is subject to and in compliance with the requirements of 1452
section 109.801 of the Revised Code, unless the appointing 1453
authority of the person has expressly specified that the 1454
exemption provided in division (D)(1)(b) of this section does 1455
not apply to the person. 1456

(2) Division (C) of this section does not apply to 1457
premises upon which home schooling is conducted. Division (C) of 1458
this section also does not apply to a school administrator, 1459
teacher, or employee who possesses an object that is 1460
indistinguishable from a firearm for legitimate school purposes 1461
during the course of employment, a student who uses an object 1462
that is indistinguishable from a firearm under the direction of 1463
a school administrator, teacher, or employee, or any other 1464

person who with the express prior approval of a school 1465
administrator possesses an object that is indistinguishable from 1466
a firearm for a legitimate purpose, including the use of the 1467
object in a ceremonial activity, a play, reenactment, or other 1468
dramatic presentation, school safety training, or a ROTC 1469
activity or another similar use of the object. 1470

(3) This section does not apply to a person who conveys or 1471
attempts to convey a ~~handgun~~ deadly weapon that is not a 1472
restricted deadly weapon into, or possesses a ~~handgun~~ deadly 1473
weapon that is not a restricted deadly weapon in, a school 1474
safety zone if, ~~at~~ both of the following apply: 1475

(a) At the time of that conveyance, attempted conveyance, 1476
or possession of the ~~handgun~~ deadly weapon that is not a 1477
restricted deadly weapon, all the person is carrying a valid 1478
concealed weapons license, the person is deemed under division 1479
(C) of section 2923.111 of the Revised Code to have been issued 1480
a concealed weapons license under section 2923.125 of the 1481
Revised Code, or the person is an active duty member of the 1482
armed forces of the United States and is carrying a valid 1483
military identification card and documentation of successful 1484
completion of firearms training that meets or exceeds the 1485
training requirements described in division (G)(1) of section 1486
2923.125 of the Revised Code. 1487

(b) Either of the following ~~apply~~ applies: 1488

~~(a)~~ (i) The person does not enter into a school building or 1489
onto school premises and is not at a school activity. 1490

~~(b) The person is carrying a valid concealed handgun~~ 1491
~~license or the person is an active duty member of the armed~~ 1492
~~forces of the United States and is carrying a valid military~~ 1493

~~identification card and documentation of successful completion~~ 1494
~~of firearms training that meets or exceeds the training~~ 1495
~~requirements described in division (G)(1) of section 2923.125 of~~ 1496
~~the Revised Code.~~ 1497

~~(e) The~~, the person is in the school safety zone in 1498
accordance with 18 U.S.C. 922(q) (2) (B).~~+~~ 1499

~~(d) The~~, and the person is not knowingly in a-an 1500
unauthorized place described specified in division (B)(1) or (B) 1501
(3) to (8) of section 2923.126 of the Revised Code and is not 1502
knowingly conveying, attempting to convey, or possessing the 1503
deadly weapon in any prohibited manner specified in any of those 1504
divisions. 1505

~~(4) This section does not apply to a person who conveys or~~ 1506
~~attempts to convey a handgun into, or possesses a handgun in, a~~ 1507
~~school safety zone if at the time of that conveyance, attempted~~ 1508
~~conveyance, or possession of the handgun all of the following~~ 1509
~~apply:~~ 1510

~~(a) The person is carrying a valid concealed handgun~~ 1511
~~license or the person is an active duty member of the armed~~ 1512
~~forces of the United States and is carrying a valid military~~ 1513
~~identification card and documentation of successful completion~~ 1514
~~of firearms training that meets or exceeds the training~~ 1515
~~requirements described in division (G)(1) of section 2923.125 of~~ 1516
~~the Revised Code.~~ 1517

~~(b)(ii)~~ The person leaves the handgun-deadly weapon in a 1518
motor vehicle.~~+~~ 1519

~~(c) The handgun~~, the deadly weapon does not leave the 1520
motor vehicle.~~+~~ 1521

~~(d) If~~, and, if the person exits the motor vehicle, the 1522

person locks the motor vehicle. 1523

(E) (1) Whoever violates division (A) or (B) of this 1524
section is guilty of illegal conveyance or possession of a 1525
deadly weapon or dangerous ordnance in a school safety zone. 1526
Except as otherwise provided in this division, illegal 1527
conveyance or possession of a deadly weapon or dangerous 1528
ordnance in a school safety zone is a felony of the fifth 1529
degree. If the offender previously has been convicted of a 1530
violation of this section, illegal conveyance or possession of a 1531
deadly weapon or dangerous ordnance in a school safety zone is a 1532
felony of the fourth degree. 1533

(2) Whoever violates division (C) of this section is 1534
guilty of illegal possession of an object indistinguishable from 1535
a firearm in a school safety zone. Except as otherwise provided 1536
in this division, illegal possession of an object 1537
indistinguishable from a firearm in a school safety zone is a 1538
misdemeanor of the first degree. If the offender previously has 1539
been convicted of a violation of this section, illegal 1540
possession of an object indistinguishable from a firearm in a 1541
school safety zone is a felony of the fifth degree. 1542

(F) (1) In addition to any other penalty imposed upon a 1543
person who is convicted of or pleads guilty to a violation of 1544
this section and subject to division (F) (2) of this section, if 1545
the offender has not attained nineteen years of age, regardless 1546
of whether the offender is attending or is enrolled in a school 1547
operated by a board of education or for which the state board of 1548
education prescribes minimum standards under section 3301.07 of 1549
the Revised Code, the court shall impose upon the offender a 1550
class four suspension of the offender's probationary driver's 1551
license, restricted license, driver's license, commercial 1552

driver's license, temporary instruction permit, or probationary 1553
commercial driver's license that then is in effect from the 1554
range specified in division (A) (4) of section 4510.02 of the 1555
Revised Code and shall deny the offender the issuance of any 1556
permit or license of that type during the period of the 1557
suspension. 1558

If the offender is not a resident of this state, the court 1559
shall impose a class four suspension of the nonresident 1560
operating privilege of the offender from the range specified in 1561
division (A) (4) of section 4510.02 of the Revised Code. 1562

(2) If the offender shows good cause why the court should 1563
not suspend one of the types of licenses, permits, or privileges 1564
specified in division (F) (1) of this section or deny the 1565
issuance of one of the temporary instruction permits specified 1566
in that division, the court in its discretion may choose not to 1567
impose the suspension, revocation, or denial required in that 1568
division, but the court, in its discretion, instead may require 1569
the offender to perform community service for a number of hours 1570
determined by the court. 1571

(G) As used in this section, "object that is 1572
indistinguishable from a firearm" means an object made, 1573
constructed, or altered so that, to a reasonable person without 1574
specialized training in firearms, the object appears to be a 1575
firearm. 1576

Sec. 2923.123. (A) No person shall knowingly convey or 1577
attempt to convey a deadly weapon or dangerous ordnance into a 1578
courthouse or into another building or structure in which a 1579
courtroom is located. 1580

(B) No person shall knowingly possess or have under the 1581

person's control a deadly weapon or dangerous ordnance in a 1582
courthouse or in another building or structure in which a 1583
courtroom is located. 1584

(C) This section does not apply to any of the following: 1585

(1) Except as provided in division (E) of this section, a 1586
judge of a court of record of this state or a magistrate; 1587

(2) A peace officer, officer of a law enforcement agency, 1588
or person who is in either of the following categories: 1589

(a) Except as provided in division (E) of this section, a 1590
peace officer, or an officer of a law enforcement agency of 1591
another state, a political subdivision of another state, or the 1592
United States, who is authorized to carry a deadly weapon or 1593
dangerous ordnance, who possesses or has under that individual's 1594
control a deadly weapon or dangerous ordnance as a requirement 1595
of that individual's duties, and who is acting within the scope 1596
of that individual's duties at the time of that possession or 1597
control; 1598

(b) Except as provided in division (E) of this section, a 1599
person who is employed in this state, who is authorized to carry 1600
a deadly weapon or dangerous ordnance, who possesses or has 1601
under that individual's control a deadly weapon or dangerous 1602
ordnance as a requirement of that person's duties, and who is 1603
subject to and in compliance with the requirements of section 1604
109.801 of the Revised Code, unless the appointing authority of 1605
the person has expressly specified that the exemption provided 1606
in division (C) (2) (b) of this section does not apply to the 1607
person. 1608

(3) A person who conveys, attempts to convey, possesses, 1609
or has under the person's control a deadly weapon or dangerous 1610

ordnance that is to be used as evidence in a pending criminal or 1611
civil action or proceeding; 1612

(4) Except as provided in division (E) of this section, a 1613
bailiff or deputy bailiff of a court of record of this state who 1614
is authorized to carry a firearm pursuant to section 109.77 of 1615
the Revised Code, who possesses or has under that individual's 1616
control a firearm as a requirement of that individual's duties, 1617
and who is acting within the scope of that individual's duties 1618
at the time of that possession or control; 1619

(5) Except as provided in division (E) of this section, a 1620
prosecutor, or a secret service officer appointed by a county 1621
prosecuting attorney, who is authorized to carry a deadly weapon 1622
or dangerous ordnance in the performance of the individual's 1623
duties, who possesses or has under that individual's control a 1624
deadly weapon or dangerous ordnance as a requirement of that 1625
individual's duties, and who is acting within the scope of that 1626
individual's duties at the time of that possession or control; 1627

(6) (a) Except as provided in division (E) of this section, 1628
a person who conveys or attempts to convey a ~~handgun~~ deadly 1629
weapon that is not a restricted deadly weapon into a courthouse 1630
or into another building or structure in which a courtroom is 1631
located, or who ~~possesses or has under the person's control a~~ 1632
deadly weapon that is not a restricted deadly weapon in a 1633
courthouse or such a building or structure, if both of the 1634
following apply with respect to the person: 1635

(i) The person, at the time of the conveyance ~~or, attempt,~~ 1636
either possession, or control, is carrying a valid concealed 1637
~~handgun~~ weapons license, is deemed under division (C) of section 1638
2923.111 of the Revised Code to have been issued a concealed 1639
weapons license under section 2923.125 of the Revised Code, or 1640

is an active duty member of the armed forces of the United 1641
States and is carrying a valid military identification card and 1642
documentation of successful completion of firearms training that 1643
meets or exceeds the training requirements described in division 1644
(G) (1) of section 2923.125 of the Revised Code, ~~and who~~. 1645

(ii) The person transfers possession of the handgun-deadly 1646
weapon that is not a restricted deadly weapon to the officer or 1647
officer's designee who has charge of the courthouse or building. 1648

(b) The officer described in division (C) (6) (a) (ii) of 1649
this section shall secure the ~~handgun-deadly weapon that is not~~ 1650
a restricted deadly weapon until the ~~licensee person in question~~ 1651
is prepared to leave the premises. The exemption described in 1652
~~this~~ division (C) (6) (a) of this section applies only if the 1653
officer who has charge of the courthouse or building provides 1654
services of the nature described in ~~this~~ division (C) (6) (a) (ii) 1655
of this section. An officer who has charge of the courthouse or 1656
building is not required to offer services of the nature 1657
described in ~~this~~ division (C) (6) (a) (ii) of this section. 1658

(D) (1) Whoever violates division (A) of this section is 1659
guilty of illegal conveyance of a deadly weapon or dangerous 1660
ordnance into a courthouse. Except as otherwise provided in this 1661
division, illegal conveyance of a deadly weapon or dangerous 1662
ordnance into a courthouse is a felony of the fifth degree. If 1663
the offender previously has been convicted of a violation of 1664
division (A) or (B) of this section, illegal conveyance of a 1665
deadly weapon or dangerous ordnance into a courthouse is a 1666
felony of the fourth degree. 1667

(2) Whoever violates division (B) of this section is 1668
guilty of illegal possession or control of a deadly weapon or 1669
dangerous ordnance in a courthouse. Except as otherwise provided 1670

in this division, illegal possession or control of a deadly 1671
weapon or dangerous ordnance in a courthouse is a felony of the 1672
fifth degree. If the offender previously has been convicted of a 1673
violation of division (A) or (B) of this section, illegal 1674
possession or control of a deadly weapon or dangerous ordnance 1675
in a courthouse is a felony of the fourth degree. 1676

(E) The exemptions described in divisions (C) (1), (2) (a), 1677
(2) (b), (4), (5), and (6) of this section do not apply to any 1678
judge, magistrate, peace officer, officer of a law enforcement 1679
agency, bailiff, deputy bailiff, prosecutor, secret service 1680
officer, or other person described in any of those divisions if 1681
a rule of superintendence or another type of rule adopted by the 1682
supreme court pursuant to Article IV, Ohio Constitution, or an 1683
applicable local rule of court prohibits all persons from 1684
conveying or attempting to convey a deadly weapon or dangerous 1685
ordnance into a courthouse or into another building or structure 1686
in which a courtroom is located or from possessing or having 1687
under one's control a deadly weapon or dangerous ordnance in a 1688
courthouse or in another building or structure in which a 1689
courtroom is located. 1690

(F) As used in this section: 1691

(1) "Magistrate" means an individual who is appointed by a 1692
court of record of this state and who has the powers and may 1693
perform the functions specified in Civil Rule 53, Criminal Rule 1694
19, or Juvenile Rule 40. 1695

(2) "Peace officer" and "prosecutor" have the same 1696
meanings as in section 2935.01 of the Revised Code. 1697

Sec. 2923.124. As used in sections 2923.124 to 2923.1213 1698
of the Revised Code: 1699

(A) "Application form" means the application form 1700
prescribed pursuant to division (A)(1) of section 109.731 of the 1701
Revised Code and includes a copy of that form. 1702

(B) "Competency certification" and "competency 1703
certificate" mean a document of the type described in division 1704
(B)(3) of section 2923.125 of the Revised Code. 1705

(C) "Detention facility" has the same meaning as in 1706
section 2921.01 of the Revised Code. 1707

(D) "Licensee" means a person to whom a concealed ~~handgun-~~ 1708
~~weapons~~ license has been issued under section 2923.125 of the 1709
Revised Code prior to, on, or after the effective date of this 1710
amendment and, except when the context clearly indicates 1711
otherwise, includes a person to whom a concealed ~~handgun-~~ ~~weapons~~ 1712
license on a temporary emergency basis has been issued under 1713
section 2923.1213 of the Revised Code ~~and prior to, on, or after~~ 1714
the effective date of this amendment, a person to whom a 1715
concealed ~~handgun-~~ ~~weapons~~ license has been issued by another 1716
state, and a person who is deemed under division (C) of section 1717
2923.111 of the Revised Code to have been issued a concealed 1718
weapons license under section 2923.125 of the Revised Code. 1719

(E) "License fee" or "license renewal fee" means the fee 1720
for a concealed ~~handgun-~~ ~~weapons~~ license or the fee to renew that 1721
license that is to be paid by an applicant for a license of that 1722
type. 1723

(F) "Peace officer" has the same meaning as in section 1724
2935.01 of the Revised Code. 1725

(G) "State correctional institution" has the same meaning 1726
as in section 2967.01 of the Revised Code. 1727

(H) "Civil protection order" means a protection order 1728

issued, or consent agreement approved, under section 2903.214 or 1729
3113.31 of the Revised Code. 1730

(I) "Temporary protection order" means a protection order 1731
issued under section 2903.213 or 2919.26 of the Revised Code. 1732

(J) "Protection order issued by a court of another state" 1733
has the same meaning as in section 2919.27 of the Revised Code. 1734

(K) "Child day-care center," "type A family day-care home" 1735
and "type B family day-care home" have the same meanings as in 1736
section 5104.01 of the Revised Code. 1737

(L) "Foreign air transportation," "interstate air 1738
transportation," and "intrastate air transportation" have the 1739
same meanings as in 49 U.S.C. 40102, as now or hereafter 1740
amended. 1741

(M) "Commercial motor vehicle" has the same meaning as in 1742
division (A) of section 4506.25 of the Revised Code. 1743

(N) "Motor carrier enforcement unit" has the same meaning 1744
as in section 2923.16 of the Revised Code. 1745

Sec. 2923.125. It is the intent of the general assembly 1746
that Ohio concealed ~~handgun-weapons~~ license law be compliant 1747
with the national instant criminal background check system, that 1748
the bureau of alcohol, tobacco, firearms, and explosives is able 1749
to determine that Ohio law is compliant with the national 1750
instant criminal background check system, and that no person 1751
shall be eligible to receive a concealed ~~handgun-weapons~~ license 1752
~~permit~~ under section 2923.125 or 2923.1213 of the Revised Code 1753
unless the person is eligible lawfully to receive or possess a 1754
firearm in the United States. 1755

(A) This section applies with respect to the application 1756

for and issuance by this state of concealed ~~handgun-weapons~~ 1757
licenses other than concealed ~~handgun-weapons~~ licenses on a 1758
temporary emergency basis that are issued under section 1759
2923.1213 of the Revised Code. Upon the request of a person who 1760
wishes to obtain a concealed ~~handgun-weapons~~ license with 1761
respect to which this section applies or to renew a concealed 1762
~~handgun-weapons~~ license with respect to which this section 1763
applies, a sheriff, as provided in division (I) of this section, 1764
shall provide to the person free of charge an application form 1765
and the web site address at which a printable version of the 1766
application form that can be downloaded and the pamphlet 1767
described in division (B) of section 109.731 of the Revised Code 1768
may be found. A sheriff shall accept a completed application 1769
form and the fee, items, materials, and information specified in 1770
divisions (B)(1) to (5) of this section at the times and in the 1771
manners described in division (I) of this section. 1772

(B) An applicant for a concealed ~~handgun-weapons~~ license 1773
who is a resident of this state shall submit a completed 1774
application form and all of the material and information 1775
described in divisions (B)(1) to (6) of this section to the 1776
sheriff of the county in which the applicant resides or to the 1777
sheriff of any county adjacent to the county in which the 1778
applicant resides. An applicant for a license who resides in 1779
another state shall submit a completed application form and all 1780
of the material and information described in divisions (B)(1) to 1781
(7) of this section to the sheriff of the county in which the 1782
applicant is employed or to the sheriff of any county adjacent 1783
to the county in which the applicant is employed: 1784

(1)(a) A nonrefundable license fee as described in either 1785
of the following: 1786

(i) For an applicant who has been a resident of this state 1787
for five or more years, a fee of sixty-seven dollars; 1788

(ii) For an applicant who has been a resident of this 1789
state for less than five years or who is not a resident of this 1790
state, but who is employed in this state, a fee of sixty-seven 1791
dollars plus the actual cost of having a background check 1792
performed by the federal bureau of investigation. 1793

(b) No sheriff shall require an applicant to pay for the 1794
cost of a background check performed by the bureau of criminal 1795
identification and investigation. 1796

(c) A sheriff shall waive the payment of the license fee 1797
described in division (B) (1) (a) of this section in connection 1798
with an initial or renewal application for a license that is 1799
submitted by an applicant who is an active or reserve member of 1800
the armed forces of the United States or has retired from or was 1801
honorably discharged from military service in the active or 1802
reserve armed forces of the United States, a retired peace 1803
officer, a retired person described in division (B) (1) (b) of 1804
section 109.77 of the Revised Code, or a retired federal law 1805
enforcement officer who, prior to retirement, was authorized 1806
under federal law to carry a firearm in the course of duty, 1807
unless the retired peace officer, person, or federal law 1808
enforcement officer retired as the result of a mental 1809
disability. 1810

(d) The sheriff shall deposit all fees paid by an 1811
applicant under division (B) (1) (a) of this section into the 1812
sheriff's concealed ~~handgun~~ weapons license issuance fund 1813
established pursuant to section 311.42 of the Revised Code. The 1814
county shall distribute the fees in accordance with section 1815
311.42 of the Revised Code. 1816

(2) A color photograph of the applicant that was taken 1817
within thirty days prior to the date of the application; 1818

(3) One or more of the following competency 1819
certifications, each of which shall reflect that, regarding a 1820
certification described in division (B) (3) (a), (b), (c), (e), or 1821
(f) of this section, within the three years immediately 1822
preceding the application the applicant has performed that to 1823
which the competency certification relates and that, regarding a 1824
certification described in division (B) (3) (d) of this section, 1825
the applicant currently is an active or reserve member of the 1826
armed forces of the United States, the applicant has retired 1827
from or was honorably discharged from military service in the 1828
active or reserve armed forces of the United States, or within 1829
the ten years immediately preceding the application the 1830
retirement of the peace officer, person described in division 1831
(B) (1) (b) of section 109.77 of the Revised Code, or federal law 1832
enforcement officer to which the competency certification 1833
relates occurred: 1834

(a) An original or photocopy of a certificate of 1835
completion of a firearms safety, training, or requalification or 1836
firearms safety instructor course, class, or program that was 1837
offered by or under the auspices of a national gun advocacy 1838
organization and that complies with the requirements set forth 1839
in division (G) of this section; 1840

(b) An original or photocopy of a certificate of 1841
completion of a firearms safety, training, or requalification or 1842
firearms safety instructor course, class, or program that 1843
satisfies all of the following criteria: 1844

(i) It was open to members of the general public. 1845

(ii) It utilized qualified instructors who were certified 1846
by a national gun advocacy organization, the executive director 1847
of the Ohio peace officer training commission pursuant to 1848
section 109.75 or 109.78 of the Revised Code, or a governmental 1849
official or entity of another state. 1850

(iii) It was offered by or under the auspices of a law 1851
enforcement agency of this or another state or the United 1852
States, a public or private college, university, or other 1853
similar postsecondary educational institution located in this or 1854
another state, a firearms training school located in this or 1855
another state, or another type of public or private entity or 1856
organization located in this or another state. 1857

(iv) It complies with the requirements set forth in 1858
division (G) of this section. 1859

(c) An original or photocopy of a certificate of 1860
completion of a state, county, municipal, or department of 1861
natural resources peace officer training school that is approved 1862
by the executive director of the Ohio peace officer training 1863
commission pursuant to section 109.75 of the Revised Code and 1864
that complies with the requirements set forth in division (G) of 1865
this section, or the applicant has satisfactorily completed and 1866
been issued a certificate of completion of a basic firearms 1867
training program, a firearms requalification training program, 1868
or another basic training program described in section 109.78 or 1869
109.801 of the Revised Code that complies with the requirements 1870
set forth in division (G) of this section; 1871

(d) A document that evidences both of the following: 1872

(i) That the applicant is an active or reserve member of 1873
the armed forces of the United States, has retired from or was 1874

honorably discharged from military service in the active or 1875
reserve armed forces of the United States, is a retired trooper 1876
of the state highway patrol, or is a retired peace officer or 1877
federal law enforcement officer described in division (B) (1) of 1878
this section or a retired person described in division (B) (1) (b) 1879
of section 109.77 of the Revised Code and division (B) (1) of 1880
this section; 1881

(ii) That, through participation in the military service 1882
or through the former employment described in division (B) (3) (d) 1883
(i) of this section, the applicant acquired experience with 1884
handling ~~handguns or other~~ firearms, and the experience so 1885
acquired was equivalent to training that the applicant could 1886
have acquired in a course, class, or program described in 1887
division (B) (3) (a), (b), or (c) of this section. 1888

(e) A certificate or another similar document that 1889
evidences satisfactory completion of a firearms training, 1890
safety, or requalification or firearms safety instructor course, 1891
class, or program that is not otherwise described in division 1892
(B) (3) (a), (b), (c), or (d) of this section, that was conducted 1893
by an instructor who was certified by an official or entity of 1894
the government of this or another state or the United States or 1895
by a national gun advocacy organization, and that complies with 1896
the requirements set forth in division (G) of this section; 1897

(f) An affidavit that attests to the applicant's 1898
satisfactory completion of a course, class, or program described 1899
in division (B) (3) (a), (b), (c), or (e) of this section and that 1900
is subscribed by the applicant's instructor or an authorized 1901
representative of the entity that offered the course, class, or 1902
program or under whose auspices the course, class, or program 1903
was offered; 1904

(g) A document that evidences that the applicant has 1905
successfully completed the Ohio peace officer training program 1906
described in section 109.79 of the Revised Code. 1907

(4) A certification by the applicant that the applicant 1908
has read the pamphlet prepared by the Ohio peace officer 1909
training commission pursuant to section 109.731 of the Revised 1910
Code that reviews deadly weapons (including firearms), dispute 1911
resolution, and use of deadly force matters. 1912

(5) A set of fingerprints of the applicant provided as 1913
described in section 311.41 of the Revised Code through use of 1914
an electronic fingerprint reading device or, if the sheriff to 1915
whom the application is submitted does not possess and does not 1916
have ready access to the use of such a reading device, on a 1917
standard impression sheet prescribed pursuant to division (C) (2) 1918
of section 109.572 of the Revised Code. 1919

(6) If the applicant is not a citizen or national of the 1920
United States, the name of the applicant's country of 1921
citizenship and the applicant's alien registration number issued 1922
by the United States citizenship and immigration services 1923
agency. 1924

(7) If the applicant resides in another state, adequate 1925
proof of employment in Ohio. 1926

(C) Upon receipt of the completed application form, 1927
supporting documentation, and, if not waived, license fee of an 1928
applicant under this section, a sheriff, in the manner specified 1929
in section 311.41 of the Revised Code, shall conduct or cause to 1930
be conducted the criminal records check and the incompetency 1931
records check described in section 311.41 of the Revised Code. 1932

(D) (1) Except as provided in division (D) (3) of this 1933

section, within forty-five days after a sheriff's receipt of an 1934
applicant's completed application form for a concealed ~~handgun-~~ 1935
weapons license under this section, the supporting 1936
documentation, and, if not waived, the license fee, the sheriff 1937
shall make available through the law enforcement automated data 1938
system in accordance with division (H) of this section the 1939
information described in that division and, upon making the 1940
information available through the system, shall issue to the 1941
applicant a concealed ~~handgun-~~weapons license that shall expire 1942
as described in division (D) (2) (a) of this section if all of the 1943
following apply: 1944

(a) The applicant is legally living in the United States. 1945
For purposes of division (D) (1) (a) of this section, if a person 1946
is absent from the United States in compliance with military or 1947
naval orders as an active or reserve member of the armed forces 1948
of the United States and if prior to leaving the United States 1949
the person was legally living in the United States, the person, 1950
solely by reason of that absence, shall not be considered to 1951
have lost the person's status as living in the United States. 1952

(b) The applicant is at least twenty-one years of age. 1953

(c) The applicant is not a fugitive from justice. 1954

(d) The applicant is not under indictment for or otherwise 1955
charged with a felony; an offense under Chapter 2925., 3719., or 1956
4729. of the Revised Code that involves the illegal possession, 1957
use, sale, administration, or distribution of or trafficking in 1958
a drug of abuse; a misdemeanor offense of violence; or a 1959
violation of section 2903.14 or 2923.1211 of the Revised Code. 1960

(e) Except as otherwise provided in division (D) (4) or (5) 1961
of this section, the applicant has not been convicted of or 1962

pleaded guilty to a felony or an offense under Chapter 2925., 1963
3719., or 4729. of the Revised Code that involves the illegal 1964
possession, use, sale, administration, or distribution of or 1965
trafficking in a drug of abuse; has not been adjudicated a 1966
delinquent child for committing an act that if committed by an 1967
adult would be a felony or would be an offense under Chapter 1968
2925., 3719., or 4729. of the Revised Code that involves the 1969
illegal possession, use, sale, administration, or distribution 1970
of or trafficking in a drug of abuse; has not been convicted of, 1971
pleaded guilty to, or adjudicated a delinquent child for 1972
committing a violation of section 2903.13 of the Revised Code 1973
when the victim of the violation is a peace officer, regardless 1974
of whether the applicant was sentenced under division (C) (4) of 1975
that section; and has not been convicted of, pleaded guilty to, 1976
or adjudicated a delinquent child for committing any other 1977
offense that is not previously described in this division that 1978
is a misdemeanor punishable by imprisonment for a term exceeding 1979
one year. 1980

(f) Except as otherwise provided in division (D) (4) or (5) 1981
of this section, the applicant, within three years of the date 1982
of the application, has not been convicted of or pleaded guilty 1983
to a misdemeanor offense of violence other than a misdemeanor 1984
violation of section 2921.33 of the Revised Code or a violation 1985
of section 2903.13 of the Revised Code when the victim of the 1986
violation is a peace officer, or a misdemeanor violation of 1987
section 2923.1211 of the Revised Code; and has not been 1988
adjudicated a delinquent child for committing an act that if 1989
committed by an adult would be a misdemeanor offense of violence 1990
other than a misdemeanor violation of section 2921.33 of the 1991
Revised Code or a violation of section 2903.13 of the Revised 1992
Code when the victim of the violation is a peace officer or for 1993

committing an act that if committed by an adult would be a 1994
misdemeanor violation of section 2923.1211 of the Revised Code. 1995

(g) Except as otherwise provided in division (D)(1)(e) of 1996
this section, the applicant, within five years of the date of 1997
the application, has not been convicted of, pleaded guilty to, 1998
or been adjudicated a delinquent child for committing two or 1999
more violations of section 2903.13 or 2903.14 of the Revised 2000
Code. 2001

(h) Except as otherwise provided in division (D)(4) or (5) 2002
of this section, the applicant, within ten years of the date of 2003
the application, has not been convicted of, pleaded guilty to, 2004
or been adjudicated a delinquent child for committing a 2005
violation of section 2921.33 of the Revised Code. 2006

(i) The applicant has not been adjudicated as a mental 2007
defective, has not been committed to any mental institution, is 2008
not under adjudication of mental incompetence, has not been 2009
found by a court to be a mentally ill person subject to court 2010
order, and is not an involuntary patient other than one who is a 2011
patient only for purposes of observation. As used in this 2012
division, "mentally ill person subject to court order" and 2013
"patient" have the same meanings as in section 5122.01 of the 2014
Revised Code. 2015

(j) The applicant is not currently subject to a civil 2016
protection order, a temporary protection order, or a protection 2017
order issued by a court of another state. 2018

(k) The applicant certifies that the applicant desires a 2019
legal means to carry a concealed ~~handgun~~ firearm or other deadly 2020
weapon for defense of the applicant or a member of the 2021
applicant's family while engaged in lawful activity. 2022

(l) The applicant submits a competency certification of 2023
the type described in division (B) (3) of this section and 2024
submits a certification of the type described in division (B) (4) 2025
of this section regarding the applicant's reading of the 2026
pamphlet prepared by the Ohio peace officer training commission 2027
pursuant to section 109.731 of the Revised Code. 2028

(m) The applicant currently is not subject to a suspension 2029
imposed under division (A) (2) of section 2923.128 of the Revised 2030
Code of a concealed ~~handgun-weapons~~ license that previously was 2031
issued to the applicant under this section or section 2923.1213 2032
of the Revised Code or a similar suspension imposed by another 2033
state regarding a concealed ~~handgun-weapons~~ license issued by 2034
that state. 2035

(n) If the applicant resides in another state, the 2036
applicant is employed in this state. 2037

(o) The applicant certifies that the applicant is not an 2038
unlawful user of or addicted to any controlled substance as 2039
defined in 21 U.S.C. 802. 2040

(p) If the applicant is not a United States citizen, the 2041
applicant is an alien and has not been admitted to the United 2042
States under a nonimmigrant visa, as defined in the "Immigration 2043
and Nationality Act," 8 U.S.C. 1101(a) (26). 2044

(q) The applicant has not been discharged from the armed 2045
forces of the United States under dishonorable conditions. 2046

(r) The applicant certifies that the applicant has not 2047
renounced the applicant's United States citizenship, if 2048
applicable. 2049

(s) The applicant has not been convicted of, pleaded 2050
guilty to, or been adjudicated a delinquent child for committing 2051

a violation of section 2919.25 of the Revised Code or a similar
violation in another state.

(2) (a) A concealed ~~handgun~~ weapons license that a sheriff
issues under division (D) (1) of this section prior to, on, or
after the effective date of this amendment shall expire five
years after the date of issuance. A concealed weapons license
that a sheriff issued as a concealed handgun license under that
division prior to the effective date of this amendment and that
has not expired prior to the effective date of this amendment
has the same validity as a concealed weapons license issued on
or after that date and shall be treated for purposes of this
section and other Revised Code provisions as if it were a
license issued on or after that date.

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

(b) If a sheriff denies an application under this section
because the applicant does not satisfy the criteria described in
division (D) (1) of this section, the sheriff shall specify the
grounds for the denial in a written notice to the applicant. The
applicant may appeal the denial pursuant to section 119.12 of
the Revised Code in the county served by the sheriff who denied
the application. If the denial was as a result of the criminal
records check conducted pursuant to section 311.41 of the
Revised Code and if, pursuant to section 2923.127 of the Revised
Code, the applicant challenges the criminal records check
results using the appropriate challenge and review procedure
specified in that section, the time for filing the appeal

pursuant to section 119.12 of the Revised Code and this division 2082
is tolled during the pendency of the request or the challenge 2083
and review. 2084

(c) If the court in an appeal under section 119.12 of the 2085
Revised Code and division (D) (2) (b) of this section enters a 2086
judgment sustaining the sheriff's refusal to grant to the 2087
applicant a concealed ~~handgun~~ weapons license, the applicant may 2088
file a new application beginning one year after the judgment is 2089
entered. If the court enters a judgment in favor of the 2090
applicant, that judgment shall not restrict the authority of a 2091
sheriff to suspend or revoke the license pursuant to section 2092
2923.128 or 2923.1213 of the Revised Code or to refuse to renew 2093
the license for any proper cause that may occur after the date 2094
the judgment is entered. In the appeal, the court shall have 2095
full power to dispose of all costs. 2096

(3) If the sheriff with whom an application for a 2097
concealed ~~handgun~~ weapons license was filed under this section 2098
becomes aware that the applicant has been arrested for or 2099
otherwise charged with an offense that would disqualify the 2100
applicant from holding the license, the sheriff shall suspend 2101
the processing of the application until the disposition of the 2102
case arising from the arrest or charge. 2103

(4) If an applicant has been convicted of or pleaded 2104
guilty to an offense identified in division (D) (1) (e), (f), or 2105
(h) of this section or has been adjudicated a delinquent child 2106
for committing an act or violation identified in any of those 2107
divisions, and if a court has ordered the sealing or expungement 2108
of the records of that conviction, guilty plea, or adjudication 2109
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 2110
2953.36, or section 2953.37 of the Revised Code or the applicant 2111

has been relieved under operation of law or legal process from 2112
the disability imposed pursuant to section 2923.13 of the 2113
Revised Code relative to that conviction, guilty plea, or 2114
adjudication, the sheriff with whom the application was 2115
submitted shall not consider the conviction, guilty plea, or 2116
adjudication in making a determination under division (D)(1) or 2117
(F) of this section or, in relation to an application for a 2118
concealed ~~handgun-weapons~~ license on a temporary emergency basis 2119
submitted under section 2923.1213 of the Revised Code, in making 2120
a determination under division (B)(2) of that section. 2121

(5) If an applicant has been convicted of or pleaded 2122
guilty to a minor misdemeanor offense or has been adjudicated a 2123
delinquent child for committing an act or violation that is a 2124
minor misdemeanor offense, the sheriff with whom the application 2125
was submitted shall not consider the conviction, guilty plea, or 2126
adjudication in making a determination under division (D)(1) or 2127
(F) of this section or, in relation to an application for a 2128
concealed ~~handgun-weapons~~ license on a temporary basis submitted 2129
under section 2923.1213 of the Revised Code, in making a 2130
determination under division (B)(2) of that section. 2131

(E) If a concealed ~~handgun-weapons~~ license issued under 2132
this section is lost or is destroyed, the licensee may obtain 2133
from the sheriff who issued that license a duplicate license 2134
upon the payment of a fee of fifteen dollars and the submission 2135
of an affidavit attesting to the loss or destruction of the 2136
license. The sheriff, in accordance with the procedures 2137
prescribed in section 109.731 of the Revised Code, shall place 2138
on the replacement license a combination of identifying numbers 2139
different from the combination on the license that is being 2140
replaced. 2141

(F) (1) (a) Except as provided in division (F) (1) (b) of this 2142
section, a licensee who wishes to renew a concealed ~~handgun-~~ 2143
weapons license issued under this section prior to, on, or after 2144
the effective date of this amendment may do so at any time 2145
before the expiration date of the license or at any time after 2146
the expiration date of the license by filing with the sheriff of 2147
the county in which the applicant resides or with the sheriff of 2148
an adjacent county, or in the case of an applicant who resides 2149
in another state with the sheriff of the county that issued the 2150
applicant's previous concealed ~~handgun-~~weapons license an 2151
application for renewal of the license obtained pursuant to 2152
division (D) of this section, a certification by the applicant 2153
that, subsequent to the issuance of the license, the applicant 2154
has reread the pamphlet prepared by the Ohio peace officer 2155
training commission pursuant to section 109.731 of the Revised 2156
Code that reviews deadly weapons (including firearms), dispute 2157
resolution, and use of deadly force matters, and a nonrefundable 2158
license renewal fee in an amount determined pursuant to division 2159
(F) (4) of this section unless the fee is waived. 2160

(b) A person on active duty in the armed forces of the 2161
United States or in service with the peace corps, volunteers in 2162
service to America, or the foreign service of the United States 2163
is exempt from the license requirements of this section for the 2164
period of the person's active duty or service and for six months 2165
thereafter, provided the person was a licensee under this 2166
section at the time the person commenced the person's active 2167
duty or service or had obtained a license while on active duty 2168
or service. The spouse or a dependent of any such person on 2169
active duty or in service also is exempt from the license 2170
requirements of this section for the period of the person's 2171
active duty or service and for six months thereafter, provided 2172

the spouse or dependent was a licensee under this section at the 2173
time the person commenced the active duty or service or had 2174
obtained a license while the person was on active duty or 2175
service, and provided further that the person's active duty or 2176
service resulted in the spouse or dependent relocating outside 2177
of this state during the period of the active duty or service. 2178
This division does not prevent such a person or the person's 2179
spouse or dependent from making an application for the renewal 2180
of a concealed ~~handgun~~ weapons license during the period of the 2181
person's active duty or service. 2182

(2) A sheriff shall accept a completed renewal 2183
application, the license renewal fee, and the information 2184
specified in division (F)(1) of this section at the times and in 2185
the manners described in division (I) of this section. Upon 2186
receipt of a completed renewal application, of certification 2187
that the applicant has reread the specified pamphlet prepared by 2188
the Ohio peace officer training commission, and of a license 2189
renewal fee unless the fee is waived, a sheriff, in the manner 2190
specified in section 311.41 of the Revised Code shall conduct or 2191
cause to be conducted the criminal records check and the 2192
incompetency records check described in section 311.41 of the 2193
Revised Code. The sheriff shall renew the license if the sheriff 2194
determines that the applicant continues to satisfy the 2195
requirements described in division (D)(1) of this section, 2196
except that the applicant is not required to meet the 2197
requirements of division (D)(1)(1) of this section. A renewed 2198
license shall expire five years after the date of issuance, 2199
regardless of whether the renewal occurred prior to, on, or 2200
after the effective date of this amendment. A renewed license is 2201
subject to division (E) of this section and sections 2923.126 2202
and 2923.128 of the Revised Code. A sheriff shall comply with 2203

divisions (D) (2) and (3) of this section when the circumstances 2204
described in those divisions apply to a requested license 2205
renewal. If a sheriff denies the renewal of a concealed ~~handgun-~~ 2206
weapons license, the applicant may appeal the denial, or 2207
challenge the criminal record check results that were the basis 2208
of the denial if applicable, in the same manner as specified in 2209
division (D) (2) (b) of this section and in section 2923.127 of 2210
the Revised Code, regarding the denial of a license under this 2211
section. 2212

(3) A renewal application submitted pursuant to division 2213
(F) of this section shall only require the licensee to list on 2214
the application form information and matters occurring since the 2215
date of the licensee's last application for a license pursuant 2216
to division (B) or (F) of this section. A sheriff conducting the 2217
criminal records check and the incompetency records check 2218
described in section 311.41 of the Revised Code shall conduct 2219
the check only from the date of the licensee's last application 2220
for a license pursuant to division (B) or (F) of this section 2221
through the date of the renewal application submitted pursuant 2222
to division (F) of this section. 2223

(4) An applicant for a renewal concealed ~~handgun-~~ 2224
weapons license under this section shall submit to the sheriff of the 2225
county in which the applicant resides or to the sheriff of any 2226
county adjacent to the county in which the applicant resides, or 2227
in the case of an applicant who resides in another state to the 2228
sheriff of the county that issued the applicant's previous 2229
concealed ~~handgun-~~ weapons license, a nonrefundable license fee 2230
as described in either of the following: 2231

(a) For an applicant who has been a resident of this state 2232
for five or more years, a fee of fifty dollars; 2233

(b) For an applicant who has been a resident of this state 2234
for less than five years or who is not a resident of this state 2235
but who is employed in this state, a fee of fifty dollars plus 2236
the actual cost of having a background check performed by the 2237
federal bureau of investigation. 2238

(5) The concealed ~~handgun-weapons~~ license of a licensee 2239
who is no longer a resident of this state or no longer employed 2240
in this state, as applicable, is valid until the date of 2241
expiration on the license, regardless of whether the license was 2242
issued prior to, on, or after the effective date of this 2243
amendment, and the licensee is prohibited from renewing the 2244
concealed ~~handgun-weapons~~ license. 2245

(G)(1) Each course, class, or program described in 2246
division (B)(3)(a), (b), (c), or (e) of this section shall 2247
provide to each person who takes the course, class, or program 2248
the web site address at which the pamphlet prepared by the Ohio 2249
peace officer training commission pursuant to section 109.731 of 2250
the Revised Code that reviews deadly weapons (including 2251
firearms), dispute resolution, and use of deadly force matters 2252
may be found. Each such course, class, or program described in 2253
one of those divisions shall include at least eight hours of 2254
training in the safe handling and use of a firearm that shall 2255
include training, provided as described in division (G)(3) of 2256
this section, on all of the following: 2257

(a) The ability to name, explain, and demonstrate the 2258
rules for safe handling of a ~~handgun-firearm~~ and proper storage 2259
practices for ~~handguns-firearms~~ and ammunition; 2260

(b) The ability to demonstrate and explain how to handle 2261
ammunition in a safe manner; 2262

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

(d) Gun handling training;

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

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

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

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

(3) (a) Except as otherwise provided in this division, the training specified in division (G) (1) (a) of this section shall be provided to the person receiving the training in person by an instructor. If the training specified in division (G) (1) (a) of this section is provided by a course, class, or program described in division (B) (3) (a) of this section, or it is provided by a course, class, or program described in division (B) (3) (b), (c), or (e) of this section and the instructor is a qualified instructor certified by a national gun advocacy organization, the training so specified, other than the training that requires the person receiving the training to demonstrate

handling abilities, may be provided online or as a combination 2292
of in-person and online training, as long as the online training 2293
includes an interactive component that regularly engages the 2294
person. 2295

(b) Except as otherwise provided in this division, the 2296
written section of the competency examination specified in 2297
division (G)(2)(a) of this section shall be administered to the 2298
person taking the competency examination in person by an 2299
instructor. If the training specified in division (G)(1)(a) of 2300
this section is provided to the person receiving the training by 2301
a course, class, or program described in division (B)(3)(a) of 2302
this section, or it is provided by a course, class, or program 2303
described in division (B)(3)(b), (c), or (e) of this section and 2304
the instructor is a qualified instructor certified by a national 2305
gun advocacy organization, the written section of the competency 2306
examination specified in division (G)(2)(a) of this section may 2307
be administered online, as long as the online training includes 2308
an interactive component that regularly engages the person. 2309

(4) The competency certification described in division (B) 2310
(3)(a), (b), (c), or (e) of this section shall be dated and 2311
shall attest that the course, class, or program the applicant 2312
successfully completed met the requirements described in 2313
division (G)(1) of this section and that the applicant passed 2314
the competency examination described in division (G)(2) of this 2315
section. 2316

(H) Upon deciding to issue a concealed ~~handgun~~ weapons 2317
license, deciding to issue a replacement concealed ~~handgun~~ 2318
weapons license, or deciding to renew a concealed ~~handgun~~ 2319
weapons license pursuant to this section, and before actually 2320
issuing or renewing the license, the sheriff shall make 2321

available through the law enforcement automated data system all 2322
information contained on the license. If the license 2323
subsequently is suspended under division (A) (1) or (2) of 2324
section 2923.128 of the Revised Code, revoked pursuant to 2325
division (B) (1) of section 2923.128 of the Revised Code, or lost 2326
or destroyed, the sheriff also shall make available through the 2327
law enforcement automated data system a notation of that fact. 2328
The superintendent of the state highway patrol shall ensure that 2329
the law enforcement automated data system is so configured as to 2330
permit the transmission through the system of the information 2331
specified in this division. 2332

(I) (1) A sheriff shall accept a completed application form 2333
or renewal application, and the fee, items, materials, and 2334
information specified in divisions (B) (1) to (5) or division (F) 2335
of this section, whichever is applicable, and shall provide an 2336
application form or renewal application to any person during at 2337
least fifteen hours a week and shall provide the web site 2338
address at which a printable version of the application form 2339
that can be downloaded and the pamphlet described in division 2340
(B) of section 109.731 of the Revised Code may be found at any 2341
time, upon request. The sheriff shall post notice of the hours 2342
during which the sheriff is available to accept or provide the 2343
information described in this division. 2344

(2) A sheriff shall transmit a notice to the attorney 2345
general, in a manner determined by the attorney general, every 2346
time a license is issued that waived payment under division (B) 2347
(1) (c) of this section for an applicant who is an active or 2348
reserve member of the armed forces of the United States or has 2349
retired from or was honorably discharged from military service 2350
in the active or reserve armed forces of the United States. The 2351
attorney general shall monitor and inform sheriffs issuing 2352

licenses under this section when the amount of license fee 2353
payments waived and transmitted to the attorney general reach 2354
one million five hundred thousand dollars each year. Once a 2355
sheriff is informed that the payments waived reached one million 2356
five hundred thousand dollars in any year, a sheriff shall no 2357
longer waive payment of a license fee for an applicant who is an 2358
active or reserve member of the armed forces of the United 2359
States or has retired from or was honorably discharged from 2360
military service in the active or reserve armed forces of the 2361
United States for the remainder of that year. 2362

Sec. 2923.126. (A) A concealed ~~handgun-weapons~~ license 2363
~~that is~~ issued under section 2923.125 of the Revised Code prior 2364
to, on, or after the effective date of this amendment shall 2365
expire five years after the date of issuance. A licensee who has 2366
been issued a license under that section shall be granted a 2367
grace period of thirty days after the licensee's license expires 2368
during which the licensee's license remains valid. Except as 2369
provided in divisions (B) and (C) of this section, a licensee 2370
who has been issued a concealed ~~handgun-weapons~~ license under 2371
section 2923.125 or 2923.1213 of the Revised Code prior to, on, 2372
or after the effective date of this amendment may carry a 2373
concealed ~~handgun-deadly weapon that is not a restricted deadly~~ 2374
weapon anywhere in this state if the licensee also carries a 2375
valid concealed weapons license when the licensee is in actual 2376
possession of ~~a-the concealed-handgun-deadly weapon. The-A~~ 2377
licensee who has been issued a concealed weapons license under 2378
section 2923.125 or 2923.1213 of the Revised Code shall give 2379
notice of any change in the licensee's residence address to the 2380
sheriff who issued the license within forty-five days after that 2381
change. A concealed weapons license that a sheriff issued as a 2382
concealed handgun license prior to the effective date of this 2383

amendment and that has not expired prior to the effective date 2384
of this amendment has the same validity as a concealed weapons 2385
license issued on or after that date and shall be treated for 2386
purposes of this section, sections 2923.127 to 2923.1212 of the 2387
Revised Code, and other Revised Code provisions as if it were a 2388
license issued on or after that date. 2389

If a licensee is the driver or an occupant of a motor 2390
vehicle that is stopped as the result of a traffic stop or a 2391
stop for another law enforcement purpose and if the licensee is 2392
transporting or has ~~a loaded handgun~~ in the motor vehicle at 2393
that time a deadly weapon that is a loaded firearm and that is 2394
not a restricted firearm, the licensee shall promptly inform any 2395
law enforcement officer who approaches the vehicle while stopped 2396
that the licensee has been issued a concealed handgun license 2397
and that the licensee currently possesses or has a loaded 2398
handgun; the licensee shall not knowingly disregard or fail to 2399
comply with lawful orders of a law enforcement officer given 2400
while the motor vehicle is stopped, knowingly fail to remain in 2401
the motor vehicle while stopped, or knowingly fail to keep the 2402
licensee's hands in plain sight after any law enforcement 2403
officer begins approaching the licensee while stopped and before 2404
the officer leaves, unless directed otherwise by a law 2405
enforcement officer; and the licensee shall not knowingly have 2406
contact with the loaded ~~handgun~~ firearm by touching it with the 2407
licensee's hands or fingers, in any manner in violation of 2408
division (E) of section 2923.16 of the Revised Code, after any 2409
law enforcement officer begins approaching the licensee while 2410
stopped and before the officer leaves. ~~Additionally, if a~~ 2411
~~licensee is the driver or an occupant of a commercial motor~~ 2412
~~vehicle that is stopped by an employee of the motor carrier~~ 2413
~~enforcement unit for the purposes defined in section 5503.34 of~~ 2414

~~the Revised Code and the licensee is transporting or has a~~ 2415
~~loaded handgun in the commercial motor vehicle at that time, the~~ 2416
~~licensee shall promptly inform the employee of the unit who~~ 2417
~~approaches the vehicle while stopped that the licensee has been~~ 2418
~~issued a concealed handgun license and that the licensee~~ 2419
~~currently possesses or has a loaded handgun.~~ 2420

If a licensee is stopped for a law enforcement purpose and 2421
if the licensee is carrying a concealed ~~handgun~~ deadly weapon 2422
that is not a restricted deadly weapon at the time the officer 2423
approaches, ~~the licensee shall promptly inform any law~~ 2424
~~enforcement officer who approaches the licensee while stopped~~ 2425
~~that the licensee has been issued a concealed handgun license~~ 2426
~~and that the licensee currently is carrying a concealed handgun;~~ 2427
the licensee shall not knowingly disregard or fail to comply 2428
with lawful orders of a law enforcement officer given while the 2429
licensee is stopped, or knowingly fail to keep the licensee's 2430
hands in plain sight after any law enforcement officer begins 2431
approaching the licensee while stopped and before the officer 2432
leaves, unless directed otherwise by a law enforcement officer; 2433
and, if the deadly weapon is a loaded firearm, the licensee 2434
shall not knowingly remove, attempt to remove, grasp, or hold 2435
the loaded ~~handgun~~ firearm or knowingly have contact with the 2436
loaded ~~handgun~~ firearm by touching it with the licensee's hands 2437
or fingers, in any manner in violation of division (B) of 2438
section 2923.12 of the Revised Code, after any law enforcement 2439
officer begins approaching the licensee while stopped and before 2440
the officer leaves. 2441

(B) ~~A valid~~ The right to carry a concealed deadly weapon 2442
that is granted under division (A) of this section to a licensee 2443
who has been issued a concealed ~~handgun~~ weapons license, or that 2444
is granted under division (A) of section 2923.111 of the Revised 2445

Code to a licensee who is deemed under division (C) of that 2446
section to have been issued a concealed weapons license under 2447
section 2923.125 of the Revised Code, does not authorize the 2448
licensee to carry any restricted deadly weapon, does not 2449
authorize the licensee to carry a deadly weapon or a concealed 2450
~~handgun~~ deadly weapon in any manner prohibited under division 2451
(B) of section 2923.12 of the Revised Code or in any manner 2452
prohibited under section 1547.69, 2921.36, 2923.12, 2923.121, 2453
2923.122, 2923.123, 2923.13, 2923.131, 2923.15, or 2923.16 of 2454
the Revised Code. A valid license, and does not authorize the 2455
licensee to carry a concealed ~~handgun~~ deadly weapon into any of 2456
the following places: 2457

(1) A police station, sheriff's office, or state highway 2458
patrol station, premises controlled by the bureau of criminal 2459
identification and investigation; a state correctional 2460
institution, jail, workhouse, or other detention facility; any 2461
area of an airport passenger terminal that is beyond a passenger 2462
or property screening checkpoint or to which access is 2463
restricted through security measures by the airport authority or 2464
a public agency; or an institution that is maintained, operated, 2465
managed, and governed pursuant to division (A) of section 2466
5119.14 of the Revised Code or division (A) (1) of section 2467
5123.03 of the Revised Code; 2468

(2) A school safety zone if the licensee's carrying the 2469
concealed ~~handgun~~ deadly weapon is in violation of section 2470
2923.122 of the Revised Code; 2471

(3) A courthouse or another building or structure in which 2472
a courtroom is located if the licensee's carrying the concealed 2473
~~handgun~~ deadly weapon is in violation of section 2923.123 of the 2474
Revised Code; 2475

(4) Any premises or open air arena for which a D permit 2476
has been issued under Chapter 4303. of the Revised Code if the 2477
licensee's carrying the concealed ~~handgun~~ deadly weapon is in 2478
violation of section 2923.121 of the Revised Code; 2479

(5) Any premises owned or leased by any public or private 2480
college, university, or other institution of higher education, 2481
unless the ~~handgun~~ deadly weapon is in a locked motor vehicle 2482
~~or~~, the licensee is in the immediate process of placing the 2483
~~handgun~~ deadly weapon in a locked motor vehicle, ~~or unless~~ the 2484
licensee is carrying the concealed ~~handgun~~ deadly weapon 2485
pursuant to a written policy, rule, or other authorization that 2486
is adopted by the institution's board of trustees or other 2487
governing body and that authorizes specific individuals or 2488
classes of individuals to carry a concealed ~~handgun~~ deadly 2489
weapon on the premises; 2490

(6) Any church, synagogue, mosque, or other place of 2491
worship, unless the church, synagogue, mosque, or other place of 2492
worship posts or permits otherwise; 2493

(7) Any building that is a government facility of this 2494
state or a political subdivision of this state and that is not a 2495
building that is used primarily as a shelter, restroom, parking 2496
facility for motor vehicles, or rest facility and is not a 2497
courthouse or other building or structure in which a courtroom 2498
is located that is subject to division (B)(3) of this section, 2499
unless the governing body with authority over the building has 2500
enacted a statute, ordinance, or policy that permits a licensee 2501
to carry a concealed ~~handgun~~ deadly weapon into the building; 2502

(8) A place in which federal law prohibits the carrying of 2503
~~handguns~~ deadly weapons. 2504

(C) (1) Nothing in this section or section 2923.111 of the 2505
Revised Code shall negate or restrict a rule, policy, or 2506
practice of a private employer that is not a private college, 2507
university, or other institution of higher education concerning 2508
or prohibiting the presence of ~~firearms~~ deadly weapons on the 2509
private employer's premises or property, including motor 2510
vehicles owned by the private employer. Nothing in this section 2511
or section 2923.111 of the Revised Code shall require a private 2512
employer of that nature to adopt a rule, policy, or practice 2513
concerning or prohibiting the presence of ~~firearms~~ deadly 2514
weapons on the private employer's premises or property, 2515
including motor vehicles owned by the private employer. 2516

(2) (a) A private employer shall be immune from liability 2517
in a civil action for any injury, death, or loss to person or 2518
property that allegedly was caused by or related to a licensee 2519
bringing a ~~handgun~~ deadly weapon onto the premises or property 2520
of the private employer, including motor vehicles owned by the 2521
private employer, unless the private employer acted with 2522
malicious purpose. A private employer is immune from liability 2523
in a civil action for any injury, death, or loss to person or 2524
property that allegedly was caused by or related to the private 2525
employer's decision to permit a licensee to bring, or prohibit a 2526
licensee from bringing, a ~~handgun~~ deadly weapon onto the 2527
premises or property of the private employer. 2528

(b) A political subdivision shall be immune from liability 2529
in a civil action, to the extent and in the manner provided in 2530
Chapter 2744. of the Revised Code, for any injury, death, or 2531
loss to person or property that allegedly was caused by or 2532
related to a licensee bringing a ~~handgun~~ deadly weapon onto any 2533
premises or property owned, leased, or otherwise under the 2534
control of the political subdivision. As used in this division, 2535

"political subdivision" has the same meaning as in section 2536
2744.01 of the Revised Code. 2537

(c) An institution of higher education shall be immune 2538
from liability in a civil action for any injury, death, or loss 2539
to person or property that allegedly was caused by or related to 2540
a licensee bringing a ~~handgun~~ deadly weapon onto the premises of 2541
the institution, including motor vehicles owned by the 2542
institution, unless the institution acted with malicious 2543
purpose. An institution of higher education is immune from 2544
liability in a civil action for any injury, death, or loss to 2545
person or property that allegedly was caused by or related to 2546
the institution's decision to permit a licensee or class of 2547
licensees to bring a ~~handgun~~ deadly weapon onto the premises of 2548
the institution. 2549

(3) (a) Except as provided in division (C) (3) (b) of this 2550
section and section 2923.1214 of the Revised Code, the owner or 2551
person in control of private land or premises, and a private 2552
person or entity leasing land or premises owned by the state, 2553
the United States, or a political subdivision of the state or 2554
the United States, may post a sign in a conspicuous location on 2555
that land or on those premises prohibiting persons from carrying 2556
~~firearms~~ deadly weapons or concealed ~~firearms~~ deadly weapons on 2557
or onto that land or those premises. Except as otherwise 2558
provided in this division, a person who knowingly violates a 2559
posted prohibition of that nature is guilty of criminal trespass 2560
in violation of division (A) (4) of section 2911.21 of the 2561
Revised Code and is guilty of a misdemeanor of the fourth 2562
degree. If a person knowingly violates a posted prohibition of 2563
that nature and the posted land or premises primarily was a 2564
parking lot or other parking facility, the person is not guilty 2565
of criminal trespass under section 2911.21 of the Revised Code 2566

or under any other criminal law of this state or criminal law, 2567
ordinance, or resolution of a political subdivision of this 2568
state, and instead is subject only to a civil cause of action 2569
for trespass based on the violation. 2570

If a person knowingly violates a posted prohibition of the 2571
nature described in this division and the posted land or 2572
premises is a child day-care center, type A family day-care 2573
home, or type B family day-care home, unless the person is a 2574
licensee who resides in a type A family day-care home or type B 2575
family day-care home, the person is guilty of aggravated 2576
trespass in violation of section 2911.211 of the Revised Code. 2577
Except as otherwise provided in this division, the offender is 2578
guilty of a misdemeanor of the first degree. If the ~~person~~ 2579
offender previously has been convicted of a violation of this 2580
division or of any offense of violence, if the deadly weapon 2581
involved is a firearm that is either loaded or for which the 2582
offender has ammunition ready at hand, or if the deadly weapon 2583
involved is dangerous ordnance, the offender is guilty of a 2584
felony of the fourth degree. 2585

(b) A landlord may not prohibit or restrict a tenant who 2586
is a licensee and who on or after September 9, 2008, enters into 2587
a rental agreement with the landlord for the use of residential 2588
premises, and the tenant's guest while the tenant is present, 2589
from lawfully carrying or possessing a handgun on those 2590
residential premises. A landlord may not prohibit or restrict a 2591
tenant who is a licensee and who on or after the effective date 2592
of this amendment enters into a rental agreement with the 2593
landlord for the use of residential premises and the tenant's 2594
guest while the tenant is present from lawfully carrying or 2595
possessing a deadly weapon that is not a restricted deadly 2596
weapon on those premises. 2597

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

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

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

(D) A person who holds a valid concealed ~~handgun-weapons~~ license issued by another state that is recognized by the attorney general pursuant to a reciprocity agreement entered into pursuant to section 109.69 of the Revised Code ~~or~~, a person who holds a valid concealed ~~handgun-weapons~~ license under the circumstances described in division (B) of section 109.69 of the Revised Code, or a person who is deemed under division (C) of section 2923.111 of the Revised Code to have been issued a concealed weapons license under section 2923.125 of the Revised Code has the same right to carry a concealed ~~handgun-deadly~~ weapon that is not a restricted deadly weapon in this state as a person who was issued a concealed ~~handgun-weapons~~ license under section 2923.125 of the Revised Code and is subject to the same restrictions that apply to a person who carries a license issued under that section.

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

licensee in this state who has been issued such a license under 2628
that section. 2629

(2) An active duty member of the armed forces of the 2630
United States who is carrying a valid military identification 2631
card and documentation of successful completion of firearms 2632
training that meets or exceeds the training requirements 2633
described in division (G) (1) of section 2923.125 of the Revised 2634
Code has the same right to carry a concealed ~~handgun~~ deadly 2635
weapon that is not a restricted deadly weapon in this state as a 2636
person who was issued a concealed ~~handgun~~ weapons license under 2637
section 2923.125 of the Revised Code and is subject to the same 2638
restrictions as specified in this section. 2639

(3) A tactical medical professional who is qualified to 2640
carry firearms while on duty under section 109.771 of the 2641
Revised Code has the same right to carry a concealed ~~handgun~~ 2642
deadly weapon that is not a restricted deadly weapon in this 2643
state as a person who was issued a concealed ~~handgun~~ weapons 2644
license under section 2923.125 of the Revised Code. 2645

(F) (1) A qualified retired peace officer who possesses a 2646
retired peace officer identification card issued pursuant to 2647
division (F) (2) of this section and a valid firearms 2648
requalification certification issued pursuant to division (F) (3) 2649
of this section has the same right to carry a concealed ~~handgun~~ 2650
deadly weapon that is not a restricted deadly weapon in this 2651
state as a person who was issued a concealed ~~handgun~~ weapons 2652
license under section 2923.125 of the Revised Code and is 2653
subject to the same restrictions that apply to a person who 2654
carries a license issued under that section. For purposes of 2655
reciprocity with other states, a qualified retired peace officer 2656
who possesses a retired peace officer identification card issued 2657

pursuant to division (F)(2) of this section and a valid firearms 2658
requalification certification issued pursuant to division (F)(3) 2659
of this section shall be considered to be a licensee in this 2660
state who has been issued a concealed weapons license under 2661
section 2923.125 of the Revised Code. 2662

(2)(a) Each public agency of this state or of a political 2663
subdivision of this state that is served by one or more peace 2664
officers shall issue a retired peace officer identification card 2665
to any person who retired from service as a peace officer with 2666
that agency, if the issuance is in accordance with the agency's 2667
policies and procedures and if the person, with respect to the 2668
person's service with that agency, satisfies all of the 2669
following: 2670

(i) The person retired in good standing from service as a 2671
peace officer with the public agency, and the retirement was not 2672
for reasons of mental instability. 2673

(ii) Before retiring from service as a peace officer with 2674
that agency, the person was authorized to engage in or supervise 2675
the prevention, detection, investigation, or prosecution of, or 2676
the incarceration of any person for, any violation of law and 2677
the person had statutory powers of arrest. 2678

(iii) At the time of the person's retirement as a peace 2679
officer with that agency, the person was trained and qualified 2680
to carry firearms in the performance of the peace officer's 2681
duties. 2682

(iv) Before retiring from service as a peace officer with 2683
that agency, the person was regularly employed as a peace 2684
officer for an aggregate of fifteen years or more, or, in the 2685
alternative, the person retired from service as a peace officer 2686

with that agency, after completing any applicable probationary 2687
period of that service, due to a service-connected disability, 2688
as determined by the agency. 2689

(b) A retired peace officer identification card issued to 2690
a person under division (F)(2)(a) of this section shall identify 2691
the person by name, contain a photograph of the person, identify 2692
the public agency of this state or of the political subdivision 2693
of this state from which the person retired as a peace officer 2694
and that is issuing the identification card, and specify that 2695
the person retired in good standing from service as a peace 2696
officer with the issuing public agency and satisfies the 2697
criteria set forth in divisions (F)(2)(a)(i) to (iv) of this 2698
section. In addition to the required content specified in this 2699
division, a retired peace officer identification card issued to 2700
a person under division (F)(2)(a) of this section may include 2701
the firearms requalification certification described in division 2702
(F)(3) of this section, and if the identification card includes 2703
that certification, the identification card shall serve as the 2704
firearms requalification certification for the retired peace 2705
officer. If the issuing public agency issues credentials to 2706
active law enforcement officers who serve the agency, the agency 2707
may comply with division (F)(2)(a) of this section by issuing 2708
the same credentials to persons who retired from service as a 2709
peace officer with the agency and who satisfy the criteria set 2710
forth in divisions (F)(2)(a)(i) to (iv) of this section, 2711
provided that the credentials so issued to retired peace 2712
officers are stamped with the word "RETIRED." 2713

(c) A public agency of this state or of a political 2714
subdivision of this state may charge persons who retired from 2715
service as a peace officer with the agency a reasonable fee for 2716
issuing to the person a retired peace officer identification 2717

card pursuant to division (F)(2)(a) of this section. 2718

(3) If a person retired from service as a peace officer 2719
with a public agency of this state or of a political subdivision 2720
of this state and the person satisfies the criteria set forth in 2721
divisions (F)(2)(a)(i) to (iv) of this section, the public 2722
agency may provide the retired peace officer with the 2723
opportunity to attend a firearms requalification program that is 2724
approved for purposes of firearms requalification required under 2725
section 109.801 of the Revised Code. The retired peace officer 2726
may be required to pay the cost of the course. 2727

If a retired peace officer who satisfies the criteria set 2728
forth in divisions (F)(2)(a)(i) to (iv) of this section attends 2729
a firearms requalification program that is approved for purposes 2730
of firearms requalification required under section 109.801 of 2731
the Revised Code, the retired peace officer's successful 2732
completion of the firearms requalification program requalifies 2733
the retired peace officer for purposes of division (F) of this 2734
section for five years from the date on which the program was 2735
successfully completed, and the requalification is valid during 2736
that five-year period. If a retired peace officer who satisfies 2737
the criteria set forth in divisions (F)(2)(a)(i) to (iv) of this 2738
section satisfactorily completes such a firearms requalification 2739
program, the retired peace officer shall be issued a firearms 2740
requalification certification that identifies the retired peace 2741
officer by name, identifies the entity that taught the program, 2742
specifies that the retired peace officer successfully completed 2743
the program, specifies the date on which the course was 2744
successfully completed, and specifies that the requalification 2745
is valid for five years from that date of successful completion. 2746
The firearms requalification certification for a retired peace 2747
officer may be included in the retired peace officer 2748

identification card issued to the retired peace officer under 2749
division (F) (2) of this section. 2750

A retired peace officer who attends a firearms 2751
requalification program that is approved for purposes of 2752
firearms requalification required under section 109.801 of the 2753
Revised Code may be required to pay the cost of the program. 2754

(G) As used in this section: 2755

(1) "Qualified retired peace officer" means a person who 2756
satisfies all of the following: 2757

(a) The person satisfies the criteria set forth in 2758
divisions (F) (2) (a) (i) to (v) of this section. 2759

(b) The person is not under the influence of alcohol or 2760
another intoxicating or hallucinatory drug or substance. 2761

(c) The person is not prohibited by federal law from 2762
receiving firearms. 2763

(2) "Retired peace officer identification card" means an 2764
identification card that is issued pursuant to division (F) (2) 2765
of this section to a person who is a retired peace officer. 2766

(3) "Government facility of this state or a political 2767
subdivision of this state" means any of the following: 2768

(a) A building or part of a building that is owned or 2769
leased by the government of this state or a political 2770
subdivision of this state and where employees of the government 2771
of this state or the political subdivision regularly are present 2772
for the purpose of performing their official duties as employees 2773
of the state or political subdivision; 2774

(b) The office of a deputy registrar serving pursuant to 2775

Chapter 4503. of the Revised Code that is used to perform deputy 2776
registrar functions. 2777

(4) "Governing body" has the same meaning as in section 2778
154.01 of the Revised Code. 2779

(5) "Tactical medical professional" has the same meaning 2780
as in section 109.71 of the Revised Code. 2781

(6) "Validating identification" means photographic 2782
identification issued by the agency for which an individual 2783
serves as a peace officer that identifies the individual as a 2784
peace officer of the agency. 2785

Sec. 2923.127. (A) If a sheriff denies an application for 2786
a concealed ~~handgun-weapons~~ license under section 2923.125 of 2787
the Revised Code, denies the renewal of a concealed ~~handgun-~~ 2788
~~weapons~~ license under that section, or denies an application for 2789
a concealed ~~handgun-weapons~~ license on a temporary emergency 2790
basis under section 2923.1213 of the Revised Code as a result of 2791
the criminal records check conducted pursuant to section 311.41 2792
of the Revised Code and if the applicant believes the denial was 2793
based on incorrect information reported by the source the 2794
sheriff used in conducting the criminal records check, the 2795
applicant may challenge the criminal records check results using 2796
whichever of the following is applicable: 2797

(1) If the bureau of criminal identification and 2798
investigation performed the criminal records check, by using the 2799
bureau's existing challenge and review procedures; 2800

(2) If division (A)(1) of this section does not apply, by 2801
using the existing challenge and review procedure of the sheriff 2802
who denied the application or, if the sheriff does not have a 2803
challenge and review procedure, by using the challenge and 2804

review procedure prescribed by the bureau of criminal 2805
identification and investigation pursuant to division (B) of 2806
this section. 2807

(B) The bureau of criminal identification and 2808
investigation shall prescribe a challenge and review procedure 2809
for applicants to use to challenge criminal records checks under 2810
division (A) (2) of this section in counties in which the sheriff 2811
with whom an application of a type described in division (A) of 2812
this section was filed or submitted does not have an existing 2813
challenge and review procedure. 2814

Sec. 2923.128. (A) (1) (a) If a licensee holding a valid 2815
concealed ~~handgun-weapons~~ license is arrested for or otherwise 2816
charged with an offense described in division (D) (1) (d) of 2817
section 2923.125 of the Revised Code or with a violation of 2818
section 2923.15 of the Revised Code or becomes subject to a 2819
temporary protection order or to a protection order issued by a 2820
court of another state that is substantially equivalent to a 2821
temporary protection order, the sheriff who issued the license 2822
shall suspend it and shall comply with division (A) (3) of this 2823
section upon becoming aware of the arrest, charge, or protection 2824
order. Upon suspending the license, the sheriff also shall 2825
comply with division (H) of section 2923.125 of the Revised 2826
Code. 2827

(b) A suspension under division (A) (1) (a) of this section 2828
shall be considered as beginning on the date that the licensee 2829
is arrested for or otherwise charged with an offense described 2830
in that division or on the date the appropriate court issued the 2831
protection order described in that division, irrespective of 2832
when the sheriff notifies the licensee under division (A) (3) of 2833
this section. The suspension shall end on the date on which the 2834

charges are dismissed or the licensee is found not guilty of the 2835
offense described in division (A) (1) (a) of this section or, 2836
subject to division (B) of this section, on the date the 2837
appropriate court terminates the protection order described in 2838
that division. If the suspension so ends, the sheriff shall 2839
return the license or temporary emergency license to the 2840
licensee. 2841

(2) (a) If a licensee holding a valid concealed ~~handgun~~ 2842
weapons license is convicted of or pleads guilty to a 2843
misdemeanor violation of division (B) (1) ~~, (2),~~ or ~~(4) (3)~~ of 2844
section 2923.12 of the Revised Code or of division (E) (1) ~~, (2),~~ 2845
~~(3),~~ or ~~(5) (3)~~ of section 2923.16 of the Revised Code, ~~except as~~ 2846
~~provided in division (A) (2) (c) of this section and subject to~~ 2847
~~division (C) of this section,~~ the sheriff who issued the license 2848
shall suspend it and shall comply with division (A) (3) of this 2849
section upon becoming aware of the conviction or guilty plea. 2850
Upon suspending the license, the sheriff also shall comply with 2851
division (H) of section 2923.125 of the Revised Code. 2852

(b) A suspension under division (A) (2) (a) of this section 2853
shall be considered as beginning on the date that the licensee 2854
is convicted of or pleads guilty to the offense described in 2855
that division, irrespective of when the sheriff notifies the 2856
licensee under division (A) (3) of this section. If the 2857
suspension is imposed for a misdemeanor violation of division 2858
(B) (1) ~~or (2)~~ of section 2923.12 of the Revised Code or of 2859
division (E) (1) ~~, (2), or (3)~~ of section 2923.16 of the Revised 2860
Code, it shall end on the date that is one year after the date 2861
that the licensee is convicted of or pleads guilty to that 2862
violation. If the suspension is imposed for a misdemeanor 2863
violation of division (B) ~~(4) (3)~~ of section 2923.12 of the 2864
Revised Code or of division (E) ~~(5) (3)~~ of section 2923.16 of the 2865

Revised Code, it shall end on the date that is two years after
the date that the licensee is convicted of or pleads guilty to
that violation. If the licensee's license was issued under
section 2923.125 of the Revised Code and the license remains
valid after the suspension ends as described in this division,
when the suspension ends, the sheriff shall return the license
to the licensee. If the licensee's license was issued under
section 2923.125 of the Revised Code and the license expires
before the suspension ends as described in this division, or if
the licensee's license was issued under section 2923.1213 of the
Revised Code, the licensee is not eligible to apply for a new
license under section 2923.125 or 2923.1213 of the Revised Code
or to renew the license under section 2923.125 of the Revised
Code until after the suspension ends as described in this
division.

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

(3) Upon becoming aware of an arrest, charge, or
protection order described in division (A) (1) (a) of this section
with respect to a licensee who was issued a concealed ~~handgun~~
weapons license, or a conviction of or plea of guilty to a
misdemeanor offense described in division (A) (2) (a) of this

section with respect to a licensee who was issued a concealed 2897
~~handgun weapons license and with respect to which division (A)~~ 2898
~~(2) (e) of this section does not apply,~~ subject to division (C) 2899
of this section, the sheriff who issued the licensee's license 2900
shall notify the licensee, by certified mail, return receipt 2901
requested, at the licensee's last known residence address that 2902
the license has been suspended and that the licensee is required 2903
to surrender the license at the sheriff's office within ten days 2904
of the date on which the notice was mailed. If the suspension is 2905
pursuant to division (A) (2) of this section, the notice shall 2906
identify the date on which the suspension ends. 2907

(B) (1) A sheriff who issues a concealed ~~handgun weapons~~ 2908
license to a licensee shall revoke the license in accordance 2909
with division (B) (2) of this section upon becoming aware that 2910
the licensee satisfies any of the following: 2911

(a) The licensee is under twenty-one years of age. 2912

(b) Subject to division (C) of this section, at the time 2913
of the issuance of the license, the licensee did not satisfy the 2914
eligibility requirements of division (D) (1) (c), (d), (e), (f), 2915
(g), or (h) of section 2923.125 of the Revised Code. 2916

(c) Subject to division (C) of this section, on or after 2917
the date on which the license was issued, the licensee is 2918
convicted of or pleads guilty to a violation of section 2923.15 2919
of the Revised Code or an offense described in division (D) (1) 2920
(e), (f), (g), or (h) of section 2923.125 of the Revised Code. 2921

(d) On or after the date on which the license was issued, 2922
the licensee becomes subject to a civil protection order or to a 2923
protection order issued by a court of another state that is 2924
substantially equivalent to a civil protection order. 2925

(e) The licensee knowingly carries a concealed ~~handgun~~ 2926
deadly weapon into a place that the licensee knows is an 2927
unauthorized place specified in division (B) of section 2923.126 2928
of the Revised Code, knowingly carries a concealed deadly weapon 2929
in any prohibited manner listed in that division, or knowingly 2930
carries under alleged authority as a licensee a concealed 2931
restricted deadly weapon. 2932

(f) On or after the date on which the license was issued, 2933
the licensee is adjudicated as a mental defective or is 2934
committed to a mental institution. 2935

(g) At the time of the issuance of the license, the 2936
licensee did not meet the residency requirements described in 2937
division (D)(1) of section 2923.125 of the Revised Code and 2938
currently does not meet the residency requirements described in 2939
that division. 2940

(h) Regarding a license issued under section 2923.125 of 2941
the Revised Code, the competency certificate the licensee 2942
submitted was forged or otherwise was fraudulent. 2943

(2) Upon becoming aware of any circumstance listed in 2944
division (B)(1) of this section that applies to a particular 2945
licensee who was issued a concealed ~~handgun~~ weapons license, 2946
subject to division (C) of this section, the sheriff who issued 2947
the license to the licensee shall notify the licensee, by 2948
certified mail, return receipt requested, at the licensee's last 2949
known residence address that the license is subject to 2950
revocation and that the licensee may come to the sheriff's 2951
office and contest the sheriff's proposed revocation within 2952
fourteen days of the date on which the notice was mailed. After 2953
the fourteen-day period and after consideration of any 2954
information that the licensee provides during that period, if 2955

the sheriff determines on the basis of the information of which 2956
the sheriff is aware that the licensee is described in division 2957
(B) (1) of this section and no longer satisfies the requirements 2958
described in division (D) (1) of section 2923.125 of the Revised 2959
Code that are applicable to the licensee's type of license, the 2960
sheriff shall revoke the license, notify the licensee of that 2961
fact, and require the licensee to surrender the license. Upon 2962
revoking the license, the sheriff also shall comply with 2963
division (H) of section 2923.125 of the Revised Code. 2964

(C) If a sheriff who issues a concealed ~~handgun~~-weapons 2965
license to a licensee becomes aware that at the time of the 2966
issuance of the license the licensee had been convicted of or 2967
pleaded guilty to an offense identified in division (D) (1) (e), 2968
(f), or (h) of section 2923.125 of the Revised Code or had been 2969
adjudicated a delinquent child for committing an act or 2970
violation identified in any of those divisions or becomes aware 2971
that on or after the date on which the license was issued the 2972
licensee has been convicted of or pleaded guilty to an offense 2973
identified in division (A) (2) (a) or (B) (1) (c) of this section, 2974
the sheriff shall not consider that conviction, guilty plea, or 2975
adjudication as having occurred for purposes of divisions (A) 2976
(2), (A) (3), (B) (1), and (B) (2) of this section if a court has 2977
ordered the sealing or expungement of the records of that 2978
conviction, guilty plea, or adjudication pursuant to sections 2979
2151.355 to 2151.358 or sections 2953.31 to 2953.36 of the 2980
Revised Code or the licensee has been relieved under operation 2981
of law or legal process from the disability imposed pursuant to 2982
section 2923.13 of the Revised Code relative to that conviction, 2983
guilty plea, or adjudication. 2984

(D) As used in this section, "motor carrier enforcement 2985
unit" has the same meaning as in section 2923.16 of the Revised 2986

Code. 2987

Sec. 2923.129. (A) (1) If a sheriff, the superintendent of 2988
the bureau of criminal identification and investigation, the 2989
employees of the bureau, the Ohio peace officer training 2990
commission, or the employees of the commission make a good faith 2991
effort in performing the duties imposed upon the sheriff, the 2992
superintendent, the bureau's employees, the commission, or the 2993
commission's employees by sections 109.731, 311.41, and 2923.124 2994
to 2923.1213 of the Revised Code, in addition to the personal 2995
immunity provided by section 9.86 of the Revised Code or 2996
division (A) (6) of section 2744.03 of the Revised Code and the 2997
governmental immunity of sections 2744.02 and 2744.03 of the 2998
Revised Code and in addition to any other immunity possessed by 2999
the bureau, the commission, and their employees, the sheriff, 3000
the sheriff's office, the county in which the sheriff has 3001
jurisdiction, the bureau, the superintendent of the bureau, the 3002
bureau's employees, the commission, and the commission's 3003
employees are immune from liability in a civil action for 3004
injury, death, or loss to person or property that allegedly was 3005
caused by or related to any of the following: 3006

(a) The issuance, renewal, suspension, or revocation of a 3007
concealed ~~handgun-weapons~~ license; 3008

(b) The failure to issue, renew, suspend, or revoke a 3009
concealed ~~handgun-weapons~~ license; 3010

(c) Any action or misconduct with a ~~handgun-deadly weapon~~ 3011
committed by a licensee. 3012

(2) Any action of a sheriff relating to the issuance, 3013
renewal, suspension, or revocation of a concealed ~~handgun-~~ 3014
weapons license shall be considered to be a governmental 3015

function for purposes of Chapter 2744. of the Revised Code. 3016

(3) An entity that or instructor who provides a competency 3017
certification of a type described in division (B) (3) of section 3018
2923.125 of the Revised Code is immune from civil liability that 3019
might otherwise be incurred or imposed for any death or any 3020
injury or loss to person or property that is caused by or 3021
related to a person to whom the entity or instructor has issued 3022
the competency certificate if all of the following apply: 3023

(a) The alleged liability of the entity or instructor 3024
relates to the training provided in the course, class, or 3025
program covered by the competency certificate. 3026

(b) The entity or instructor makes a good faith effort in 3027
determining whether the person has satisfactorily completed the 3028
course, class, or program and makes a good faith effort in 3029
assessing the person in the competency examination conducted 3030
pursuant to division (G) (2) of section 2923.125 of the Revised 3031
Code. 3032

(c) The entity or instructor did not issue the competency 3033
certificate with malicious purpose, in bad faith, or in a wanton 3034
or reckless manner. 3035

(4) An entity that or instructor who, prior to March 27, 3036
2013, provides a renewed competency certification of a type 3037
described in division (G) (4) of section 2923.125 of the Revised 3038
Code as it existed prior to March 27, 2013, is immune from civil 3039
liability that might otherwise be incurred or imposed for any 3040
death or any injury or loss to person or property that is caused 3041
by or related to a person to whom the entity or instructor has 3042
issued the renewed competency certificate if all of the 3043
following apply: 3044

(a) The entity or instructor makes a good faith effort in 3045
assessing the person in the physical demonstrations or the 3046
competency examination conducted pursuant to division (G) (4) of 3047
section 2923.125 of the Revised Code as it existed prior to 3048
March 27, 2013. 3049

(b) The entity or instructor did not issue the renewed 3050
competency certificate with malicious purpose, in bad faith, or 3051
in a wanton or reckless manner. 3052

(B) Notwithstanding section 149.43 of the Revised Code, 3053
the records that a sheriff keeps relative to the issuance, 3054
renewal, suspension, or revocation of a concealed ~~handgun~~ 3055
weapons license, including, but not limited to, completed 3056
applications for the issuance or renewal of a license, completed 3057
affidavits submitted regarding an application for a license on a 3058
temporary emergency basis, reports of criminal records checks 3059
and incompetency records checks under section 311.41 of the 3060
Revised Code, and applicants' social security numbers and 3061
fingerprints that are obtained under division (A) of section 3062
311.41 of the Revised Code, are confidential and are not public 3063
records. No person shall release or otherwise disseminate 3064
records that are confidential under this division unless 3065
required to do so pursuant to a court order. 3066

(C) Each sheriff shall report to the Ohio peace officer 3067
training commission the number of concealed ~~handgun~~ weapons 3068
licenses that the sheriff issued, renewed, suspended, revoked, 3069
or denied under section 2923.125 of the Revised Code during the 3070
previous quarter of the calendar year, the number of 3071
applications for those licenses for which processing was 3072
suspended in accordance with division (D) (3) of section 2923.125 3073
of the Revised Code during the previous quarter of the calendar 3074

year, and the number of concealed ~~handgun-weapons~~ licenses on a 3075
temporary emergency basis that the sheriff issued, suspended, 3076
revoked, or denied under section 2923.1213 of the Revised Code 3077
during the previous quarter of the calendar year. The sheriff 3078
shall not include in the report the name or any other 3079
identifying information of an applicant or licensee. The sheriff 3080
shall report that information in a manner that permits the 3081
commission to maintain the statistics described in division (C) 3082
of section 109.731 of the Revised Code and to timely prepare the 3083
statistical report described in that division. The information 3084
that is received by the commission under this division is a 3085
public record kept by the commission for the purposes of section 3086
149.43 of the Revised Code. 3087

(D) Law enforcement agencies may use the information a 3088
sheriff makes available through the use of the law enforcement 3089
automated data system pursuant to division (H) of section 3090
2923.125 or division (B) (2) or (D) of section 2923.1213 of the 3091
Revised Code for law enforcement purposes only. The information 3092
is confidential and is not a public record. Except as provided 3093
in section 5503.101 of the Revised Code, a person who releases 3094
or otherwise disseminates this information obtained through the 3095
law enforcement automated data system in a manner not described 3096
in this division is guilty of a violation of section 2913.04 of 3097
the Revised Code. 3098

(E) Whoever violates division (B) of this section is 3099
guilty of illegal release of confidential concealed ~~handgun-~~ 3100
~~weapons~~ license records, a felony of the fifth degree. In 3101
addition to any penalties imposed under Chapter 2929. of the 3102
Revised Code for a violation of division (B) of this section or 3103
a violation of section 2913.04 of the Revised Code described in 3104
division (D) of this section, if the offender is a sheriff, an 3105

employee of a sheriff, or any other public officer or employee, 3106
and if the violation was willful and deliberate, the offender 3107
shall be subject to a civil fine of one thousand dollars. Any 3108
person who is harmed by a violation of division (B) or (C) of 3109
this section or a violation of section 2913.04 of the Revised 3110
Code described in division (D) of this section has a private 3111
cause of action against the offender for any injury, death, or 3112
loss to person or property that is a proximate result of the 3113
violation and may recover court costs and attorney's fees 3114
related to the action. 3115

Sec. 2923.1210. (A) A business entity, property owner, or 3116
public or private employer may not establish, maintain, or 3117
enforce a policy or rule that prohibits or has the effect of 3118
prohibiting a person who has been issued a valid concealed 3119
~~handgun weapons license, or a person who is deemed under~~ 3120
division (C) of section 2923.111 of the Revised Code to have 3121
been issued a concealed weapons license under section 2923.125 3122
of the Revised Code, from transporting or storing a ~~firearm~~ 3123
deadly weapon or ammunition for a deadly weapon that is a 3124
firearm when both of the following conditions are met: 3125

(1) Each ~~firearm-deadly weapon and, if there is~~ 3126
ammunition, all of the ammunition remains inside the person's 3127
privately owned motor vehicle while the person is physically 3128
present inside the motor vehicle, or each ~~firearm-deadly weapon~~ 3129
and, if there is ammunition, all of the ammunition is locked 3130
within the trunk, glove box, or other enclosed compartment or 3131
container within or on the person's privately owned motor 3132
vehicle; 3133

(2) The vehicle is in a location where it is otherwise 3134
permitted to be. 3135

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

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

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

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

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

Sec. 2923.1212. Each person, board, or entity that owns or controls any place or premises identified in division (B) of

section 2923.126 of the Revised Code as a place into which a
valid license does not authorize the licensee to carry a
concealed ~~handgun~~ deadly weapon, or a designee of such a person,
board, or entity, shall post in one or more conspicuous
locations in the premises a sign that contains a statement in
substantially the following form: "Unless otherwise authorized
by law, pursuant to the Ohio Revised Code, no person shall
knowingly possess, have under the person's control, convey, or
attempt to convey a deadly weapon or dangerous ordnance onto
these premises."

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

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

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

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

(2) "Prosecutor" has the same meaning as in section 3195
2935.01 of the Revised Code. 3196

(B) (1) A person seeking a concealed ~~handgun~~ weapons 3197
license on a temporary emergency basis shall submit to the 3198
sheriff of the county in which the person resides or, if the 3199
person usually resides in another state, to the sheriff of the 3200
county in which the person is temporarily staying, all of the 3201
following: 3202

(a) Evidence of imminent danger to the person or a member 3203
of the person's family; 3204

(b) A sworn affidavit that contains all of the information 3205
required to be on the license and attesting that the person is 3206
legally living in the United States; is at least twenty-one 3207
years of age; is not a fugitive from justice; is not under 3208
indictment for or otherwise charged with an offense identified 3209
in division (D) (1) (d) of section 2923.125 of the Revised Code; 3210
has not been convicted of or pleaded guilty to an offense, and 3211
has not been adjudicated a delinquent child for committing an 3212
act, identified in division (D) (1) (e) of that section and to 3213
which division (B) (3) of this section does not apply; within 3214
three years of the date of the submission, has not been 3215
convicted of or pleaded guilty to an offense, and has not been 3216
adjudicated a delinquent child for committing an act, identified 3217
in division (D) (1) (f) of that section and to which division (B) 3218
(3) of this section does not apply; within five years of the 3219
date of the submission, has not been convicted of, pleaded 3220
guilty, or adjudicated a delinquent child for committing two or 3221
more violations identified in division (D) (1) (g) of that 3222
section; within ten years of the date of the submission, has not 3223
been convicted of, pleaded guilty, or been adjudicated a 3224

delinquent child for committing a violation identified in 3225
division (D) (1) (h) of that section and to which division (B) (3) 3226
of this section does not apply; has not been adjudicated as a 3227
mental defective, has not been committed to any mental 3228
institution, is not under adjudication of mental incompetence, 3229
has not been found by a court to be a mentally ill person 3230
subject to court order, and is not an involuntary patient other 3231
than one who is a patient only for purposes of observation, as 3232
described in division (D) (1) (i) of that section; is not 3233
currently subject to a civil protection order, a temporary 3234
protection order, or a protection order issued by a court of 3235
another state, as described in division (D) (1) (j) of that 3236
section; is not currently subject to a suspension imposed under 3237
division (A) (2) of section 2923.128 of the Revised Code of a 3238
concealed ~~handgun-weapons~~ license that previously was issued to 3239
the person or a similar suspension imposed by another state 3240
regarding a concealed ~~handgun-weapons~~ license issued by that 3241
state; is not an unlawful user of or addicted to any controlled 3242
substance as defined in 21 U.S.C. 802; if applicable, is an 3243
alien and has not been admitted to the United States under a 3244
nonimmigrant visa, as defined in the "Immigration and 3245
Nationality Act," 8 U.S.C. 1101(a) (26); has not been discharged 3246
from the armed forces of the United States under dishonorable 3247
conditions; if applicable, has not renounced the applicant's 3248
United States citizenship; and has not been convicted of, 3249
pleaded guilty to, or been adjudicated a delinquent child for 3250
committing a violation identified in division (D) (1) (s) of 3251
section 2923.125 of the Revised Code; 3252

(c) A nonrefundable temporary emergency license fee as 3253
described in either of the following: 3254

(i) For an applicant who has been a resident of this state 3255

for five or more years, a fee of fifteen dollars plus the actual 3256
cost of having a background check performed by the bureau of 3257
criminal identification and investigation pursuant to section 3258
311.41 of the Revised Code; 3259

(ii) For an applicant who has been a resident of this 3260
state for less than five years or who is not a resident of this 3261
state, but is temporarily staying in this state, a fee of 3262
fifteen dollars plus the actual cost of having background checks 3263
performed by the federal bureau of investigation and the bureau 3264
of criminal identification and investigation pursuant to section 3265
311.41 of the Revised Code. 3266

(d) A set of fingerprints of the applicant provided as 3267
described in section 311.41 of the Revised Code through use of 3268
an electronic fingerprint reading device or, if the sheriff to 3269
whom the application is submitted does not possess and does not 3270
have ready access to the use of an electronic fingerprint 3271
reading device, on a standard impression sheet prescribed 3272
pursuant to division (C) (2) of section 109.572 of the Revised 3273
Code. If the fingerprints are provided on a standard impression 3274
sheet, the person also shall provide the person's social 3275
security number to the sheriff. 3276

(2) A sheriff shall accept the evidence of imminent 3277
danger, the sworn affidavit, the fee, and the set of 3278
fingerprints required under division (B) (1) of this section at 3279
the times and in the manners described in division (I) of this 3280
section. Upon receipt of the evidence of imminent danger, the 3281
sworn affidavit, the fee, and the set of fingerprints required 3282
under division (B) (1) of this section, the sheriff, in the 3283
manner specified in section 311.41 of the Revised Code, 3284
immediately shall conduct or cause to be conducted the criminal 3285

records check and the incompetency records check described in 3286
section 311.41 of the Revised Code. Immediately upon receipt of 3287
the results of the records checks, the sheriff shall review the 3288
information and shall determine whether the criteria set forth 3289
in divisions (D)(1)(a) to (j) and (m) to (s) of section 2923.125 3290
of the Revised Code apply regarding the person. If the sheriff 3291
determines that all of the criteria set forth in divisions (D) 3292
(1)(a) to (j) and (m) to (s) of section 2923.125 of the Revised 3293
Code apply regarding the person, the sheriff shall immediately 3294
make available through the law enforcement automated data system 3295
all information that will be contained on the temporary 3296
emergency license for the person if one is issued, and the 3297
superintendent of the state highway patrol shall ensure that the 3298
system is so configured as to permit the transmission through 3299
the system of that information. Upon making that information 3300
available through the law enforcement automated data system, the 3301
sheriff shall immediately issue to the person a concealed 3302
~~handgun-weapons~~ license on a temporary emergency basis. 3303

If the sheriff denies the issuance of a license on a 3304
temporary emergency basis to the person, the sheriff shall 3305
specify the grounds for the denial in a written notice to the 3306
person. The person may appeal the denial, or challenge criminal 3307
records check results that were the basis of the denial if 3308
applicable, in the same manners specified in division (D)(2) of 3309
section 2923.125 and in section 2923.127 of the Revised Code, 3310
regarding the denial of an application for a concealed ~~handgun-~~ 3311
weapons license under that section. 3312

The license on a temporary emergency basis issued under 3313
this division shall be in the form, and shall include all of the 3314
information, described in divisions (A)(2)(a) and (d) of section 3315
109.731 of the Revised Code, and also shall include a unique 3316

combination of identifying letters and numbers in accordance 3317
with division (A) (2) (c) of that section. 3318

The license on a temporary emergency basis issued under 3319
this division is valid for ninety days and may not be renewed. A 3320
person who has been issued a license on a temporary emergency 3321
basis under this division shall not be issued another license on 3322
a temporary emergency basis unless at least four years has 3323
expired since the issuance of the prior license on a temporary 3324
emergency basis. 3325

(3) If a person seeking a concealed ~~handgun~~ weapons 3326
license on a temporary emergency basis has been convicted of or 3327
pleaded guilty to an offense identified in division (D) (1) (e), 3328
(f), or (h) of section 2923.125 of the Revised Code or has been 3329
adjudicated a delinquent child for committing an act or 3330
violation identified in any of those divisions, and if a court 3331
has ordered the sealing or expungement of the records of that 3332
conviction, guilty plea, or adjudication pursuant to sections 3333
2151.355 to 2151.358 or sections 2953.31 to 2953.36 of the 3334
Revised Code or the applicant has been relieved under operation 3335
of law or legal process from the disability imposed pursuant to 3336
section 2923.13 of the Revised Code relative to that conviction, 3337
guilty plea, or adjudication, the conviction, guilty plea, or 3338
adjudication shall not be relevant for purposes of the sworn 3339
affidavit described in division (B) (1) (b) of this section, and 3340
the person may complete, and swear to the truth of, the 3341
affidavit as if the conviction, guilty plea, or adjudication 3342
never had occurred. 3343

(4) The sheriff shall waive the payment pursuant to 3344
division (B) (1) (c) of this section of the license fee in 3345
connection with an application that is submitted by an applicant 3346

who is a retired peace officer, a retired person described in 3347
division (B) (1) (b) of section 109.77 of the Revised Code, or a 3348
retired federal law enforcement officer who, prior to 3349
retirement, was authorized under federal law to carry a firearm 3350
in the course of duty, unless the retired peace officer, person, 3351
or federal law enforcement officer retired as the result of a 3352
mental disability. 3353

The sheriff shall deposit all fees paid by an applicant 3354
under division (B) (1) (c) of this section into the sheriff's 3355
concealed ~~handgun-weapons~~ license issuance fund established 3356
pursuant to section 311.42 of the Revised Code. 3357

(C) A person who holds a concealed ~~handgun-weapons~~ license 3358
on a temporary emergency basis, regardless of whether the 3359
license was issued prior to, on, or after the effective date of 3360
this amendment, has the same right to carry a concealed ~~handgun-~~ 3361
deadly weapon that is not a restricted deadly weapon as a person 3362
who was issued a concealed ~~handgun-weapons~~ license under section 3363
2923.125 of the Revised Code, ~~and any exceptions to the~~ 3364
~~prohibitions contained in section 1547.69 and sections 2923.12-~~ 3365
~~to 2923.16 of the Revised Code for a licensee under section~~ 3366
~~2923.125 of the Revised Code apply to a licensee under this~~ 3367
~~section~~. The person is subject to the same restrictions, and to 3368
all other procedures, duties, and sanctions, that apply to a 3369
person who carries a license issued under section 2923.125 of 3370
the Revised Code, other than the license renewal procedures set 3371
forth in that section. A concealed weapons license on a 3372
temporary emergency basis that a sheriff issued as a concealed 3373
handgun license on a temporary emergency basis prior to the 3374
effective date of this amendment and that has not expired prior 3375
to the effective date of this amendment has the same validity as 3376
a concealed weapons license on a temporary emergency basis 3377

issued on or after that date and shall be treated for purposes 3378
of this section, sections 2923.127 to 2923.1212 of the Revised 3379
Code, and other Revised Code provisions as if it were a license 3380
issued on or after that date. 3381

(D) A sheriff who issues a concealed ~~handgun~~-weapons 3382
license on a temporary emergency basis under this section shall 3383
not require a person seeking to carry a concealed ~~handgun~~-deadly 3384
weapon that is not a restricted deadly weapon in accordance with 3385
this section to submit a competency certificate as a 3386
prerequisite for issuing the license and shall comply with 3387
division (H) of section 2923.125 of the Revised Code in regards 3388
to the license. The sheriff shall suspend or revoke the license 3389
in accordance with section 2923.128 of the Revised Code. In 3390
addition to the suspension or revocation procedures set forth in 3391
section 2923.128 of the Revised Code, the sheriff may revoke the 3392
license upon receiving information, verifiable by public 3393
documents, that the person is not eligible to possess a firearm 3394
or deadly weapon under either the laws of this state or of the 3395
United States or that the person committed perjury in obtaining 3396
the license; if the sheriff revokes a license under this 3397
additional authority, the sheriff shall notify the person, by 3398
certified mail, return receipt requested, at the person's last 3399
known residence address that the license has been revoked and 3400
that the person is required to surrender the license at the 3401
sheriff's office within ten days of the date on which the notice 3402
was mailed. Division (H) of section 2923.125 of the Revised Code 3403
applies regarding any suspension or revocation of a concealed 3404
~~handgun~~-weapons license on a temporary emergency basis. 3405

(E) A sheriff who issues a concealed ~~handgun~~-weapons 3406
license on a temporary emergency basis under this section shall 3407
retain, for the entire period during which the license is in 3408

effect, the evidence of imminent danger that the person 3409
submitted to the sheriff and that was the basis for the license, 3410
or a copy of that evidence, as appropriate. 3411

(F) If a concealed ~~handgun-weapons~~ license on a temporary 3412
emergency basis issued under this section is lost or is 3413
destroyed, the licensee may obtain from the sheriff who issued 3414
that license a duplicate license upon the payment of a fee of 3415
fifteen dollars and the submission of an affidavit attesting to 3416
the loss or destruction of the license. The sheriff, in 3417
accordance with the procedures prescribed in section 109.731 of 3418
the Revised Code, shall place on the replacement license a 3419
combination of identifying numbers different from the 3420
combination on the license that is being replaced. 3421

(G) The attorney general shall prescribe, and shall make 3422
available to sheriffs, a standard form to be used under division 3423
(B) of this section by a person who applies for a concealed 3424
~~handgun-weapons~~ license on a temporary emergency basis on the 3425
basis of imminent danger of a type described in division (A)(1) 3426
(a) of this section. The attorney general shall design the form 3427
to enable applicants to provide the information that is required 3428
by law to be collected, and shall update the form as necessary. 3429
Burdens or restrictions to obtaining a concealed ~~handgun-weapons~~ 3430
license that are not expressly prescribed in law shall not be 3431
incorporated into the form. The attorney general shall post a 3432
printable version of the form on the web site of the attorney 3433
general and shall provide the address of the web site to any 3434
person who requests the form. 3435

(H) A sheriff who receives any fees paid by a person under 3436
this section shall deposit all fees so paid into the sheriff's 3437
concealed ~~handgun-weapons~~ license issuance expense fund 3438

established under section 311.42 of the Revised Code. 3439

(I) A sheriff shall accept evidence of imminent danger, a 3440
sworn affidavit, the fee, and the set of fingerprints specified 3441
in division (B)(1) of this section at any time during normal 3442
business hours. In no case shall a sheriff require an 3443
appointment, or designate a specific period of time, for the 3444
submission or acceptance of evidence of imminent danger, a sworn 3445
affidavit, the fee, and the set of fingerprints specified in 3446
division (B)(1) of this section, or for the provision to any 3447
person of a standard form to be used for a person to apply for a 3448
concealed ~~handgun~~ weapons license on a temporary emergency 3449
basis. 3450

Sec. 2923.16. (A) No person shall knowingly discharge a 3451
firearm while in or on a motor vehicle. 3452

(B) No person shall knowingly transport or have a loaded 3453
firearm in a motor vehicle in such a manner that the firearm is 3454
accessible to the operator or any passenger without leaving the 3455
vehicle. 3456

(C) No person shall knowingly transport or have a firearm 3457
in a motor vehicle, unless the person may lawfully possess that 3458
firearm under applicable law of this state or the United States, 3459
the firearm is unloaded, and the firearm is carried in one of 3460
the following ways: 3461

(1) In a closed package, box, or case; 3462

(2) In a compartment that can be reached only by leaving 3463
the vehicle; 3464

(3) In plain sight and secured in a rack or holder made 3465
for the purpose; 3466

(4) If the firearm is at least twenty-four inches in 3467
overall length as measured from the muzzle to the part of the 3468
stock furthest from the muzzle and if the barrel is at least 3469
eighteen inches in length, either in plain sight with the action 3470
open or the weapon stripped, or, if the firearm is of a type on 3471
which the action will not stay open or which cannot easily be 3472
stripped, in plain sight. 3473

(D) No person shall knowingly transport or have a loaded 3474
~~handgun~~ firearm in a motor vehicle if, at the time of that 3475
transportation or possession, any of the following applies: 3476

(1) The person is under the influence of alcohol, a drug 3477
of abuse, or a combination of them. 3478

(2) The person's whole blood, blood serum or plasma, 3479
breath, or urine contains a concentration of alcohol, a listed 3480
controlled substance, or a listed metabolite of a controlled 3481
substance prohibited for persons operating a vehicle, as 3482
specified in division (A) of section 4511.19 of the Revised 3483
Code, regardless of whether the person at the time of the 3484
transportation or possession as described in this division is 3485
the operator of or a passenger in the motor vehicle. 3486

(E) No person who has been issued a concealed ~~handgun~~ 3487
weapons license, who is deemed under division (C) of section 3488
2923.111 of the Revised Code to have been issued a concealed 3489
weapons license under section 2923.125 of the Revised Code, or 3490
who is an active duty member of the armed forces of the United 3491
States and is carrying a valid military identification card and 3492
documentation of successful completion of firearms training that 3493
meets or exceeds the training requirements described in division 3494
(G) (1) of section 2923.125 of the Revised Code, who is the 3495
driver or an occupant of a motor vehicle that is stopped as a 3496

result of a traffic stop or a stop for another law enforcement 3497
purpose or is the driver or an occupant of a commercial motor 3498
vehicle that is stopped by an employee of the motor carrier 3499
enforcement unit for the purposes defined in section 5503.34 of 3500
the Revised Code, and who is transporting or has a loaded 3501
~~handgun~~ firearm that is not a restricted firearm in the motor 3502
vehicle or commercial motor vehicle in any manner, shall do any 3503
of the following: 3504

(1) ~~Fail to promptly inform any law enforcement officer~~ 3505
~~who approaches the vehicle while stopped that the person has~~ 3506
~~been issued a concealed handgun license or is authorized to~~ 3507
~~carry a concealed handgun as an active duty member of the armed~~ 3508
~~forces of the United States and that the person then possesses~~ 3509
~~or has a loaded handgun in the motor vehicle;~~ 3510

(2) ~~Fail to promptly inform the employee of the unit who~~ 3511
~~approaches the vehicle while stopped that the person has been~~ 3512
~~issued a concealed handgun license or is authorized to carry a~~ 3513
~~concealed handgun as an active duty member of the armed forces~~ 3514
~~of the United States and that the person then possesses or has a~~ 3515
~~loaded handgun in the commercial motor vehicle;~~ 3516

(3) ~~Knowingly fail to remain in the motor vehicle while~~ 3517
~~stopped or knowingly fail to keep the person's hands in plain~~ 3518
~~sight at any time after any law enforcement officer begins~~ 3519
~~approaching the person while stopped and before the law~~ 3520
~~enforcement officer leaves, unless the failure is pursuant to~~ 3521
~~and in accordance with directions given by a law enforcement~~ 3522
~~officer;~~ 3523

(4) (2) ~~Knowingly have contact with the loaded handgun~~ 3524
firearm by touching it with the person's hands or fingers in the 3525
motor vehicle at any time after the law enforcement officer 3526

begins approaching and before the law enforcement officer 3527
leaves, unless the person has contact with the loaded ~~handgun~~ 3528
firearm pursuant to and in accordance with directions given by 3529
the law enforcement officer; 3530

~~(5)~~ (3) Knowingly disregard or fail to comply with any 3531
lawful order of any law enforcement officer given while the 3532
motor vehicle is stopped, including, but not limited to, a 3533
specific order to the person to keep the person's hands in plain 3534
sight. 3535

(F) (1) Divisions (A), (B), (C), and (E) of this section do 3536
not apply to any of the following: 3537

(a) An officer, agent, or employee of this or any other 3538
state or the United States, or a law enforcement officer, when 3539
authorized to carry or have loaded or accessible firearms in 3540
motor vehicles and acting within the scope of the officer's, 3541
agent's, or employee's duties; 3542

(b) Any person who is employed in this state, who is 3543
authorized to carry or have loaded or accessible firearms in 3544
motor vehicles, and who is subject to and in compliance with the 3545
requirements of section 109.801 of the Revised Code, unless the 3546
appointing authority of the person has expressly specified that 3547
the exemption provided in division (F) (1) (b) of this section 3548
does not apply to the person. 3549

(2) Division (A) of this section does not apply to a 3550
person if all of the following circumstances apply: 3551

(a) The person discharges a firearm from a motor vehicle 3552
at a coyote or groundhog, the discharge is not during the deer 3553
gun hunting season as set by the chief of the division of 3554
wildlife of the department of natural resources, and the 3555

discharge at the coyote or groundhog, but for the operation of 3556
this section, is lawful. 3557

(b) The motor vehicle from which the person discharges the 3558
firearm is on real property that is located in an unincorporated 3559
area of a township and that either is zoned for agriculture or 3560
is used for agriculture. 3561

(c) The person owns the real property described in 3562
division (F) (2) (b) of this section, is the spouse or a child of 3563
another person who owns that real property, is a tenant of 3564
another person who owns that real property, or is the spouse or 3565
a child of a tenant of another person who owns that real 3566
property. 3567

(d) The person does not discharge the firearm in any of 3568
the following manners: 3569

(i) While under the influence of alcohol, a drug of abuse, 3570
or alcohol and a drug of abuse; 3571

(ii) In the direction of a street, highway, or other 3572
public or private property used by the public for vehicular 3573
traffic or parking; 3574

(iii) At or into an occupied structure that is a permanent 3575
or temporary habitation; 3576

(iv) In the commission of any violation of law, including, 3577
but not limited to, a felony that includes, as an essential 3578
element, purposely or knowingly causing or attempting to cause 3579
the death of or physical harm to another and that was committed 3580
by discharging a firearm from a motor vehicle. 3581

(3) Division (A) of this section does not apply to a 3582
person if all of the following apply: 3583

(a) The person possesses a valid all-purpose vehicle 3584
permit issued under section 1533.103 of the Revised Code by the 3585
chief of the division of wildlife. 3586

(b) The person discharges a firearm at a wild quadruped or 3587
game bird as defined in section 1531.01 of the Revised Code 3588
during the open hunting season for the applicable wild quadruped 3589
or game bird. 3590

(c) The person discharges a firearm from a stationary all- 3591
purpose vehicle as defined in section 1531.01 of the Revised 3592
Code from private or publicly owned lands or from a motor 3593
vehicle that is parked on a road that is owned or administered 3594
by the division of wildlife. 3595

(d) The person does not discharge the firearm in any of 3596
the following manners: 3597

(i) While under the influence of alcohol, a drug of abuse, 3598
or alcohol and a drug of abuse; 3599

(ii) In the direction of a street, a highway, or other 3600
public or private property that is used by the public for 3601
vehicular traffic or parking; 3602

(iii) At or into an occupied structure that is a permanent 3603
or temporary habitation; 3604

(iv) In the commission of any violation of law, including, 3605
but not limited to, a felony that includes, as an essential 3606
element, purposely or knowingly causing or attempting to cause 3607
the death of or physical harm to another and that was committed 3608
by discharging a firearm from a motor vehicle. 3609

(4) Divisions (B) and (C) of this section do not apply to 3610
a person if all of the following circumstances apply: 3611

(a) At the time of the alleged violation of either of 3612
those divisions, the person is the operator of or a passenger in 3613
a motor vehicle. 3614

(b) The motor vehicle is on real property that is located 3615
in an unincorporated area of a township and that either is zoned 3616
for agriculture or is used for agriculture. 3617

(c) The person owns the real property described in 3618
division (D) (4) (b) of this section, is the spouse or a child of 3619
another person who owns that real property, is a tenant of 3620
another person who owns that real property, or is the spouse or 3621
a child of a tenant of another person who owns that real 3622
property. 3623

(d) The person, prior to arriving at the real property 3624
described in division (D) (4) (b) of this section, did not 3625
transport or possess a firearm in the motor vehicle in a manner 3626
prohibited by division (B) or (C) of this section while the 3627
motor vehicle was being operated on a street, highway, or other 3628
public or private property used by the public for vehicular 3629
traffic or parking. 3630

(5) Divisions (B) and (C) of this section do not apply to 3631
a person who transports or possesses a ~~handgun~~-firearm that is 3632
not a restricted firearm in a motor vehicle if, at the time of 3633
that transportation or possession, both of the following apply: 3634

(a) The person transporting or possessing the ~~handgun~~- 3635
firearm is either carrying a valid concealed handgun weapons 3636
license, is deemed under division (C) of section 2923.111 of the 3637
Revised Code to have been issued a concealed weapons license 3638
under section 2923.125 of the Revised Code, or is an active duty 3639
member of the armed forces of the United States and is carrying 3640

a valid military identification card and documentation of 3641
successful completion of firearms training that meets or exceeds 3642
the training requirements described in division (G) (1) of 3643
section 2923.125 of the Revised Code. 3644

(b) The person transporting or possessing the ~~handgun~~ 3645
~~firearm~~ is not knowingly in ~~a~~ an unauthorized place described 3646
specified in division (B) of section 2923.126 of the Revised 3647
Code and is not knowingly transporting or possessing the firearm 3648
in any prohibited manner listed in that division. 3649

(6) Divisions (B) and (C) of this section do not apply to 3650
a person if all of the following apply: 3651

(a) The person possesses a valid all-purpose vehicle 3652
permit issued under section 1533.103 of the Revised Code by the 3653
chief of the division of wildlife. 3654

(b) The person is on or in an all-purpose vehicle as 3655
defined in section 1531.01 of the Revised Code or a motor 3656
vehicle during the open hunting season for a wild quadruped or 3657
game bird. 3658

(c) The person is on or in an all-purpose vehicle as 3659
defined in section 1531.01 of the Revised Code on private or 3660
publicly owned lands or on or in a motor vehicle that is parked 3661
on a road that is owned or administered by the division of 3662
wildlife. 3663

(7) Nothing in this section prohibits or restricts a 3664
person from possessing, storing, or leaving a firearm in a 3665
locked motor vehicle that is parked in the state underground 3666
parking garage at the state capitol building or in the parking 3667
garage at the Riffe center for government and the arts in 3668
Columbus, if the person's transportation and possession of the 3669

firearm in the motor vehicle while traveling to the premises or 3670
facility was not in violation of division (A), (B), (C), (D), or 3671
(E) of this section or any other provision of the Revised Code. 3672

(G) (1) The affirmative defenses authorized in divisions 3673
(D) (1) and (2) of section 2923.12 of the Revised Code are 3674
affirmative defenses to a charge under division (B) or (C) of 3675
this section that involves a firearm other than a handgun if 3676
division (E) (3) of this section does not apply to the person 3677
charged. 3678

(2) It is an affirmative defense to a charge under 3679
division (B) or (C) of this section of improperly handling 3680
firearms in a motor vehicle that the actor transported or had 3681
the firearm in the motor vehicle for any lawful purpose and 3682
while the motor vehicle was on the actor's own property, 3683
provided that this affirmative defense is not available unless 3684
the person, immediately prior to arriving at the actor's own 3685
property, did not transport or possess the firearm in a motor 3686
vehicle in a manner prohibited by division (B) or (C) of this 3687
section while the motor vehicle was being operated on a street, 3688
highway, or other public or private property used by the public 3689
for vehicular traffic. 3690

(H) (1) No person who is charged with a violation of 3691
division (B), (C), or (D) of this section shall be required to 3692
obtain a concealed ~~handgun~~ weapons license as a condition for 3693
the dismissal of the charge. 3694

(2) (a) If a person is convicted of, was convicted of, 3695
pleads guilty to, or has pleaded guilty to a violation of 3696
division (E) of this section as it existed prior to September 3697
30, 2011, and ~~if~~ the conduct that was the basis of the violation 3698
no longer would be a violation of division (E) of this section 3699

on or after September 30, 2011, or if a person is convicted of, 3700
was convicted of, pleads guilty to, or has pleaded guilty to a 3701
violation of division (E) (1) or (2) of this section as it 3702
existed prior to the effective date of this amendment, the 3703
person may file an application under section 2953.37 of the 3704
Revised Code requesting the expungement of the record of 3705
conviction. 3706

If a person is convicted of, was convicted of, pleads 3707
guilty to, or has pleaded guilty to a violation of division (B) 3708
or (C) of this section as the division existed prior to 3709
September 30, 2011, and if the conduct that was the basis of the 3710
violation no longer would be a violation of division (B) or (C) 3711
of this section on or after September 30, 2011, due to the 3712
application of division (F) (5) of this section as it exists on 3713
and after September 30, 2011, the person may file an application 3714
under section 2953.37 of the Revised Code requesting the 3715
expungement of the record of conviction. 3716

(b) The attorney general shall develop a public media 3717
advisory that summarizes the expungement procedure established 3718
under section 2953.37 of the Revised Code and the offenders 3719
identified in division (H) (2) (a) of this section and those 3720
identified in division (E) (2) of section 2923.12 of the Revised 3721
Code who are authorized to apply for the expungement. Within 3722
thirty days after September 30, 2011, with respect to violations 3723
of division (B), (C), or (E) of this section as they existed 3724
prior to that date, and within thirty days after the effective 3725
date of this amendment with respect to a violation of division 3726
(E) (1) or (2) of this section or division (B) (1) of section 3727
2923.12 of the Revised Code as they existed prior to the 3728
effective date of this amendment, the attorney general shall 3729
provide a copy of the advisory to each daily newspaper published 3730

in this state and each television station that broadcasts in 3731
this state. The attorney general may provide the advisory in a 3732
tangible form, an electronic form, or in both tangible and 3733
electronic forms. 3734

(I) Whoever violates this section is guilty of improperly 3735
handling firearms in a motor vehicle. Violation of division (A) 3736
of this section is a felony of the fourth degree. Violation of 3737
division (C) of this section is a misdemeanor of the fourth 3738
degree. A violation of division (D) of this section is a felony 3739
of the fifth degree or, if the loaded ~~handgun~~ firearm is 3740
concealed on the person's person, a felony of the fourth degree. 3741
~~Except as otherwise provided in this division, a violation of~~ 3742
~~division (E) (1) or (2) of this section is a misdemeanor of the~~ 3743
~~first degree, and, in addition to any other penalty or sanction~~ 3744
~~imposed for the violation, the offender's concealed handgun~~ 3745
~~license shall be suspended pursuant to division (A) (2) of~~ 3746
~~section 2923.128 of the Revised Code. If at the time of the stop~~ 3747
~~of the offender for a traffic stop, for another law enforcement~~ 3748
~~purpose, or for a purpose defined in section 5503.34 of the~~ 3749
~~Revised Code that was the basis of the violation any law~~ 3750
~~enforcement officer involved with the stop or the employee of~~ 3751
~~the motor carrier enforcement unit who made the stop had actual~~ 3752
~~knowledge of the offender's status as a licensee, a violation of~~ 3753
~~division (E) (1) or (2) of this section is a minor misdemeanor,~~ 3754
~~and the offender's concealed handgun license shall not be~~ 3755
~~suspended pursuant to division (A) (2) of section 2923.128 of the~~ 3756
~~Revised Code.~~ A violation of division (E) ~~(4)~~ (2) of this section 3757
is a felony of the fifth degree. A violation of division (E) ~~(3)~~ 3758
(1) or ~~(5)~~ (3) of this section is a misdemeanor of the first 3759
degree or, if the offender previously has been convicted of or 3760
pleaded guilty to a violation of division (E) ~~(3)~~ (1) or ~~(5)~~ (3) of 3761

this section, a felony of the fifth degree. In addition to any 3762
other penalty or sanction imposed for a misdemeanor violation of 3763
division (E) ~~(3)~~ (1) or ~~(5)~~ (3) of this section, if the offender 3764
has been issued a concealed weapons license, the offender's 3765
~~concealed handgun~~ license shall be suspended pursuant to 3766
division (A) (2) of section 2923.128 of the Revised Code. A 3767
violation of division (B) of this section is a felony of the 3768
fourth degree. 3769

(J) If a law enforcement officer stops a motor vehicle for 3770
a traffic stop or any other purpose, if any person in the motor 3771
vehicle surrenders a ~~firearm~~ deadly weapon to the officer, 3772
either voluntarily or pursuant to a request or demand of the 3773
officer, and if the officer does not charge the person with a 3774
violation of this section or arrest the person for any offense, 3775
the person is not otherwise prohibited by law from possessing 3776
the ~~firearm~~ deadly weapon, and the ~~firearm~~ deadly weapon is not 3777
contraband, the officer shall return the ~~firearm~~ deadly weapon 3778
to the person at the termination of the stop. If a court orders 3779
a law enforcement officer to return a ~~firearm~~ deadly weapon to a 3780
person pursuant to the requirement set forth in this division, 3781
division (B) of section 2923.163 of the Revised Code applies. 3782

(K) As used in this section: 3783

(1) "Motor vehicle," "street," and "highway" have the same 3784
meanings as in section 4511.01 of the Revised Code. 3785

(2) "Occupied structure" has the same meaning as in 3786
section 2909.01 of the Revised Code. 3787

(3) "Agriculture" has the same meaning as in section 3788
519.01 of the Revised Code. 3789

(4) "Tenant" has the same meaning as in section 1531.01 of 3790

the Revised Code. 3791

(5) (a) "Unloaded" means, with respect to a firearm other 3792
than a firearm described in division (K) (6) of this section, 3793
that no ammunition is in the firearm in question, no magazine or 3794
speed loader containing ammunition is inserted into the firearm 3795
in question, and one of the following applies: 3796

(i) There is no ammunition in a magazine or speed loader 3797
that is in the vehicle in question and that may be used with the 3798
firearm in question. 3799

(ii) Any magazine or speed loader that contains ammunition 3800
and that may be used with the firearm in question is stored in a 3801
compartment within the vehicle in question that cannot be 3802
accessed without leaving the vehicle or is stored in a container 3803
that provides complete and separate enclosure. 3804

(b) For the purposes of division (K) (5) (a) (ii) of this 3805
section, a "container that provides complete and separate 3806
enclosure" includes, but is not limited to, any of the 3807
following: 3808

(i) A package, box, or case with multiple compartments, as 3809
long as the loaded magazine or speed loader and the firearm in 3810
question either are in separate compartments within the package, 3811
box, or case, or, if they are in the same compartment, the 3812
magazine or speed loader is contained within a separate 3813
enclosure in that compartment that does not contain the firearm 3814
and that closes using a snap, button, buckle, zipper, hook and 3815
loop closing mechanism, or other fastener that must be opened to 3816
access the contents or the firearm is contained within a 3817
separate enclosure of that nature in that compartment that does 3818
not contain the magazine or speed loader; 3819

(ii) A pocket or other enclosure on the person of the 3820
person in question that closes using a snap, button, buckle, 3821
zipper, hook and loop closing mechanism, or other fastener that 3822
must be opened to access the contents. 3823

(c) For the purposes of divisions (K) (5) (a) and (b) of 3824
this section, ammunition held in stripper-clips or in en-bloc 3825
clips is not considered ammunition that is loaded into a 3826
magazine or speed loader. 3827

(6) "Unloaded" means, with respect to a firearm employing 3828
a percussion cap, flintlock, or other obsolete ignition system, 3829
when the weapon is uncapped or when the priming charge is 3830
removed from the pan. 3831

(7) "Commercial motor vehicle" has the same meaning as in 3832
division (A) of section 4506.25 of the Revised Code. 3833

(8) "Motor carrier enforcement unit" means the motor 3834
carrier enforcement unit in the department of public safety, 3835
division of state highway patrol, that is created by section 3836
5503.34 of the Revised Code. 3837

(L) Divisions (K) (5) (a) and (b) of this section do not 3838
affect the authority of a person who is carrying a valid 3839
concealed ~~handgun-weapons~~ license or who is deemed under 3840
division (C) of section 2923.111 of the Revised Code to have 3841
been issued a concealed weapons license under section 2923.125 3842
of the Revised Code to have one or more magazines or speed 3843
loaders containing ammunition anywhere in a vehicle, without 3844
being transported as described in those divisions, as long as no 3845
ammunition is in a firearm, other than a handgun, in the vehicle 3846
other than as permitted under any other provision of this 3847
chapter. A person who is carrying a valid concealed ~~handgun-~~ 3848

weapons license or who is deemed under division (C) of section 3849
2923.111 of the Revised Code to have been issued a concealed 3850
weapons license under section 2923.125 of the Revised Code may 3851
have one or more magazines or speed loaders containing 3852
ammunition anywhere in a vehicle without further restriction, as 3853
long as no ammunition is in a firearm, other than a handgun, in 3854
the vehicle other than as permitted under any provision of this 3855
chapter. 3856

Sec. 2953.37. (A) As used in this section: 3857

(1) "Expunge" means to destroy, delete, and erase a record 3858
as appropriate for the record's physical or electronic form or 3859
characteristic so that the record is permanently irretrievable. 3860

(2) "Official records" has the same meaning as in section 3861
2953.51 of the Revised Code. 3862

(3) "Prosecutor" has the same meaning as in section 3863
2953.31 of the Revised Code. 3864

(4) "Record of conviction" means the record related to a 3865
conviction of or plea of guilty to an offense. 3866

(B) Any person who is convicted of, was convicted of, 3867
pleads guilty to, or has pleaded guilty to a violation of 3868
division (B), (C), or (E) of section 2923.16 of the Revised Code 3869
as the division existed prior to September 30, 2011, or a 3870
violation of division (E) (1) or (2) of section 2923.16 of the 3871
Revised Code as the division existed prior to the effective date 3872
of this amendment, and who is authorized by division (H) (2) (a) 3873
of that section to file an application under this section for 3874
the expungement of the conviction record may apply to the 3875
sentencing court for the expungement of the record of 3876
conviction. Any person who is convicted of, was convicted of, 3877

pleads guilty to, or has pleaded guilty to a violation of 3878
division (B) (1) of section 2923.12 of the Revised Code as it 3879
existed prior to the effective date of this amendment and who is 3880
authorized by division (E) (2) of that section may apply to the 3881
sentencing court for the expungement of the record of 3882
conviction. The person may file the application at any time on 3883
or after September 30, 2011, with respect to violations of 3884
division (B), (C), or (E) of section 2923.16 of the Revised Code 3885
as they existed prior to that date, or at any time on or after 3886
the effective date of this amendment with respect to a violation 3887
of division (B) (1) of section 2923.12 or of division (E) (1) or 3888
(2) of section 2923.16 of the Revised Code as the particular 3889
division existed prior to the effective date of this amendment. 3890
The application shall do all of the following: 3891

(1) Identify the applicant, the offense for which the 3892
expungement is sought, the date of the conviction of or plea of 3893
guilty to that offense, and the court in which the conviction 3894
occurred or the plea of guilty was entered; 3895

(2) Include evidence that the offense was a violation of 3896
division (B), (C), or (E) of section 2923.16 of the Revised Code 3897
as the division existed prior to September 30, 2011, or was a 3898
violation of division (B) (1) of section 2923.12 or of division 3899
(E) (1) or (2) of section 2923.16 of the Revised Code as the 3900
particular division existed prior to the effective date of this 3901
amendment, and that the applicant is authorized by division (H) 3902
(2) (a) of ~~that~~ section 2923.16 or division (E) (2) of section 3903
2923.12 of the Revised Code, whichever is applicable, to file an 3904
application under this section; 3905

(3) Include a request for expungement of the record of 3906
conviction of that offense under this section. 3907

(C) Upon the filing of an application under division (B) 3908
of this section and the payment of the fee described in division 3909
(D) (3) of this section if applicable, the court shall set a date 3910
for a hearing and shall notify the prosecutor for the case of 3911
the hearing on the application. The prosecutor may object to the 3912
granting of the application by filing an objection with the 3913
court prior to the date set for the hearing. The prosecutor 3914
shall specify in the objection the reasons for believing a 3915
denial of the application is justified. The court shall direct 3916
its regular probation officer, a state probation officer, or the 3917
department of probation of the county in which the applicant 3918
resides to make inquiries and written reports as the court 3919
requires concerning the applicant. The court shall hold the 3920
hearing scheduled under this division. 3921

(D) (1) At the hearing held under division (C) of this 3922
section, the court shall do each of the following: 3923

(a) Determine whether the applicant has been convicted of 3924
or pleaded guilty to a violation of division (E) of section 3925
2923.16 of the Revised Code as the division existed prior to 3926
September 30, 2011, and whether the conduct that was the basis 3927
of the violation no longer would be a violation of that division 3928
on or after September 30, 2011; 3929

(b) Determine whether the applicant has been convicted of 3930
or pleaded guilty to a violation of division (B) or (C) of 3931
section 2923.16 of the Revised Code as the division existed 3932
prior to September 30, 2011, and whether the conduct that was 3933
the basis of the violation no longer would be a violation of 3934
that division on or after September 30, 2011, due to the 3935
application of division (F) (5) of that section as it exists on 3936
and after September 30, 2011; 3937

(c) Determine whether the applicant has been convicted of 3938
or pleaded guilty to a violation of division (B) (1) of section 3939
2923.12 of the Revised Code or of division (E) (1) or (2) of 3940
section 2923.16 of the Revised Code as the particular division 3941
existed prior to the effective date of this amendment; 3942

(d) If the prosecutor has filed an objection in accordance 3943
with division (C) of this section, consider the reasons against 3944
granting the application specified by the prosecutor in the 3945
objection; 3946

~~(d)~~ (e) Weigh the interests of the applicant in having the 3947
records pertaining to the applicant's conviction or guilty plea 3948
expunged against the legitimate needs, if any, of the government 3949
to maintain those records. 3950

(2) (a) The court may order the expungement of all official 3951
records pertaining to the case and the deletion of all index 3952
references to the case and, if it does order the expungement, 3953
shall send notice of the order to each public office or agency 3954
that the court has reason to believe may have an official record 3955
pertaining to the case if the court, after complying with 3956
division (D) (1) of this section, determines both of the 3957
following: 3958

(i) That the applicant has been convicted of or pleaded 3959
guilty to a violation of division (E) of section 2923.16 of the 3960
Revised Code as it existed prior to September 30, 2011, and the 3961
conduct that was the basis of the violation no longer would be a 3962
violation of that division on or after September 30, 2011, ~~or;~~ 3963
that the applicant has been convicted of or pleaded guilty to a 3964
violation of division (B) or (C) of section 2923.16 of the 3965
Revised Code as the division existed prior to September 30, 3966
2011, and the conduct that was the basis of the violation no 3967

longer would be a violation of that division on or after 3968
September 30, 2011, due to the application of division (F) (5) of 3969
that section as it exists on and after September 30, 2011; or 3970
that the applicant has been convicted of or pleaded guilty to a 3971
violation of division (B) (1) of section 2923.12 of the Revised 3972
Code or of division (E) (1) or (2) of section 2923.16 of the 3973
Revised Code as the particular division existed prior to the 3974
effective date of this amendment; 3975

(ii) That the interests of the applicant in having the 3976
records pertaining to the applicant's conviction or guilty plea 3977
expunged are not outweighed by any legitimate needs of the 3978
government to maintain those records. 3979

(b) The proceedings in the case that is the subject of an 3980
order issued under division (D) (2) (a) of this section shall be 3981
considered not to have occurred and the conviction or guilty 3982
plea of the person who is the subject of the proceedings shall 3983
be expunged. The record of the conviction shall not be used for 3984
any purpose, including, but not limited to, a criminal records 3985
check under section 109.572 of the Revised Code or a 3986
determination under section 2923.125 or 2923.1213 of the Revised 3987
Code of eligibility for a concealed ~~handgun~~ weapons license. The 3988
applicant may, and the court shall, reply that no record exists 3989
with respect to the applicant upon any inquiry into the matter. 3990

(3) Upon the filing of an application under this section, 3991
the applicant, unless indigent, shall pay a fee of fifty 3992
dollars. The court shall pay thirty dollars of the fee into the 3993
state treasury and shall pay twenty dollars of the fee into the 3994
county general revenue fund. 3995

Sec. 4749.10. (A) No class A, B, or C licensee and no 3996
registered employee of a class A, B, or C licensee shall carry a 3997

firearm, as defined in section 2923.11 of the Revised Code, in 3998
the course of engaging in the business of private investigation, 3999
the business of security services, or both businesses, unless 4000
all of the following apply: 4001

(1) The licensee or employee either has successfully 4002
completed a basic firearm training program at a training school 4003
approved by the Ohio peace officer training commission, which 4004
program includes twenty hours of training in handgun use and, if 4005
any firearm other than a handgun is to be used, five hours of 4006
training in the use of other firearms, and has received a 4007
certificate of satisfactory completion of that program from the 4008
executive director of the commission; the licensee or employee 4009
has, within three years prior to November 27, 1985, 4010
satisfactorily completed firearms training that has been 4011
approved by the commission as being equivalent to such a program 4012
and has received written evidence of approval of that training 4013
from the executive director of the commission; or the licensee 4014
or employee is a former peace officer, as defined in section 4015
109.71 of the Revised Code, who previously had successfully 4016
completed a firearms training course at a training school 4017
approved by the Ohio peace officer training commission and has 4018
received a certificate or other evidence of satisfactory 4019
completion of that course from the executive director of the 4020
commission. 4021

(2) The licensee or employee submits an application to the 4022
director of public safety, on a form prescribed by the director, 4023
in which the licensee or employee requests registration as a 4024
class A, B, or C licensee or employee who may carry a firearm. 4025
The application shall be accompanied by a copy of the 4026
certificate or the written evidence or other evidence described 4027
in division (A) (1) of this section, the identification card 4028

issued pursuant to section 4749.03 or 4749.06 of the Revised 4029
Code if one has previously been issued, a statement of the 4030
duties that will be performed while the licensee or employee is 4031
armed, and a fee the director determines, not to exceed fifteen 4032
dollars. In the case of a registered employee, the statement 4033
shall be prepared by the employing class A, B, or C licensee. 4034

(3) The licensee or employee receives a notation on the 4035
licensee's or employee's identification card that the licensee 4036
or employee is a firearm-bearer and carries the identification 4037
card whenever the licensee or employee carries a firearm in the 4038
course of engaging in the business of private investigation, the 4039
business of security services, or both businesses. 4040

(4) At any time within the immediately preceding twelve- 4041
month period, the licensee or employee has requalified in 4042
firearms use on a firearms training range at a firearms 4043
requalification program certified by the Ohio peace officer 4044
training commission or on a firearms training range under the 4045
supervision of an instructor certified by the commission and has 4046
received a certificate of satisfactory requalification from the 4047
certified program or certified instructor, provided that this 4048
division does not apply to any licensee or employee prior to the 4049
expiration of eighteen months after the licensee's or employee's 4050
completion of the program described in division (A)(1) of this 4051
section. A certificate of satisfactory requalification is valid 4052
and remains in effect for twelve months from the date of the 4053
requalification. 4054

(5) If division (A)(4) of this section applies to the 4055
licensee or employee, the licensee or employee carries the 4056
certificate of satisfactory requalification that then is in 4057
effect or any other evidence of requalification issued or 4058

provided by the director. 4059

(B) (1) The director of public safety shall register an 4060
applicant under division (A) of this section who satisfies 4061
divisions (A) (1) and (2) of this section, and place a notation 4062
on the applicant's identification card indicating that the 4063
applicant is a firearm-bearer and the date on which the 4064
applicant completed the program described in division (A) (1) of 4065
this section. 4066

(2) A firearms requalification training program or 4067
instructor certified by the commission for the annual 4068
requalification of class A, B, or C licensees or employees who 4069
are authorized to carry a firearm under section 4749.10 of the 4070
Revised Code shall award a certificate of satisfactory 4071
requalification to each class A, B, or C licensee or registered 4072
employee of a class A, B, or C licensee who satisfactorily 4073
requalifies in firearms training. The certificate shall identify 4074
the licensee or employee and indicate the date of the 4075
requalification. A licensee or employee who receives such a 4076
certificate shall submit a copy of it to the director of public 4077
safety. A licensee shall submit the copy of the requalification 4078
certificate at the same time that the licensee makes application 4079
for renewal of the licensee's class A, B, or C license. The 4080
director shall keep a record of all copies of requalification 4081
certificates the director receives under this division and shall 4082
establish a procedure for the updating of identification cards 4083
to provide evidence of compliance with the annual 4084
requalification requirement. The procedure for the updating of 4085
identification cards may provide for the issuance of a new card 4086
containing the evidence, the entry of a new notation containing 4087
the evidence on the existing card, the issuance of a separate 4088
card or paper containing the evidence, or any other procedure 4089

determined by the director to be reasonable. Each person who is
issued a requalification certificate under this division
promptly shall pay to the Ohio peace officer training commission
established by section 109.71 of the Revised Code a fee the
director determines, not to exceed fifteen dollars, which fee
shall be transmitted to the treasurer of state for deposit in
the peace officer private security fund established by section
109.78 of the Revised Code.

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

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

Section 3. The General Assembly, applying the principle
stated in division (B) of section 1.52 of the Revised Code that
amendments are to be harmonized if reasonably capable of
simultaneous operation, finds that the following sections,
presented in this act as composites of the sections as amended
by the acts indicated, are the resulting versions of the
sections in effect prior to the effective date of the sections
as presented in this act:

Section 2923.126 of the Revised Code as amended by both
Am. Sub. H.B. 79 and Am. Sub. H.B. 228 of the 132nd General

Assembly.	4120
Section 2923.1213 of the Revised Code as amended by both	4121
Am. Sub. H.B. 234 and Am. Sub. S.B. 43 of the 130th General	4122
Assembly.	4123
Section 2953.37 of the Revised Code as amended by both Am.	4124
Sub. H.B. 228 and Sub. H.B. 425 of the 132nd General Assembly.	4125