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A B I L L

To amend sections 109.731, 109.801, 311.41, 1547.69, 1
2923.12, 2923.121, 2923.122, 2923.123, 2923.125, 2
2923.126, 2923.127, 2923.128, 2923.1210, 3
2923.1213, and 2923.16 and to enact section 9.68 4
of the Revised Code to revise the laws regarding 5
licenses to carry a concealed handgun and the 6
authority to carry a concealed handgun under such 7
a license; to provide exemptions from certain 8
carrying of firearms-related offenses for persons 9
in compliance with the Ohio Peace Officer Training 10
Commission's firearms requalification program; and 11
to identify the right of any person, except as 12
provided in the U.S. or Ohio Constitution, federal 13
law, or Revised Code, to own, possess, purchase, 14
sell, transfer, transport, store, or keep a 15
firearm, part of a firearm, firearm component, or 16
ammunition. 17

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

Section 1. That sections 109.731, 109.801, 311.41, 1547.69, 18
2923.12, 2923.121, 2923.122, 2923.123, 2923.125, 2923.126, 19
2923.127, 2923.128, 2923.1210, 2923.1213, and 2923.16 be amended 20
and section 9.68 of the Revised Code be enacted to read as 21
follows: 22

Sec. 9.68. (A) The individual right to keep and bear arms, 23
being a fundamental individual right that predates the United 24
States Constitution and Ohio Constitution, and being a 25
constitutionally protected right in every part of Ohio, the 26
general assembly finds the need to provide uniform laws throughout 27
the state regulating the ownership, possession, purchase, other 28
acquisition, transport, storage, carrying, sale, or other transfer 29
of firearms, their components, and their ammunition. Except as 30
specifically provided by the United States Constitution, Ohio 31
Constitution, state law, or federal law, a person, without further 32
license, permission, restriction, delay, or process, may own, 33
possess, purchase, sell, transfer, transport, store, or keep any 34
firearm, part of a firearm, its components, and its ammunition. 35

(B) In addition to any other relief provided, the court shall 36
award costs and reasonable attorney fees to any person, group, or 37
entity that prevails in a challenge to an ordinance, rule, or 38
regulation as being in conflict with this section. 39

(C) As used in this section: 40

(1) The possession, transporting, or carrying of firearms, 41
their components, or their ammunition include, but are not limited 42
to, the possession, transporting, or carrying, openly or concealed 43
on a person's person or concealed ready at hand, of firearms, 44
their components, or their ammunition. 45

(2) "Firearm" has the same meaning as in section 2923.11 of the Revised Code. 46
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(D) This section does not apply to either of the following: 48

(1) A zoning ordinance that regulates or prohibits the commercial sale of firearms, firearm components, or ammunition for firearms in areas zoned for residential or agricultural uses; 49
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(2) A zoning ordinance that specifies the hours of operation or the geographic areas where the commercial sale of firearms, firearm components, or ammunition for firearms may occur, provided that the zoning ordinance is consistent with zoning ordinances for other retail establishments in the same geographic area and does not result in a de facto prohibition of the commercial sale of firearms, firearm components, or ammunition for firearms in areas zoned for commercial, retail, or industrial uses. 52
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Sec. 109.731. (A) The Ohio peace officer training commission shall prescribe, and shall make available to sheriffs, all of the following: 60
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(1) An application form that is to be used under section 2923.125 of the Revised Code by a person who applies for a license to carry a concealed handgun or for the renewal of a license of that nature and that conforms substantially to the form prescribed in section 2923.1210 of the Revised Code; 63
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(2) A form for the license to carry a concealed handgun that is to be issued by sheriffs to persons who qualify for a license to carry a concealed handgun under section 2923.125 of the Revised Code and that conforms to the following requirements: 68
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(a) It has space for the licensee's full name, residence address, and date of birth and for a color photograph of the licensee. 72
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(b) It has space for the date of issuance of the license, its 75

expiration date, its county of issuance, the name of the sheriff
who issues the license, and the unique combination of letters and
numbers that identify the county of issuance and the license given
to the licensee by the sheriff in accordance with division (A)(4)
of this section.

(c) It has space for the signature of the licensee and the
signature or a facsimile signature of the sheriff who issues the
license.

(d) It does not require the licensee to include serial
numbers of handguns, other identification related to handguns, or
similar data that is not pertinent or relevant to obtaining the
license and that could be used as a de facto means of registration
of handguns owned by the licensee.

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

(4) A procedure by which a sheriff shall give each license,
replacement license, or renewal license to carry a concealed
handgun and each temporary emergency license or replacement
temporary emergency license to carry a concealed handgun the
sheriff issues under section 2923.125 or 2923.1213 of the Revised
Code a unique combination of letters and numbers that identifies
the county in which the license or temporary emergency license was
issued and that uses the county code and a unique number for each
license and each temporary emergency license the sheriff of that
county issues;

(5) A form for the temporary emergency license to carry a
concealed handgun that is to be issued by sheriffs to persons who
qualify for a temporary emergency license under section 2923.1213
of the Revised Code, which form shall conform to all the
requirements set forth in divisions (A)(2)(a) to (d) of this
section and shall additionally conspicuously specify that the

license is a temporary emergency license and the date of its
issuance.

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

(a) Explains the firearms laws of this state;

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

(c) Provides information to the reader regarding all aspects
of the use of deadly force with a firearm, including, but not
limited to, the steps that should be taken before contemplating
the use of, or using, deadly force with a firearm, possible
alternatives to using deadly force with a firearm, and the law
governing the use of deadly force with a firearm.

(2) The attorney general shall consult with and assist the
commission in the preparation of the pamphlet described in
division (B)(1) of this section and, as necessary, shall recommend
to the commission changes in the pamphlet to reflect changes in
the law that are relevant to it. The commission shall make copies
of the pamphlet available to any person, public entity, or private
entity that operates or teaches a training course, class, or
program described in division (B)(3)(a), (b), (c), and (e) of
section 2923.125 of the Revised Code and requests copies for
distribution to persons who take the course, class, or program,
and to sheriffs for distribution to applicants under section
2923.125 of the Revised Code for a license to carry a concealed
handgun and applicants under that section for the renewal of a
license to carry a concealed handgun.

(C)(1) The Ohio peace officer training commission, in
consultation with the attorney general, shall prescribe a fee to
be paid by an applicant under section 2923.125 of the Revised Code

for a license to carry a concealed handgun or for the renewal of a 138
license to carry a concealed handgun ~~as follows:~~ 139

~~(a) For an applicant who has been a resident of this state 140
for five or more years, an amount that does not exceed the lesser 141
of the actual cost of issuing the license, including, but not 142
limited to, the cost of conducting the criminal records check, or 143
forty-five dollars; 144~~

~~(b) For an applicant who has been a resident of this state 145
for less than five years, . The prescribed fee shall be an amount 146
that shall consist of the actual cost of having a criminal 147
background check performed by the federal bureau of investigation, 148
if one is ~~se~~ performed as provided in section 311.41 of the 149
Revised Code, plus the lesser of the actual cost of issuing the 150
license, including, but not limited to, the cost of conducting the 151
criminal records check, or whichever of the following is 152
applicable: 153~~

~~(a) For an application made on or after the effective date of 154
this amendment, fifty-five dollars; 155~~

~~(b) For an application made prior to the effective date of 156
this amendment, forty-five dollars. 157~~

(2) The commission, in consultation with the attorney 158
general, shall specify the portion of the fee prescribed under 159
division (C)(1) of this section that will be used to pay each 160
particular cost of the issuance of the license. The sheriff shall 161
deposit all fees paid by an applicant under section 2923.125 of 162
the Revised Code into the sheriff's concealed handgun license 163
issuance expense fund established pursuant to section 311.42 of 164
the Revised Code. 165

(D) The Ohio peace officer training commission shall maintain 166
statistics with respect to the issuance, renewal, suspension, 167
revocation, and denial of licenses to carry a concealed handgun 168

and the suspension of processing of applications for those licenses, and with respect to the issuance, suspension, revocation, and denial of temporary emergency licenses to carry a concealed handgun, as reported by the sheriffs pursuant to division (C) of section 2923.129 of the Revised Code. Not later than the first day of March in each year, the commission shall submit a statistical report to the governor, the president of the senate, and the speaker of the house of representatives indicating the number of licenses to carry a concealed handgun that were issued, renewed, suspended, revoked, and denied in the previous calendar year, the number of applications for those licenses for which processing was suspended in accordance with division (D)(3) of section 2923.125 of the Revised Code in the previous calendar year, and the number of temporary emergency licenses to carry a concealed handgun that were issued, suspended, revoked, or denied in the previous calendar year. Nothing in the statistics or the statistical report shall identify, or enable the identification of, any individual who was issued or denied a license, for whom a license was renewed, whose license was suspended or revoked, or for whom application processing was suspended. The statistics and the statistical report are public records for the purpose of section 149.43 of the Revised Code.

(E) As used in this section, "handgun" has the same meaning as in section 2923.11 of the Revised Code.

Sec. 109.801. (A)(1) Each year, any of the following persons who are authorized to carry firearms in the course of their official duties shall complete successfully a firearms requalification program approved by the executive director of the Ohio peace officer training commission in accordance with rules adopted by the attorney general pursuant to section 109.743 of the Revised Code: any peace officer, as defined in section 109.71 of

~~the Revised Code, sheriff, deputy sheriff, marshal, deputy
marshal, township constable, chief of police or member of an
organized police department of a municipal corporation or
township, chief of police or member of a township police district
police force, superintendent of the state highway patrol, state
highway patrol trooper, special police officer of the state
highway patrol designated under section 5503.09 of the Revised
Code, enforcement agent employed under section 5502.14 of the
Revised Code, or chief of police of a university or college police
department or state university law enforcement officer appointed
under section 3345.04 of the Revised Code; any parole or probation
officer who carries a firearm in the course of official duties;
any employee of the department of natural resources who is a
natural resources law enforcement staff officer, park officer,
forest officer, preserve officer, wildlife officer, or state
watercraft officer who carries a firearm in the course of official
duties; the house of representatives sergeant at arms if the house
of representatives sergeant at arms has arrest authority pursuant
to division (E)(1) of section 101.311 of the Revised Code; any
assistant house of representatives sergeant at arms; any employee
of the department of youth services who is designated pursuant to
division (A)(2) of section 5139.53 of the Revised Code as being
authorized to carry a firearm while on duty as described in that
division; or a special police officer employed by a municipal
corporation at a municipal airport or other municipal air
navigation facility described in division (A)(19) of section
109.71 of the Revised Code or an investigator, as defined in
section 109.541 of the Revised Code, of the bureau of criminal
identification and investigation who is commissioned by the
superintendent of the bureau as a special agent.~~

(2) No person listed in division (A)(1) of this section shall
carry a firearm during the course of official duties if the person
does not comply with division (A)(1) of this section.

(B) The hours that a sheriff spends attending a firearms 233
requalification program required by division (A) of this section 234
are in addition to the sixteen hours of continuing education that 235
are required by division (E) of section 311.01 of the Revised 236
Code. 237

(C) As used in this section, "firearm" has the same meaning 238
as in section 2923.11 of the Revised Code. 239

Sec. 311.41. (A)(1) Upon receipt of an application for a 240
license to carry a concealed handgun under division (C) of section 241
2923.125 of the Revised Code, an application to renew a license to 242
carry a concealed handgun under division (F) of that section, or 243
an application for a temporary emergency license to carry a 244
concealed handgun under section 2923.1213 of the Revised Code, the 245
sheriff shall conduct a criminal records check and an incompetency 246
check of the applicant to determine whether the applicant fails to 247
meet the criteria described in division (D)(1) of section 2923.125 248
of the Revised Code. The sheriff shall conduct the criminal 249
records check and the incompetency records check required by this 250
division through use of an electronic fingerprint reading device 251
or, if the sheriff does not possess and does not have ready access 252
to the use of an electronic fingerprint reading device, by 253
requesting the bureau of criminal identification and investigation 254
to conduct the checks as described in this division. ~~In~~ 255

In order to conduct the criminal records check and the 256
incompetency records check, the sheriff shall obtain the 257
fingerprints of not more than four fingers of the applicant by 258
using an electronic fingerprint reading device for the purpose of 259
conducting the criminal records check and the incompetency records 260
check or, if the sheriff does not possess and does not have ready 261
access to the use of an electronic fingerprint reading device, 262
shall obtain from the applicant a completed standard fingerprint 263

impression sheet prescribed pursuant to division (C)(2) of section 264
109.572 of the Revised Code. The fingerprints so obtained, along 265
with the applicant's social security number, shall be used to 266
conduct the criminal records check and the incompetency records 267
check. If the sheriff does not use an electronic fingerprint 268
reading device to obtain the fingerprints and conduct the records 269
checks, the sheriff shall submit the completed standard 270
fingerprint impression sheet of the applicant, along with the 271
applicant's social security number, to the superintendent of the 272
bureau of criminal identification and investigation and shall 273
request the bureau to conduct the criminal records check and the 274
incompetency records check of the applicant and, ~~if necessary,~~ 275
~~shall request the superintendent of the bureau to obtain~~ 276
information from the federal bureau of investigation as part of 277
the criminal records check for the applicant. Upon receipt of the 278
request, as part of the criminal records check for the applicant, 279
the superintendent of the bureau of criminal identification and 280
investigation shall request from the federal bureau of 281
investigation any information the federal bureau has with respect 282
to the applicant and shall review or cause to be reviewed, as 283
described in division (B) of section 109.572 of the Revised Code, 284
any information the superintendent receives. If it is not possible 285
to use an electronic fingerprint reading device to conduct an 286
incompetency records check, the sheriff shall submit the completed 287
standard fingerprint impression sheet of the applicant, along with 288
the applicant's social security number, to the superintendent of 289
the bureau of criminal identification and investigation and shall 290
request the bureau to conduct the incompetency records check. The 291
sheriff shall not retain the applicant's fingerprints as part of 292
the application. 293

(2) Except as otherwise provided in this division, if at any 294
time the applicant decides not to continue with the application 295
process, the sheriff immediately shall cease any investigation 296

that is being conducted under division (A)(1) of this section. The 297
sheriff shall not cease that investigation if, at the time of the 298
applicant's decision not to continue with the application process, 299
the sheriff had determined from any of the sheriff's 300
investigations that the applicant then was engaged in activity of 301
a criminal nature. 302

(B) If a criminal records check and an incompetency records 303
check conducted under division (A) of this section do not indicate 304
that the applicant fails to meet the criteria described in 305
division (D)(1) of section 2923.125 of the Revised Code, except as 306
otherwise provided in this division, the sheriff shall destroy or 307
cause a designated employee to destroy all records other than the 308
application for a license to carry a concealed handgun, the 309
application to renew a license to carry a concealed handgun, or 310
the affidavit submitted regarding an application for a temporary 311
emergency license to carry a concealed handgun that were made in 312
connection with the criminal records check and incompetency 313
records check within twenty days after conducting the criminal 314
records check and incompetency records check. If an applicant 315
appeals a denial of an application as described in division (D) 316
(2) of section 2923.125 of the Revised Code or challenges the 317
results of a criminal records check pursuant to section 2923.127 318
of the Revised Code, records of fingerprints of the applicant 319
shall not be destroyed during the pendency of the appeal or the 320
challenge and review. When an applicant appeals a denial as 321
described in that division, the twenty-day period described in 322
this division commences regarding the fingerprints upon the 323
determination of the appeal. When required as a result of a 324
challenge and review performed pursuant to section 2923.127 of the 325
Revised Code, the source the sheriff used in conducting the 326
criminal records check shall destroy or the chief operating 327
officer of the source shall cause an employee of the source 328

designated by the chief to destroy all records other than the
application for a license to carry a concealed handgun, the
application to renew a license to carry a concealed handgun, or
the affidavit submitted regarding an application for a temporary
emergency license to carry a concealed handgun that were made in
connection with the criminal records check within twenty days
after completion of that challenge and review.

(C) If division (B) of this section applies to a particular
criminal records check or incompetency records check, no sheriff,
employee of a sheriff designated by the sheriff to destroy records
under that division, source the sheriff used in conducting the
criminal records check or incompetency records check, or employee
of the source designated by the chief operating officer of the
source to destroy records under that division shall fail to
destroy or cause to be destroyed within the applicable twenty-day
period specified in that division all records other than the
application for a license to carry a concealed handgun, the
application to renew a license to carry a concealed handgun, or
the affidavit submitted regarding an application for a temporary
emergency license to carry a concealed handgun made in connection
with the particular criminal records check or incompetency records
check.

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

(E) As used in this section, "handgun" has the same meaning
as in section 2923.11 of the Revised Code.

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

(1) "Firearm" and "handgun" have the same meanings as in
section 2923.11 of the Revised Code.

(2) "Unloaded" has the same meaning as in section 2923.16 of

the Revised Code. 359

(B) No person shall knowingly discharge a firearm while in or 360
on a vessel. 361

(C) No person shall knowingly transport or have a loaded 362
firearm in a vessel in a manner that the firearm is accessible to 363
the operator or any passenger. 364

(D) No person shall knowingly transport or have a firearm in 365
a vessel unless it is unloaded and is carried in one of the 366
following ways: 367

(1) In a closed package, box, or case; 368

(2) In plain sight with the action opened or the weapon 369
stripped, or, if the firearm is of a type on which the action will 370
not stay open or that cannot easily be stripped, in plain sight. 371

(E)(1) The affirmative defenses authorized in divisions 372
(D)(1) and (2) of section 2923.12 of the Revised Code are 373
affirmative defenses to a charge under division (C) or (D) of this 374
section that involves a firearm other than a handgun. It is an 375
affirmative defense to a charge under division (C) or (D) of this 376
section of transporting or having a firearm of any type, including 377
a handgun, in a vessel that the actor transported or had the 378
firearm in the vessel for any lawful purpose and while the vessel 379
was on the actor's own property, provided that this affirmative 380
defense is not available unless the actor, prior to arriving at 381
the vessel on the actor's own property, did not transport or 382
possess the firearm in the vessel or in a motor vehicle in a 383
manner prohibited by this section or division (B) or (C) of 384
section 2923.16 of the Revised Code while the vessel was being 385
operated on a waterway that was not on the actor's own property or 386
while the motor vehicle was being operated on a street, highway, 387
or other public or private property used by the public for 388
vehicular traffic. 389

(2) No person who is charged with a violation of division (C) 390
or (D) of this section shall be required to obtain a license or 391
temporary emergency license to carry a concealed handgun under 392
section 2923.125 or 2923.1213 of the Revised Code as a condition 393
for the dismissal of the charge. 394

(F) Divisions (B), (C), and (D) of this section do not apply 395
to the possession or discharge of a United States coast guard 396
approved signaling device required to be carried aboard a vessel 397
under section 1547.251 of the Revised Code when the signaling 398
device is possessed or used for the purpose of giving a visual 399
distress signal. No person shall knowingly transport or possess 400
any signaling device of that nature in or on a vessel in a loaded 401
condition at any time other than immediately prior to the 402
discharge of the signaling device for the purpose of giving a 403
visual distress signal. 404

(G) No person shall operate or permit to be operated any 405
vessel on the waters in this state in violation of this section. 406

(H) This section does not apply to officers, agents, or 407
employees of this or any other state or of the United States, or 408
to law enforcement officers, when authorized to carry or have 409
loaded or accessible firearms in a vessel and acting within the 410
scope of their duties, ~~and this.~~ This section does not apply to 411
any person who is subject to and in compliance with the 412
requirements of section 109.801 of the Revised Code, unless the 413
appointing authority of the person has expressly specified that 414
the exemption provided under this provision does not apply to the 415
person. This section does not apply to persons legally engaged in 416
hunting. Divisions (C) and (D) of this section do not apply to a 417
person who transports or possesses a handgun in a vessel and who, 418
at the time of that transportation or possession, is carrying a 419
valid license or temporary emergency license to carry a concealed 420
handgun issued to the person under section 2923.125 or 2923.1213 421

of the Revised Code or a license to carry a concealed handgun that 422
was issued by another state with which the attorney general has 423
entered into a reciprocity agreement under section 109.69 of the 424
Revised Code, unless the person knowingly is in a place on the 425
vessel described in division (B) of section 2923.126 of the 426
Revised Code. 427

(I) If a law enforcement officer stops a vessel for a 428
violation of this section or any other law enforcement purpose, if 429
any person on the vessel surrenders a firearm to the officer, 430
either voluntarily or pursuant to a request or demand of the 431
officer, and if the officer does not charge the person with a 432
violation of this section or arrest the person for any offense, 433
the person is not otherwise prohibited by law from possessing the 434
firearm, and the firearm is not contraband, the officer shall 435
return the firearm to the person at the termination of the stop. 436

Sec. 2923.12. (A) No person shall knowingly carry or have, 437
concealed on the person's person or concealed ready at hand, any 438
of the following: 439

(1) A deadly weapon other than a handgun; 440

(2) A handgun other than a dangerous ordnance; 441

(3) A dangerous ordnance. 442

(B) No person who has been issued a license or temporary 443
emergency license to carry a concealed handgun under section 444
2923.125 or 2923.1213 of the Revised Code or a license to carry a 445
concealed ~~handgun~~ handgun that was issued by another state with 446
which the attorney general has entered into a reciprocity 447
agreement under section 109.69 of the Revised Code, who is stopped 448
for a law enforcement purpose, and who is carrying a concealed 449
handgun shall fail to promptly inform any law enforcement officer 450
who approaches the person after the person has been stopped that 451

the person has been issued a license or temporary emergency 452
license to carry a concealed handgun and that the person then is 453
carrying a concealed handgun. 454

(C)(1) This section does not apply to officers, agents, or 455
employees of this or any other state or the United States, or to 456
law enforcement officers, authorized to carry concealed weapons or 457
dangerous ordnance and acting within the scope of their duties. 458
This section does not apply to any person who is subject to and in 459
compliance with the requirements of section 109.801 of the Revised 460
Code, unless the appointing authority of the person has expressly 461
specified that the exemption provided under this provision does 462
not apply to the person. 463

(2) Division (A)(2) of this section does not apply to any of 464
the following: 465

(a) An officer, agent, or employee of this or any other state 466
or the United States, or a law enforcement officer, who is 467
authorized to carry a handgun and acting within the scope of the 468
officer's, agent's, or employee's duties; 469

(b) A person who, at the time of the alleged carrying or 470
possession of a handgun, is carrying a valid license or temporary 471
emergency license to carry a concealed handgun issued to the 472
person under section 2923.125 or 2923.1213 of the Revised Code or 473
a license to carry a concealed handgun that was issued by another 474
state with which the attorney general has entered into a 475
reciprocity agreement under section 109.69 of the Revised Code, 476
unless the person knowingly is in a place described in division 477
(B) of section 2923.126 of the Revised Code. 478

(D) It is an affirmative defense to a charge under division 479
(A)(1) of this section of carrying or having control of a weapon 480
other than a handgun and other than a dangerous ordnance that the 481
actor was not otherwise prohibited by law from having the weapon 482

and that any of the following applies: 483

(1) The weapon was carried or kept ready at hand by the actor 484
for defensive purposes while the actor was engaged in or was going 485
to or from the actor's lawful business or occupation, which 486
business or occupation was of a character or was necessarily 487
carried on in a manner or at a time or place as to render the 488
actor particularly susceptible to criminal attack, such as would 489
justify a prudent person in going armed. 490

(2) The weapon was carried or kept ready at hand by the actor 491
for defensive purposes while the actor was engaged in a lawful 492
activity and had reasonable cause to fear a criminal attack upon 493
the actor, a member of the actor's family, or the actor's home, 494
such as would justify a prudent person in going armed. 495

(3) The weapon was carried or kept ready at hand by the actor 496
for any lawful purpose and while in the actor's own home. 497

(4) The weapon was being transported in a motor vehicle for 498
any lawful purpose, was not on the actor's person, and, if the 499
weapon was a firearm, was carried in compliance with the 500
applicable requirements of division (C) of section 2923.16 of the 501
Revised Code. 502

(E) It is an affirmative defense to a charge under division 503
(A) of this section of carrying or having control of a handgun 504
other than a dangerous ordnance that the actor was not otherwise 505
prohibited by law from having the handgun and that the handgun was 506
carried or kept ready at hand by the actor for any lawful purpose 507
and while in the actor's own home, provided that this affirmative 508
defense is not available unless the actor, prior to arriving at 509
the actor's own home, did not transport or possess the handgun in 510
a motor vehicle in a manner prohibited by division (B) or (C) of 511
section 2923.16 of the Revised Code while the motor vehicle was 512
being operated on a street, highway, or other public or private 513

property used by the public for vehicular traffic.

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(F) No person who is charged with a violation of this section shall be required to obtain a license or temporary emergency license to carry a concealed handgun under section 2923.125 or 2923.1213 of the Revised Code as a condition for the dismissal of the charge.

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(G)(1) Whoever violates this section is guilty of carrying concealed weapons. Except as otherwise provided in this division or division (G)(2) of this section, carrying concealed weapons in violation of division (A) of this section is a misdemeanor of the first degree. Except as otherwise provided in this division or division (G)(2) of this section, if the offender previously has been convicted of a violation of this section or of any offense of violence, if the weapon involved is a firearm that is either loaded or for which the offender has ammunition ready at hand, or if the weapon involved is dangerous ordnance, carrying concealed weapons in violation of division (A) of this section is a felony of the fourth degree. Except as otherwise provided in division (G)(2) of this section, if the weapon involved is a firearm and the violation of this section is committed at premises for which a D permit has been issued under Chapter 4303. of the Revised Code or if the offense is committed aboard an aircraft, or with purpose to carry a concealed weapon aboard an aircraft, regardless of the weapon involved, carrying concealed weapons in violation of division (A) of this section is a felony of the third degree.

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(2) If a person being arrested for a violation of division (A)(2) of this section promptly produces a valid license or temporary emergency license to carry a concealed handgun issued under section 2923.125 or 2923.1213 of the Revised Code or a license to carry a concealed handgun that was issued by another state with which the attorney general has entered into a reciprocity agreement under section 109.69 of the Revised Code,

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and if at the time of the violation the person was not knowingly
in a place described in division (B) of section 2923.126 of the
Revised Code, the officer shall not arrest the person for a
violation of that division. If the person is not able to promptly
produce any of those types of license and if the person is not in
a place described in that section, the officer may arrest the
person for a violation of that division, and the offender shall be
punished as follows:

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

(i) Within ten days after the arrest, the offender presents a
license or temporary emergency license to carry a concealed
handgun issued under section 2923.125 or 2923.1213 of the Revised
Code or a license to carry a concealed handgun that was issued by
another state with which the attorney general has entered into a
reciprocity agreement under section 109.69 of the Revised Code,
which license was valid at the time of the arrest to the law
enforcement agency that employs the arresting officer.

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

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

(i) The offender previously had been issued a license to
carry a concealed handgun under section 2923.125 of the Revised
Code or a license to carry a concealed handgun that was issued by
another state with which the attorney general has entered into a
reciprocity agreement under section 109.69 of the Revised Code and
that was similar in nature to a license issued under section
2923.125 of the Revised Code, and that license expired within the
two years immediately preceding the arrest.

(ii) Within forty-five days after the arrest, the offender 577
presents any type of license identified in division (G)(2)(a)(i) 578
of this section to the law enforcement agency that employed the 579
arresting officer, and the offender waives in writing the 580
offender's right to a speedy trial on the charge of the violation 581
that is provided in section 2945.71 of the Revised Code. 582

(iii) At the time of the commission of the offense, the 583
offender was not knowingly in a place described in division (B) of 584
section 2923.126 of the Revised Code. 585

(c) If neither division (G)(2)(a) nor (b) of this section 586
applies, the offender shall be punished under division (G)(1) of 587
this section. 588

(3) Carrying concealed weapons in violation of division (B) 589
of this section is a misdemeanor of the fourth degree. 590

(H) If a law enforcement officer stops a person to question 591
the person regarding a possible violation of this section, for a 592
traffic stop, or for any other law enforcement purpose, if the 593
person surrenders a firearm to the officer, either voluntarily or 594
pursuant to a request or demand of the officer, and if the officer 595
does not charge the person with a violation of this section or 596
arrest the person for any offense, the person is not otherwise 597
prohibited by law from possessing the firearm, and the firearm is 598
not contraband, the officer shall return the firearm to the person 599
at the termination of the stop. 600

Sec. 2923.121. (A) No person shall possess a firearm in any 601
room in which liquor is being dispensed in premises for which a D 602
permit has been issued under Chapter 4303. of the Revised Code or 603
in an open air arena for which a permit of that nature has been 604
issued. 605

(B)(1) This section does not apply to officers, agents, or 606

employees of this or any other state or the United States, or to
law enforcement officers, authorized to carry firearms, and acting
within the scope of their duties. This section does not apply to
any person who is subject to and in compliance with the
requirements of section 109.801 of the Revised Code, unless the
appointing authority of the person has expressly specified that
the exemption provided under this provision does not apply to the
person.

(2) This section does not apply to any room used for the
accommodation of guests of a hotel, as defined in section 4301.01
of the Revised Code.

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

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

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

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

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

(D) No person who is charged with a violation of this section shall be required to obtain a license or temporary emergency license to carry a concealed handgun under section 2923.125 or 2923.1213 of the Revised Code as a condition for the dismissal of the charge.

(E) Whoever violates this section is guilty of illegal possession of a firearm in liquor permit premises, a felony of the fifth degree.

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

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

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

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

(2) The person indicates that the person possesses the object 668
and that it is a firearm, or the person knowingly displays or 669
brandishes the object and indicates that it is a firearm. 670

(D)(1) This section does not apply to officers, agents, or 671
employees of this or any other state or the United States, or to 672
law enforcement officers, authorized to carry deadly weapons or 673
dangerous ordnance and acting within the scope of their duties, to 674
any security officer employed by a board of education or governing 675
body of a school during the time that the security officer is on 676
duty pursuant to that contract of employment, or to any other 677
person who has written authorization from the board of education 678
or governing body of a school to convey deadly weapons or 679
dangerous ordnance into a school safety zone or to possess a 680
deadly weapon or dangerous ordnance in a school safety zone and 681
who conveys or possesses the deadly weapon or dangerous ordnance 682
in accordance with that authorization. This section does not apply 683
to any person who is subject to and in compliance with the 684
requirements of section 109.801 of the Revised Code, unless the 685
appointing authority of the person has expressly specified that 686
the exemption provided under this provision does not apply to the 687
person. 688

(2) Division (C) of this section does not apply to premises 689
upon which home schooling is conducted. Division (C) of this 690
section also does not apply to a school administrator, teacher, or 691
employee who possesses an object that is indistinguishable from a 692
firearm for legitimate school purposes during the course of 693
employment, a student who uses an object that is indistinguishable 694
from a firearm under the direction of a school administrator, 695
teacher, or employee, or any other person who with the express 696
prior approval of a school administrator possesses an object that 697
is indistinguishable from a firearm for a legitimate purpose, 698
including the use of the object in a ceremonial activity, a play, 699

reenactment, or other dramatic presentation, or a ROTC activity or 700
another similar use of the object. 701

(3) This section does not apply to a person who conveys or 702
attempts to convey a handgun into, or possesses a handgun in, a 703
school safety zone if, at the time of that conveyance, attempted 704
conveyance, or possession of the handgun, all of the following 705
apply: 706

(a) The person does not enter into a school building or onto 707
school premises and is not at a school activity. 708

(b) The person is carrying a valid license or temporary 709
emergency license to carry a concealed handgun issued to the 710
person under section 2923.125 or 2923.1213 of the Revised Code or 711
a license to carry a concealed handgun that was issued by another 712
state with which the attorney general has entered into a 713
reciprocity agreement under section 109.69 of the Revised Code. 714

(c) The person is in the school safety zone in accordance 715
with 18 U.S.C. 922(q)(2)(B). 716

(d) The person is not knowingly in a place described in 717
division (B)(1) or (B)(3) to (10) of section 2923.126 of the 718
Revised Code. 719

(E)(1) Whoever violates division (A) or (B) of this section 720
is guilty of illegal conveyance or possession of a deadly weapon 721
or dangerous ordnance in a school safety zone. Except as otherwise 722
provided in this division, illegal conveyance or possession of a 723
deadly weapon or dangerous ordnance in a school safety zone is a 724
felony of the fifth degree. If the offender previously has been 725
convicted of a violation of this section, illegal conveyance or 726
possession of a deadly weapon or dangerous ordnance in a school 727
safety zone is a felony of the fourth degree. 728

(2) Whoever violates division (C) of this section is guilty 729

of illegal possession of an object indistinguishable from a 730
firearm in a school safety zone. Except as otherwise provided in 731
this division, illegal possession of an object indistinguishable 732
from a firearm in a school safety zone is a misdemeanor of the 733
first degree. If the offender previously has been convicted of a 734
violation of this section, illegal possession of an object 735
indistinguishable from a firearm in a school safety zone is a 736
felony of the fifth degree. 737

(F)(1) In addition to any other penalty imposed upon a person 738
who is convicted of or pleads guilty to a violation of this 739
section and subject to division (F)(2) of this section, if the 740
offender has not attained nineteen years of age, regardless of 741
whether the offender is attending or is enrolled in a school 742
operated by a board of education or for which the state board of 743
education prescribes minimum standards under section 3301.07 of 744
the Revised Code, the court shall impose upon the offender a class 745
four suspension of the offender's probationary driver's license, 746
restricted license, driver's license, commercial driver's license, 747
temporary instruction permit, or probationary commercial driver's 748
license that then is in effect from the range specified in 749
division (A)(4) of section 4510.02 of the Revised Code and shall 750
deny the offender the issuance of any permit or license of that 751
type during the period of the suspension. 752

If the offender is not a resident of this state, the court 753
shall impose a class four suspension of the nonresident operating 754
privilege of the offender from the range specified in division 755
(A)(4) of section 4510.02 of the Revised Code. 756

(2) If the offender shows good cause why the court should not 757
suspend one of the types of licenses, permits, or privileges 758
specified in division (F)(1) of this section or deny the issuance 759
of one of the temporary instruction permits specified in that 760
division, the court in its discretion may choose not to impose the 761

suspension, revocation, or denial required in that division.

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

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

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(B) No person shall knowingly possess or have under the person's control a deadly weapon or dangerous ordnance in a courthouse or in another building or structure in which a courtroom is located.

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

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(1) A judge of a court of record of this state or a magistrate, unless a rule of superintendence or another type of rule adopted by the supreme court pursuant to Article IV, Ohio Constitution, or an applicable local rule of court prohibits all persons from conveying or attempting to convey a deadly weapon or dangerous ordnance into a courthouse or into another building or structure in which a courtroom is located or from possessing or having under one's control a deadly weapon or dangerous ordnance in a courthouse or in another building or structure in which a courtroom is located;

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(2) A peace officer, or an officer of a law enforcement agency of another state, a political subdivision of another state, or the United States, who is authorized to carry a deadly weapon or dangerous ordnance, who possesses or has under that individual's control a deadly weapon or dangerous ordnance as a

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requirement of that individual's duties, and who is acting within 792
the scope of that individual's duties at the time of that 793
possession or control, unless a rule of superintendence or another 794
type of rule adopted by the supreme court pursuant to Article IV, 795
Ohio Constitution, or an applicable local rule of court prohibits 796
all persons from conveying or attempting to convey a deadly weapon 797
or dangerous ordnance into a courthouse or into another building 798
or structure in which a courtroom is located or from possessing or 799
having under one's control a deadly weapon or dangerous ordnance 800
in a courthouse or in another building or structure in which a 801
courtroom is located; 802

(3) A person who conveys, attempts to convey, possesses, or 803
has under the person's control a deadly weapon or dangerous 804
ordnance that is to be used as evidence in a pending criminal or 805
civil action or proceeding; 806

(4) A bailiff or deputy bailiff of a court of record of this 807
state who is authorized to carry a firearm pursuant to section 808
109.77 of the Revised Code, who possesses or has under that 809
individual's control a firearm as a requirement of that 810
individual's duties, and who is acting within the scope of that 811
individual's duties at the time of that possession or control, 812
unless a rule of superintendence or another type of rule adopted 813
by the supreme court pursuant to Article IV, Ohio Constitution, or 814
an applicable local rule of court prohibits all persons from 815
conveying or attempting to convey a deadly weapon or dangerous 816
ordnance into a courthouse or into another building or structure 817
in which a courtroom is located or from possessing or having under 818
one's control a deadly weapon or dangerous ordnance in a 819
courthouse or in another building or structure in which a 820
courtroom is located; 821

(5) A prosecutor, or a secret service officer appointed by a 822
county prosecuting attorney, who is authorized to carry a deadly 823

weapon or dangerous ordnance in the performance of the 824
individual's duties, who possesses or has under that individual's 825
control a deadly weapon or dangerous ordnance as a requirement of 826
that individual's duties, and who is acting within the scope of 827
that individual's duties at the time of that possession or 828
control, unless a rule of superintendence or another type of rule 829
adopted by the supreme court pursuant to Article IV of the Ohio 830
Constitution or an applicable local rule of court prohibits all 831
persons from conveying or attempting to convey a deadly weapon or 832
dangerous ordnance into a courthouse or into another building or 833
structure in which a courtroom is located or from possessing or 834
having under one's control a deadly weapon or dangerous ordnance 835
in a courthouse or in another building or structure in which a 836
courtroom is located; 837

(6) A person who conveys or attempts to convey a handgun into 838
a courthouse or into another building or structure in which a 839
courtroom is located, who, at the time of the conveyance or 840
attempt, is ~~carrying a valid license or temporary emergency~~ 841
~~license to carry a concealed handgun issued to the person under~~ 842
~~section 2923.125 or 2923.1213 of the Revised Code or a license to~~ 843
~~carry a concealed handgun that was issued by another state with~~ 844
~~which the attorney general has entered into a reciprocity~~ 845
~~agreement under section 109.69 of the Revised Code~~ in a category 846
described in division (C)(6)(a) or (b) of this section, and who 847
transfers possession of the handgun to the officer or officer's 848
designee who has charge of the courthouse or building. The officer 849
shall secure the handgun until the licensee person who transferred 850
possession of the handgun is prepared to leave the premises. The 851
exemption described in this division applies only if the officer 852
who has charge of the courthouse or building provides services of 853
the nature described in this division. An officer who has charge 854
of the courthouse or building is not required to offer services of 855

the nature described in this division. The exemption described in 856
this division does not apply if a rule of superintendence or 857
another type of rule adopted by the supreme court pursuant to 858
Article IV, Ohio Constitution, or if an applicable local rule of 859
court prohibits all persons from conveying or attempting to convey 860
a deadly weapon or dangerous ordnance into a courthouse or into 861
another building or structure in which a courtroom is located or 862
from possessing or having under one's control a deadly weapon or 863
dangerous ordnance in a courthouse or in another building or 864
structure in which a courtroom is located. The exemption described 865
in this division applies in the circumstances described in this 866
division only to a person who is in one or both of the following 867
categories at the time of the conveyance or attempt: 868

(a) The person is carrying a valid license or temporary 869
emergency license to carry a concealed handgun issued to the 870
person under section 2923.125 or 2923.1213 of the Revised Code or 871
a license to carry a concealed handgun that was issued by another 872
state with which the attorney general has entered into a 873
reciprocity agreement under section 109.69 of the Revised Code. 874

(b) The person is subject to and in compliance with the 875
requirements of section 109.801 of the Revised Code, and the 876
appointing authority of the person has not expressly specified 877
that the exemption described in this division does not apply to 878
the person. 879

(D)(1) Whoever violates division (A) of this section is 880
guilty of illegal conveyance of a deadly weapon or dangerous 881
ordnance into a courthouse. Except as otherwise provided in this 882
division, illegal conveyance of a deadly weapon or dangerous 883
ordnance into a courthouse is a felony of the fifth degree. If the 884
offender previously has been convicted of a violation of division 885
(A) or (B) of this section, illegal conveyance of a deadly weapon 886
or dangerous ordnance into a courthouse is a felony of the fourth 887

degree. 888

(2) Whoever violates division (B) of this section is guilty 889
of illegal possession or control of a deadly weapon or dangerous 890
ordnance in a courthouse. Except as otherwise provided in this 891
division, illegal possession or control of a deadly weapon or 892
dangerous ordnance in a courthouse is a felony of the fifth 893
degree. If the offender previously has been convicted of a 894
violation of division (A) or (B) of this section, illegal 895
possession or control of a deadly weapon or dangerous ordnance in 896
a courthouse is a felony of the fourth degree. 897

(E) As used in this section: 898

(1) "Magistrate" means an individual who is appointed by a 899
court of record of this state and who has the powers and may 900
perform the functions specified in Civil Rule 53, Criminal Rule 901
19, or Juvenile Rule 40. 902

(2) "Peace officer" and "prosecutor" have the same meanings 903
as in section 2935.01 of the Revised Code. 904

Sec. 2923.125. (A) Upon the request of a person who wishes to 905
obtain a license to carry a concealed handgun or to renew a 906
license to carry a concealed handgun, a sheriff, as provided in 907
division (I) of this section, shall provide to the person free of 908
charge an application form and a copy of the pamphlet described in 909
division (B) of section 109.731 of the Revised Code. A sheriff 910
shall accept a completed application form and the fee, items, 911
materials, and information specified in divisions (B)(1) to (5) of 912
this section at the times and in the manners described in division 913
(I) of this section. 914

(B) An applicant for a license to carry a concealed handgun 915
shall submit a completed application form and all of the following 916
to the sheriff of the county in which the applicant resides or to 917

the sheriff of any county adjacent to the county in which the 918
applicant resides: 919

(1) A nonrefundable license fee prescribed by the Ohio peace 920
officer training commission pursuant to division (C) of section 921
109.731 of the Revised Code, except that the sheriff shall waive 922
the payment of the license fee in connection with an initial or 923
renewal application for a license that is submitted by an 924
applicant who is a retired peace officer, a retired person 925
described in division (B)(1)(b) of section 109.77 of the Revised 926
Code, or a retired federal law enforcement officer who, prior to 927
retirement, was authorized under federal law to carry a firearm in 928
the course of duty, unless the retired peace officer, person, or 929
federal law enforcement officer retired as the result of a mental 930
disability; 931

(2) A color photograph of the applicant that was taken within 932
thirty days prior to the date of the application; 933

(3) One or more of the following competency certifications, 934
each of which shall reflect that, regarding a certification 935
described in division (B)(3)(a), (b), (c), (e), or (f) of this 936
section, within the three years immediately preceding the 937
application the applicant has performed that to which the 938
competency certification relates and that, regarding a 939
certification described in division (B)(3)(d) of this section, the 940
applicant currently is an active or reserve member of the armed 941
forces of the United States or within the six years immediately 942
preceding the application the honorable discharge or retirement to 943
which the competency certification relates occurred: 944

(a) An original or photocopy of a certificate of completion 945
of a firearms safety, training, or requalification or firearms 946
safety instructor course, class, or program that was offered by or 947
under the auspices of the national rifle association and that 948

complies with the requirements set forth in division (G) of this section; 949
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(b) An original or photocopy of a certificate of completion of a firearms safety, training, or requalification or firearms safety instructor course, class, or program that satisfies all of the following criteria: 951
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(i) It was open to members of the general public. 955

(ii) It utilized qualified instructors who were certified by the national rifle association, the executive director of the Ohio peace officer training commission pursuant to section 109.75 or 109.78 of the Revised Code, or a governmental official or entity of another state. 956
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(iii) It was offered by or under the auspices of a law enforcement agency of this or another state or the United States, a public or private college, university, or other similar postsecondary educational institution located in this or another state, a firearms training school located in this or another state, or another type of public or private entity or organization located in this or another state. 961
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(iv) It complies with the requirements set forth in division (G) of this section. 968
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(c) An original or photocopy of a certificate of completion of a state, county, municipal, or department of natural resources peace officer training school that is approved by the executive director of the Ohio peace officer training commission pursuant to section 109.75 of the Revised Code and that complies with the requirements set forth in division (G) of this section, or the applicant has satisfactorily completed and been issued a certificate of completion of a basic firearms training program, a firearms requalification training program, or another basic training program described in section 109.78 or 109.801 of the 970
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Revised Code that complies with the requirements set forth in 980
division (G) of this section; 981

(d) A document that evidences both of the following: 982

(i) That the applicant is an active or reserve member of the 983
armed forces of the United States, was honorably discharged from 984
military service in the active or reserve armed forces of the 985
United States, is a retired trooper of the state highway patrol, 986
or is a retired peace officer or federal law enforcement officer 987
described in division (B)(1) of this section or a retired person 988
described in division (B)(1)(b) of section 109.77 of the Revised 989
Code and division (B)(1) of this section; 990

(ii) That, through participation in the military service or 991
through the former employment described in division (B)(3)(d)(i) 992
of this section, the applicant acquired experience with handling 993
handguns or other firearms, and the experience so acquired was 994
equivalent to training that the applicant could have acquired in a 995
course, class, or program described in division (B)(3)(a), (b), or 996
(c) of this section. 997

(e) A certificate or another similar document that evidences 998
satisfactory completion of a firearms training, safety, or 999
requalification or firearms safety instructor course, class, or 1000
program that is not otherwise described in division (B)(3)(a), 1001
(b), (c), or (d) of this section, that was conducted by an 1002
instructor who was certified by an official or entity of the 1003
government of this or another state or the United States or by the 1004
national rifle association, and that complies with the 1005
requirements set forth in division (G) of this section; 1006

(f) An affidavit that attests to the applicant's satisfactory 1007
completion of a course, class, or program described in division 1008
(B)(3)(a), (b), (c), or (e) of this section and that is subscribed 1009
by the applicant's instructor or an authorized representative of 1010

the entity that offered the course, class, or program or under
whose auspices the course, class, or program was offered.

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

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

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

(D)(1) Except as provided in division (D)(3), (4), or (5) of
this section, within forty-five days after a sheriff's receipt of
an applicant's completed application form for a license to carry a
concealed handgun, the supporting documentation, and, if not
waived, the license fee, a the sheriff shall make available
through the law enforcement automated data system in accordance
with division (H) of this section the information described in
that division and, upon making the information available through
the system, shall issue to the applicant a license to carry a
concealed handgun that shall expire ~~four years after the date of~~
issuance as described in division (D)(2)(a) of this section if all

of the following apply: 1042

(a) The applicant is legally living in the United States, has 1043
been a resident of this state for at least forty-five days, and 1044
has been a resident of the county in which the person seeks the 1045
license or a county adjacent to the county in which the person 1046
seeks the license for at least thirty days. 1047

(b) The applicant is at least twenty-one years of age. 1048

(c) The applicant is not a fugitive from justice. 1049

(d) The applicant is not under indictment for or otherwise 1050
charged with a felony; an offense under Chapter 2925., 3719., or 1051
4729. of the Revised Code that involves the illegal possession, 1052
use, sale, administration, or distribution of or trafficking in a 1053
drug of abuse; a misdemeanor offense of violence; or a violation 1054
of section 2903.14 or 2923.1211 of the Revised Code. 1055

(e) ~~The~~ Except as otherwise provided in division (D)(5) of 1056
this section, the applicant has not been convicted of or pleaded 1057
guilty to a felony or an offense under Chapter 2925., 3719., or 1058
4729. of the Revised Code that involves the illegal possession, 1059
use, sale, administration, or distribution of or trafficking in a 1060
drug of abuse; has not been adjudicated a delinquent child for 1061
committing an act that if committed by an adult would be a felony 1062
or would be an offense under Chapter 2925., 3719., or 4729. of the 1063
Revised Code that involves the illegal possession, use, sale, 1064
administration, or distribution of or trafficking in a drug of 1065
abuse; and has not been convicted of, pleaded guilty to, or 1066
adjudicated a delinquent child for committing a violation of 1067
section 2903.13 of the Revised Code when the victim of the 1068
violation is a peace officer, regardless of whether the applicant 1069
was sentenced under division (C)(3) of that section. 1070

(f) ~~The~~ Except as otherwise provided in division (D)(5) of 1071
this section, the applicant, within three years of the date of the 1072

application, has not been convicted of or pleaded guilty to a 1073
misdemeanor offense of violence other than a misdemeanor violation 1074
of section 2921.33 of the Revised Code or a violation of section 1075
2903.13 of the Revised Code when the victim of the violation is a 1076
peace officer, or a misdemeanor violation of section 2923.1211 of 1077
the Revised Code; and has not been adjudicated a delinquent child 1078
for committing an act that if committed by an adult would be a 1079
misdemeanor offense of violence other than a misdemeanor violation 1080
of section 2921.33 of the Revised Code or a violation of section 1081
2903.13 of the Revised Code when the victim of the violation is a 1082
peace officer or for committing an act that if committed by an 1083
adult would be a misdemeanor violation of section 2923.1211 of the 1084
Revised Code. 1085

(g) Except as otherwise provided in division (D)(1)(e) of 1086
this section, the applicant, within five years of the date of the 1087
application, has not been convicted of, pleaded guilty to, or 1088
adjudicated a delinquent child for committing two or more 1089
violations of section 2903.13 or 2903.14 of the Revised Code. 1090

(h) ~~The~~ Except as otherwise provided in division (D)(5) of 1091
this section, the applicant, within ten years of the date of the 1092
application, has not been convicted of, pleaded guilty to, or 1093
adjudicated a delinquent child for committing a violation of 1094
section 2921.33 of the Revised Code. 1095

(i) The applicant has not been adjudicated as a mental 1096
defective, has not been committed to any mental institution, is 1097
not under adjudication of mental incompetence, has not been found 1098
by a court to be a mentally ill person subject to hospitalization 1099
by court order, and is not an involuntary patient other than one 1100
who is a patient only for purposes of observation. As used in this 1101
division, "mentally ill person subject to hospitalization by court 1102
order" and "patient" have the same meanings as in section 5122.01 1103
of the Revised Code. 1104

(j) The applicant is not currently subject to a civil 1105
protection order, a temporary protection order, or a protection 1106
order issued by a court of another state. 1107

(k) The applicant certifies that the applicant desires a 1108
legal means to carry a concealed handgun for defense of the 1109
applicant or a member of the applicant's family while engaged in 1110
lawful activity. 1111

(l) The applicant submits a competency certification of the 1112
type described in division (B)(3) of this section and submits a 1113
certification of the type described in division (B)(4) of this 1114
section regarding the applicant's reading of the pamphlet prepared 1115
by the Ohio peace officer training commission pursuant to section 1116
109.731 of the Revised Code. 1117

(2)(a) ~~If~~ A license to carry a concealed handgun that a 1118
sheriff issues under division (D)(1) of this section on or after 1119
the effective date of this amendment shall expire five years after 1120
the date of issuance. A license to carry a concealed handgun that 1121
a sheriff issued under division (D)(1) of this section prior to 1122
the effective date of this amendment shall expire four years after 1123
the date of issuance. 1124

If a sheriff issues a license under this section, the sheriff 1125
shall place on the license a unique combination of letters and 1126
numbers identifying the license in accordance with the procedure 1127
prescribed by the Ohio peace officer training commission pursuant 1128
to section 109.731 of the Revised Code. 1129

(b) If a sheriff denies an application under this section 1130
because the applicant does not satisfy the criteria described in 1131
division (D)(1) of this section, the sheriff shall specify the 1132
grounds for the denial in a written notice to the applicant. The 1133
applicant may appeal the denial pursuant to section 119.12 of the 1134
Revised Code in the county served by the sheriff who denied the 1135

application. If the denial was as a result of the criminal records 1136
check conducted pursuant to section 311.41 of the Revised Code and 1137
if, pursuant to section 2923.127 of the Revised Code, the 1138
applicant challenges the criminal records check results using the 1139
appropriate challenge and review procedure specified in that 1140
section, the time for filing the appeal pursuant to section 119.12 1141
of the Revised Code and this division is tolled during the 1142
pendency of the request or the challenge and review. If the court 1143
in an appeal under section 119.12 of the Revised Code and this 1144
division enters a judgment sustaining the sheriff's refusal to 1145
grant to the applicant a license to carry a concealed handgun, the 1146
applicant may file a new application beginning one year after the 1147
judgment is entered. If the court enters a judgment in favor of 1148
the applicant, that judgment shall not restrict the authority of a 1149
sheriff to suspend or revoke the license pursuant to section 1150
2923.128 or 2923.1213 of the Revised Code or to refuse to renew 1151
the license for any proper cause that may occur after the date the 1152
judgment is entered. In the appeal, the court shall have full 1153
power to dispose of all costs. 1154

(3) If the sheriff with whom an application for a license to 1155
carry a concealed handgun was filed under this section becomes 1156
aware that the applicant has been arrested for or otherwise 1157
charged with an offense that would disqualify the applicant from 1158
holding the license, the sheriff shall suspend the processing of 1159
the application until the disposition of the case arising from the 1160
arrest or charge. 1161

(4) If the sheriff determines that the applicant is legally 1162
living in the United States and is a resident of the county in 1163
which the applicant seeks the license or of an adjacent county but 1164
does not yet meet the residency requirements described in division 1165
(D)(1)(a) of this section, the sheriff shall not deny the license 1166
because of the residency requirements but shall not issue the 1167

license until the applicant meets those residency requirements. 1168

(5) If an applicant has been convicted of or pleaded guilty 1169
to an offense identified in division (D)(1)(e), (f), or (h) of 1170
this section or has been adjudicated a delinquent child for 1171
committing an act or violation identified in any of those 1172
divisions, and if a court has ordered the sealing or expungement 1173
of the records of that conviction, guilty plea, or delinquent 1174
child adjudication pursuant to section 2151.358 or sections 1175
2953.31 to 2953.36 of the Revised Code, the sheriff with whom the 1176
application was submitted shall not consider the conviction, 1177
guilty plea, or delinquent child adjudication. 1178

(E) If a license to carry a concealed handgun issued under 1179
this section is lost or is destroyed, the licensee may obtain from 1180
the sheriff who issued that license a duplicate license upon the 1181
payment of a fee of fifteen dollars and the submission of an 1182
affidavit attesting to the loss or destruction of the license. The 1183
sheriff, in accordance with the procedures prescribed in section 1184
109.731 of the Revised Code, shall place on the replacement 1185
license a combination of identifying numbers different from the 1186
combination on the license that is being replaced. 1187

(F) A licensee who wishes to renew a license to carry a 1188
concealed handgun issued under this ~~section~~ section shall do so 1189
within not earlier than ninety days before the expiration date of 1190
the license and not later than thirty days after the expiration 1191
date of the license by filing with the sheriff of the county in 1192
which the applicant resides or with the sheriff of an adjacent 1193
county an application for renewal of the license obtained pursuant 1194
to division (D) of this section, a new color photograph of the 1195
licensee that was taken within thirty days prior to the date of 1196
the renewal application, a certification by the applicant that, 1197
subsequent to the issuance of the license, the applicant has 1198
reread the pamphlet prepared by the Ohio peace officer training 1199

commission pursuant to section 109.731 of the Revised Code that 1200
reviews firearms, dispute resolution, and use of deadly force 1201
matters, a new set of fingerprints provided in the manner 1202
specified in division ~~(D)(4)(B)(5)~~ of this section 2923.125 of the 1203
~~Revised Code~~ regarding initial applications for a license to carry 1204
a concealed handgun, and a nonrefundable license renewal fee 1205
unless the fee is waived. The licensee also shall submit a 1206
competency certification of the type described in division (B)(3) 1207
of this section that is not older than six years or a renewed 1208
competency certification of the type described in division (G)(4) 1209
of this section that is not older than six years. A sheriff shall 1210
accept a completed renewal application and the fee, items, 1211
materials, and information specified in this division at the times 1212
and in the manners described in division (I) of this section. 1213

Upon receipt of a completed renewal application, color 1214
photograph, certification that the applicant has reread the 1215
specified pamphlet prepared by the Ohio peace officer training 1216
commission, new set of fingerprints, competency certification or 1217
renewed competency certification, and license renewal fee unless 1218
the fee is waived, a sheriff, in the manner specified in section 1219
311.41 of the Revised Code shall conduct or cause to be conducted 1220
the criminal records check and the incompetency records check 1221
described in section 311.41 of the Revised Code. The sheriff shall 1222
renew the license if the sheriff determines that the applicant 1223
continues to satisfy the requirements described in division (D)(1) 1224
of this section, except that the applicant is required to submit a 1225
renewed competency certification only in the circumstances 1226
described in division (G)(4) of this section and except that 1227
division (D)(5) of this section also applies regarding the renewal 1228
application. A renewed license that is renewed on or after the 1229
effective date of this amendment shall expire five years after the 1230
date of issuance, and a renewed license that is renewed prior to 1231
the effective date of this amendment shall expire four years after 1232

the date of issuance ~~and~~. A renewed license is subject to division 1233
(E) of this section and sections 2923.126 and 2923.128 of the 1234
Revised Code. A sheriff shall comply with divisions (D)(2) to 1235
~~(4)~~(5) of this section when the circumstances described in those 1236
divisions apply to a requested license renewal. If a sheriff 1237
denies the renewal of a license to carry a concealed handgun, the 1238
applicant may appeal the denial, or challenge the criminal record 1239
check results that were the basis of the denial if applicable, in 1240
the same manner as specified in division (D)(2)(b) and in section 1241
2923.127 of the Revised Code, regarding the denial of a license 1242
under this section. 1243

(G)(1) Each course, class, or program described in division 1244
(B)(3)(a), (b), (c), or (e) of this section shall provide to each 1245
person who takes the course, class, or program a copy of the 1246
pamphlet prepared by the Ohio peace officer training commission 1247
pursuant to section 109.731 of the Revised Code that reviews 1248
firearms, dispute resolution, and use of deadly force matters. 1249
Each such course, class, or program described in one of those 1250
divisions shall include at least twelve hours of training in the 1251
safe handling and use of a firearm that shall include all of the 1252
following: 1253

(a) At least ten hours of training on the following matters: 1254

(i) The ability to name, explain, and demonstrate the rules 1255
for safe handling of a handgun and proper storage practices for 1256
handguns and ammunition; 1257

(ii) The ability to demonstrate and explain how to handle 1258
ammunition in a safe manner; 1259

(iii) The ability to demonstrate the knowledge, skills, and 1260
attitude necessary to shoot a handgun in a safe manner; 1261

(iv) Gun handling training. 1262

(b) At least two hours of training that consists of range 1263

time and live-fire training. 1264

(2) To satisfactorily complete the course, class, or program 1265
described in division (B)(3)(a), (b), (c), or (e) of this section, 1266
the applicant shall pass a competency examination that shall 1267
include both of the following: 1268

(a) A written section on the ability to name and explain the 1269
rules for the safe handling of a handgun and proper storage 1270
practices for handguns and ammunition; 1271

(b) A physical demonstration of competence in the use of a 1272
handgun and in the rules for safe handling and storage of a 1273
handgun and a physical demonstration of the attitude necessary to 1274
shoot a handgun in a safe manner. 1275

(3) The competency certification described in division 1276
(B)(3)(a), (b), (c), or (e) of this section shall be dated and 1277
shall attest that the course, class, or program the applicant 1278
successfully completed met the requirements described in division 1279
(G)(1) of this section and that the applicant passed the 1280
competency examination described in division (G)(2) of this 1281
section. 1282

(4) A person who has received a competency certification as 1283
described in division (B)(3) of this section, or who previously 1284
has received a renewed competency certification as described in 1285
this division, may obtain a renewed competency certification 1286
pursuant to this division. If the person has received a competency 1287
certification within the preceding six years, or previously has 1288
received a renewed competency certification within the preceding 1289
six years, the person may obtain a renewed competency 1290
certification from an entity that offers a course, class, or 1291
program described in division (B)(3)(a), (b), (c), or (e) of this 1292
section by passing a competency examination of the type described 1293
in division (G)(2) of this section. In these circumstances, the 1294

person is not required to attend the course, class, or program in 1295
order to be eligible to take the competency examination for the 1296
renewed competency certification. If more than six years has 1297
elapsed since the person last received a competency certification 1298
or a renewed competency certification, in order for the person to 1299
obtain a renewed competency certification, the person shall both 1300
satisfactorily complete a course, class, or program described in 1301
division (B)(3)(a), (b), (c), or (e) of this section and pass a 1302
competency examination of the type described in division (G)(2) of 1303
this section. A renewed competency certification issued under this 1304
division shall be dated and shall attest that the applicant passed 1305
the competency examination of the type described in division 1306
(G)(2) of this section and, if applicable, that the person 1307
successfully completed a course, class, or program that met the 1308
requirements described in division (G)(1) of this section. 1309

(H) Upon deciding to issue a license, deciding to issue a 1310
replacement license, or deciding to renew a license to carry a 1311
concealed handgun pursuant to this section, and before actually 1312
issuing or renewing the license, the sheriff shall make available 1313
through the law enforcement automated data system all information 1314
contained on the license. If the license subsequently is suspended 1315
under division (A)(1) of section 2923.128 of the Revised Code, 1316
revoked pursuant to division (B)(1) of section 2923.128 of the 1317
Revised Code, or lost or destroyed, the sheriff also shall make 1318
available through the law enforcement automated data system a 1319
notation of that fact. The superintendent of the state highway 1320
patrol shall ensure that the law enforcement automated data system 1321
is so configured as to permit the transmission through the system 1322
of the information specified in this division. 1323

(I) A sheriff shall accept a completed application form or 1324
renewal application, and the fee, items, materials, and 1325
information specified in divisions (B)(1) to (5) or division (F) 1326

of this section, whichever is applicable, and shall provide an 1327
application form or renewal application and a copy of the pamphlet 1328
described in division (B) of section 109.731 of the Revised Code 1329
to any person during at least fifteen hours a week. The sheriff 1330
shall post notice of the hours during which the sheriff is 1331
available to accept or provide the information described in this 1332
division. 1333

Sec. 2923.126. (A) A license to carry a concealed handgun 1334
that is issued under section 2923.125 of the Revised Code on or 1335
after the effective date of this amendment shall expire five years 1336
after the date of issuance, and a license that is so issued prior 1337
to the effective date of this amendment shall expire four years 1338
after the date of issuance. A licensee who has been issued a 1339
license under that section shall be granted a grace period of 1340
thirty days after the licensee's license expires during which the 1341
licensee's license remains valid. Except as provided in divisions 1342
(B) and (C) of this section, a licensee who has been issued a 1343
license under section 2923.125 or 2923.1213 of the Revised Code 1344
may carry a concealed handgun anywhere in this state if the 1345
licensee also carries a valid license and valid identification 1346
when the licensee is in actual possession of a concealed handgun. 1347
The licensee shall give notice of any change in the licensee's 1348
residence address to the sheriff who issued the license within 1349
forty-five days after that change. 1350

If a licensee is the driver or an occupant of a motor vehicle 1351
that is stopped as the result of a traffic stop or a stop for 1352
another law enforcement purpose and if the licensee is 1353
transporting or has a loaded handgun in the motor vehicle at that 1354
time, the licensee shall promptly inform any law enforcement 1355
officer who approaches the vehicle while stopped that the licensee 1356
has been issued a license or temporary emergency license to carry 1357

a concealed handgun and that the licensee currently possesses or
has a loaded handgun; the licensee shall comply with lawful orders
of a law enforcement officer given while the motor vehicle is
stopped, shall remain in the motor vehicle while stopped, and
shall keep the licensee's hands in plain sight while any law
enforcement officer begins approaching the licensee while stopped
and before the officer leaves, unless directed otherwise by a law
enforcement officer; and the licensee shall not knowingly remove,
attempt to remove, grasp, or hold the loaded handgun or knowingly
have contact with the loaded handgun by touching it with the
licensee's hands or fingers, in any manner in violation of
division (E) of section 2923.16 of the Revised Code, while any law
enforcement officer begins approaching the licensee while stopped
and before the officer leaves. If a law enforcement officer
otherwise approaches a person who has been stopped for a law
enforcement purpose, if the person is a licensee, and if the
licensee is carrying a concealed handgun at the time the officer
approaches, the licensee shall promptly inform the officer that
the licensee has been issued a license or temporary emergency
license to carry a concealed handgun and that the licensee
currently is carrying a concealed handgun.

(B) A valid license issued under section 2923.125 or
2923.1213 of the Revised Code does not authorize the licensee to
carry a concealed handgun in any manner prohibited under division
(B) of section 2923.12 of the Revised Code or in any manner
prohibited under section 2923.16 of the Revised Code. A valid
license does not authorize the licensee to carry a concealed
handgun into any of the following places:

(1) A police station, sheriff's office, or state highway
patrol station, premises controlled by the bureau of criminal
identification and investigation, a state correctional
institution, jail, workhouse, or other detention facility, an

airport passenger terminal, or an institution that is maintained, 1390
operated, managed, and governed pursuant to division (A) of 1391
section 5119.02 of the Revised Code or division (A)(1) of section 1392
5123.03 of the Revised Code; 1393

(2) A school safety zone, in violation of section 2923.122 of 1394
the Revised Code; 1395

(3) A courthouse or another building or structure in which a 1396
courtroom is located, in violation of section 2923.123 of the 1397
Revised Code; 1398

(4) Any room or open air arena in which liquor is being 1399
dispensed in premises for which a D permit has been issued under 1400
Chapter 4303. of the Revised Code, in violation of section 1401
2923.121 of the Revised Code; 1402

(5) Any premises owned or leased by any public or private 1403
college, university, or other institution of higher education, 1404
unless the handgun is in a locked motor vehicle or the licensee is 1405
in the immediate process of placing the handgun in a locked motor 1406
vehicle; 1407

(6) Any church, synagogue, mosque, or other place of worship, 1408
unless the church, synagogue, mosque, or other place of worship 1409
posts or permits otherwise; 1410

(7) A child day-care center, a type A family day-care home, a 1411
type B family day-care home, or a type C family day-care home, 1412
except that this division does not prohibit a licensee who resides 1413
in a type A family day-care home, a type B family day-care home, 1414
or a type C family day-care home from carrying a concealed handgun 1415
at any time in any part of the home that is not dedicated or used 1416
for day-care purposes, or from carrying a concealed handgun in a 1417
part of the home that is dedicated or used for day-care purposes 1418
at any time during which no children, other than children of that 1419
licensee, are in the home; 1420

(8) An aircraft that is in, or intended for operation in, 1421
foreign air transportation, interstate air transportation, 1422
intrastate air transportation, or the transportation of mail by 1423
aircraft; 1424

(9) Any building that is owned by this state or any political 1425
subdivision of this state, and all portions of any building that 1426
is not owned by any governmental entity listed in this division 1427
but that is leased by such a governmental entity listed in this 1428
division; 1429

(10) A place in which federal law prohibits the carrying of 1430
handguns. 1431

(C)(1) Nothing in this section shall negate or restrict a 1432
rule, policy, or practice of a private employer that is not a 1433
private college, university, or other institution of higher 1434
education concerning or prohibiting the presence of firearms on 1435
the private employer's premises or property, including motor 1436
vehicles owned by the private employer. Nothing in this section 1437
shall require a private employer of that nature to adopt a rule, 1438
policy, or practice concerning or prohibiting the presence of 1439
firearms on the private employer's premises or property, including 1440
motor vehicles owned by the private employer. 1441

(2)(a) A private employer shall be immune from liability in a 1442
civil action for any injury, death, or loss to person or property 1443
that allegedly was caused by or related to a licensee bringing a 1444
handgun onto the premises or property of the private employer, 1445
including motor vehicles owned by the private employer, unless the 1446
private employer acted with malicious purpose. A private employer 1447
is immune from liability in a civil action for any injury, death, 1448
or loss to person or property that allegedly was caused by or 1449
related to the private employer's decision to permit a licensee to 1450
bring, or prohibit a licensee from bringing, a handgun onto the 1451

premises or property of the private employer. As used in this 1452
division, "private employer" includes a private college, 1453
university, or other institution of higher education. 1454

(b) A political subdivision shall be immune from liability in 1455
a civil action, to the extent and in the manner provided in 1456
Chapter 2744. of the Revised Code, for any injury, death, or loss 1457
to person or property that allegedly was caused by or related to a 1458
licensee bringing a handgun onto any premises or property owned, 1459
leased, or otherwise under the control of the political 1460
subdivision. As used in this division, "political subdivision" has 1461
the same meaning as in section 2744.01 of the Revised Code. 1462

(3) The owner or person in control of private land or 1463
premises, and a private person or entity leasing land or premises 1464
owned by the state, the United States, or a political subdivision 1465
of the state or the United States, may post a sign in a 1466
conspicuous location on that land or on those premises prohibiting 1467
persons from carrying firearms or concealed firearms on or onto 1468
that land or those premises. A person who knowingly violates a 1469
posted prohibition of that nature is guilty of criminal trespass 1470
in violation of division (A)(4) of section 2911.21 of the Revised 1471
Code and is guilty of a misdemeanor of the fourth degree. 1472

(D) A person who holds a license to carry a concealed handgun 1473
that was issued pursuant to the law of another state that is 1474
recognized by the attorney general pursuant to a reciprocity 1475
agreement entered into pursuant to section 109.69 of the Revised 1476
Code has the same right to carry a concealed handgun in this state 1477
as a person who was issued a license to carry a concealed handgun 1478
under section 2923.125 of the Revised Code and is subject to the 1479
same restrictions that apply to a person who carries a license 1480
issued under that section. 1481

A peace officer has the same right to carry a concealed 1482

handgun in this state as a person who was issued a license to 1483
carry a concealed handgun under section 2923.125 of the Revised 1484
Code. For purposes of reciprocity with other states, a peace 1485
officer shall be considered to be a licensee in this state. 1486

Sec. 2923.127. (A) If a sheriff denies an application for a 1487
license to carry a concealed handgun, denies the renewal of a 1488
license to carry a concealed handgun, or denies an application for 1489
a temporary emergency license to carry a concealed handgun as a 1490
result of the criminal records check conducted pursuant to section 1491
311.41 of the Revised Code and if the applicant believes the 1492
denial was based on incorrect information reported by the source 1493
the sheriff used in conducting the criminal records check, the 1494
applicant may challenge the criminal records check results using 1495
whichever of the following is applicable: 1496

(1) If the bureau of criminal identification and 1497
investigation performed the criminal records check, by using the 1498
bureau's existing challenge and review procedures; 1499

(2) If division (A)(1) of this section does not apply, by 1500
using the ~~sheriff's~~ existing challenge and review procedure of the 1501
sheriff who denied the application or, if the sheriff does not 1502
have a challenge and review procedure, by using the challenge and 1503
review procedure prescribed by the bureau of criminal 1504
identification and investigation pursuant to division (B) of this 1505
section. 1506

(B) The bureau of criminal identification and investigation 1507
shall prescribe a challenge and review procedure for applicants to 1508
use to challenge criminal records checks under division (A)(2) of 1509
this section in counties in which the sheriff with whom the 1510
application for a license to carry a concealed handgun or for the 1511
renewal of a license to carry a concealed handgun was filed or 1512
with whom the application for a temporary emergency license to 1513

carry a concealed handgun was submitted does not have an existing 1514
challenge and review procedure. 1515

Sec. 2923.128. (A)(1) If a licensee holding a valid license 1516
issued under section 2923.125 or 2923.1213 of the Revised Code is 1517
arrested for or otherwise charged with an offense described in 1518
division (D)(1)(d) of section 2923.125 of the Revised Code or with 1519
a violation of section 2923.15 of the Revised Code or becomes 1520
subject to a temporary protection order or to a protection order 1521
issued by a court of another state that is substantially 1522
equivalent to a temporary protection order, the sheriff who issued 1523
the license or temporary emergency license shall suspend it and 1524
shall comply with division (A)(3) of this section upon becoming 1525
aware of the arrest, charge, or protection order. 1526

(2) A suspension under division (A)(1) of this section shall 1527
be considered as beginning on the date that the licensee is 1528
arrested for or otherwise charged with an offense described in 1529
that division or on the date the appropriate court issued the 1530
protection order described in that division, irrespective of when 1531
the sheriff notifies the licensee under division (A)(3) of this 1532
section. The suspension shall end on the date on which the charges 1533
are dismissed or the licensee is found not guilty of the offense 1534
described in division (A)(1) of this section or, subject to 1535
division (B) of this section, on the date the appropriate court 1536
terminates the protection order described in that division. If the 1537
suspension so ends, the sheriff shall return the license or 1538
temporary emergency license to the licensee. 1539

(3) Upon becoming aware of an arrest, charge, or protection 1540
order described in division (A)(1) of this section with respect to 1541
a licensee who was issued a license under section 2923.125 or 1542
2923.1213 of the Revised Code, the sheriff who issued the 1543
licensee's license or temporary emergency license to carry a 1544

concealed handgun shall notify the licensee, by certified mail, 1545
return receipt requested, at the licensee's last known residence 1546
address that the license or temporary emergency license has been 1547
suspended and that the licensee is required to surrender the 1548
license or temporary emergency license at the sheriff's office 1549
within ten days of the date on which the notice was mailed. 1550

(B)(1) A sheriff who issues a license or temporary emergency 1551
license to carry a concealed handgun to a licensee under section 1552
2923.125 or 2923.1213 of the Revised Code shall revoke the license 1553
or temporary emergency license in accordance with division (B)(2) 1554
of this section upon becoming aware that the licensee satisfies 1555
any of the following: 1556

(a) The licensee is under twenty-one years of age. 1557

(b) ~~At~~ Subject to division (B)(3) of this section, at the 1558
time of the issuance of the license or temporary emergency 1559
license, the licensee did not satisfy the eligibility requirements 1560
of division (D)(1)(c), (d), (e), (f), (g), or (h) of section 1561
2923.125 of the Revised Code. 1562

(c) ~~On~~ Subject to division (B)(3) of this section, on or 1563
after the date on which the license or temporary emergency license 1564
was issued, the licensee is convicted of or pleads guilty to a 1565
violation of section 2923.15 of the Revised Code or an offense 1566
described in division (D)(1)(e), (f), (g), or (h) of section 1567
2923.125 of the Revised Code. 1568

(d) On or after the date on which the license or temporary 1569
emergency license was issued, the licensee becomes subject to a 1570
civil protection order or to a protection order issued by a court 1571
of another state that is substantially equivalent to a civil 1572
protection order. 1573

(e) The licensee knowingly carries a concealed handgun into a 1574
place that the licensee knows is an unauthorized place specified 1575

in division (B) of section 2923.126 of the Revised Code. 1576

(f) On or after the date on which the license or temporary 1577
emergency license was issued, the licensee is adjudicated as a 1578
mental defective or is committed to a mental institution. 1579

(g) At the time of the issuance of the license or temporary 1580
emergency license, the licensee did not meet the residency 1581
requirements described in division (D)(1) of section 2923.125 of 1582
the Revised Code and currently does not meet the residency 1583
requirements described in that division. 1584

(h) Regarding a license issued under section 2923.125 of the 1585
Revised Code, the competency certificate the licensee submitted 1586
was forged or otherwise was fraudulent. 1587

(2) Upon becoming aware of any circumstance listed in 1588
division (B)(1) of this section that applies to a particular 1589
licensee who was issued a license under section 2923.125 or 1590
2923.1213 of the Revised Code, the sheriff who issued the license 1591
or temporary emergency license to carry a concealed handgun to the 1592
licensee shall notify the licensee, by certified mail, return 1593
receipt requested, at the licensee's last known residence address 1594
that the license or temporary emergency license is subject to 1595
revocation and that the licensee may come to the sheriff's office 1596
and contest the sheriff's proposed revocation within fourteen days 1597
of the date on which the notice was mailed. After the fourteen-day 1598
period and after consideration of any information that the 1599
licensee provides during that period, if the sheriff determines on 1600
the basis of the information of which the sheriff is aware that 1601
the licensee is described in division (B)(1) of this section and 1602
no longer satisfies the requirements described in division (D)(1) 1603
of section 2923.125 of the Revised Code that are applicable to the 1604
licensee's type of license, subject to division (B)(3) of this 1605
section, the sheriff shall revoke the license or temporary 1606

emergency license, notify the licensee of that fact, and require 1607
the licensee to surrender the license or temporary emergency 1608
license. 1609

(3) If a sheriff who issues a license or temporary emergency 1610
license to carry a concealed handgun to a licensee under section 1611
2923.125 or 2923.1213 of the Revised Code becomes aware that, at 1612
the time of the issuance of the license or temporary emergency 1613
license, the licensee had been convicted of or pleaded guilty to 1614
an offense identified in division (D)(1)(e), (f), or (h) of 1615
section 2923.125 of the Revised Code or had been adjudicated a 1616
delinquent child for committing an act or violation identified in 1617
any of those divisions, or that, on or after the date on which the 1618
license or temporary emergency license was issued, the licensee 1619
has been convicted of or pleaded guilty to a violation of section 1620
2923.15 of the Revised Code or an offense described in division 1621
(D)(1)(e), (f), or (h) of section 2923.125 of the Revised Code, 1622
the sheriff shall not consider that conviction, guilty plea, or 1623
juvenile adjudication as having occurred if a court has ordered 1624
the sealing or expungement of the records of that conviction, 1625
guilty plea, or delinquent child adjudication pursuant to section 1626
2151.358 or sections 2953.31 to 2953.36 of the Revised Code. 1627

Sec. 2923.1210. The application for a license to carry a 1628
concealed handgun or for the renewal of a license of that nature 1629
that is to be used under section 2923.125 of the Revised Code 1630
shall conform substantially to the following form: 1631

"Ohio Peace APPLICATION FOR A LICENSE TO 1632
Officer CARRY A CONCEALED HANDGUN
Training
Commission

 Please Type or Print in Ink 1633

SECTION I. 1634

This application will not be processed unless 1635

all applicable questions have been answered and until all required supporting documents as described in division (B) or (F) of section 2923.125 of the Ohio Revised Code and, unless waived, a cashier's check, certified check, or money order in the amount of the applicable license fee or license renewal fee have been submitted. FEES ARE NONREFUNDABLE.

SECTION II. 1636

Name: 1637

| | | | |
|-------|-------|--------|------|
| Last | First | Middle | |
| ..... | ..... | ..... | 1638 |
| ..... | ..... | ..... | 1639 |

Social Security Number:..... 1640

Current Residence: 1641

| | | | | | |
|--------|-------|-------|--------|-------|------|
| Street | City | State | County | Zip | |
| ..... | ..... | ..... | ..... | ..... | 1642 |
| ..... | ..... | ..... | ..... | ..... | 1643 |

Mailing Address (If Different From Above): 1644

| | | | | |
|--------|-------|-------|-------|------|
| Street | City | State | Zip | |
| ..... | ..... | ..... | ..... | 1645 |
| ..... | ..... | ..... | ..... | 1646 |

| | | | | | |
|-------------------|----------------|------|-------|------------|------|
| Date of Birth | Place of Birth | Sex | Race | Residence | |
| ...../...../..... | ..... | .... | ..... | (...)..... | 1647 |
| ...../...../..... | ..... | .... | ..... | (...)..... | 1648 |

SECTION III. THE FOLLOWING QUESTIONS ARE TO BE ANSWERED YES OR NO 1649

(1)(a) Are you legally living in the United States? YES NO 1650

(b) Have you been a resident of Ohio for at least forty-five days and have you been a resident for thirty days of the county with whose sheriff you are filing this application or of a county adjacent to that county? YES NO 1651

(2) Are you at least twenty-one years of age? YES NO 1652

- (3) Are you a fugitive from justice? YES NO 1653
- (4) Are you under indictment for a felony, YES NO 1654
except for a conviction or guilty plea the
records of which a court has ordered sealed or
expunged, have you ever been convicted of or
pleaded guilty to a felony, or, except for a
delinquent child adjudication the records of
which a court has ordered sealed or expunged,
have you ever been adjudicated a delinquent
child for committing an act that would be a
felony if committed by an adult?
- (5) Are you under indictment for or otherwise YES NO 1655
charged with, or, except for a conviction or
guilty plea the records of which a court has
ordered sealed or expunged, have you ever been
convicted of or pleaded guilty to, an offense
under Chapter 2925., 3719., or 4729. of the
Ohio Revised Code that involves the illegal
possession, use, sale, administration, or
distribution of or trafficking in a drug of
abuse, or, except for a delinquent child
adjudication the records of which a court has
ordered sealed or expunged, have you ever been
adjudicated a delinquent child for committing
an act that would be an offense of that nature
if committed by an adult?
- (6) Are you under indictment for or otherwise YES NO 1656
charged with, or, except for a conviction or
guilty plea the records of which a court has
ordered sealed or expunged, have you been
convicted of or pleaded guilty to within three
years of the date of this application, a
misdemeanor that is an offense of violence or

the offense of possessing a revoked or suspended concealed handgun license, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged, have you been adjudicated a delinquent child within three years of the date of this application for committing an act that would be a misdemeanor of that nature if committed by an adult?

(7) Are you under indictment for or otherwise charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged, have you been convicted of or pleaded guilty to within ten years of the date of this application, resisting arrest, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged, have you been adjudicated a delinquent child for committing, within ten years of the date of this application an act that if committed by an adult would be the offense of resisting arrest? YES NO 1657

(8)(a) Are you under indictment for or otherwise charged with assault or negligent assault? YES NO 1658

(b) Have you been convicted of, pleaded guilty to, or adjudicated a delinquent child two or more times for committing assault or negligent assault within five years of the date of this application? YES NO 1659

(c) ~~Have~~ Except for a conviction, guilty plea, or delinquent child adjudication the records YES NO 1660

of which a court has ordered sealed or expunged, have you ever been convicted of, pleaded guilty to, or adjudicated a delinquent child for assaulting a peace officer?

(9)(a) Have you ever been adjudicated as a mental defective? YES NO 1661

(b) Have you ever been committed to a mental institution? YES NO 1662

(10) Are you currently subject to a civil protection order, a temporary protection order, or a protection order issued by a court of another state? YES NO 1663

SECTION IV. YOU MUST COMPLETE THIS SECTION OF THE APPLICATION BY PROVIDING, TO THE BEST OF YOUR KNOWLEDGE, THE ADDRESS OF EACH PLACE OF RESIDENCE AT WHICH YOU RESIDED AT ANY TIME AFTER YOU ATTAINED EIGHTEEN YEARS OF AGE AND UNTIL YOU COMMENCED YOUR RESIDENCE AT THE LOCATION IDENTIFIED IN SECTION II OF THIS FORM, AND THE DATES OF RESIDENCE AT EACH OF THOSE ADDRESSES. IF YOU NEED MORE SPACE, COMPLETE AN ADDITIONAL SHEET WITH THE ~~relevant~~ RELEVANT INFORMATION, ATTACH IT TO THE APPLICATION, AND NOTE THE ATTACHMENT AT THE END OF THIS SECTION. 1664
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Residence 1: 1673

Street City State County Zip 1674
..... 1675
 Dates of residence at this address 1676

Residence 2: 1677

Street City State County Zip 1678
..... 1679
 Dates of residence at this address 1680

Residence 3: 1681

Street City State County Zip 1682
..... 1683

| | |
|--|------|
| Dates of residence at this address | 1684 |
| Residence 4: | 1685 |
| Street City State County Zip | 1686 |
| ..... | 1687 |
| Dates of residence at this address | 1688 |
| SECTION V. | 1689 |
| AN APPLICANT WHO KNOWINGLY GIVES A FALSE ANSWER TO ANY QUESTION OR | 1690 |
| SUBMITS FALSE INFORMATION ON, OR A FALSE DOCUMENT WITH THE | 1691 |
| APPLICATION MAY BE PROSECUTED FOR FALSIFICATION TO OBTAIN A | 1692 |
| CONCEALED HANDGUN LICENSE, A FELONY OF THE FOURTH DEGREE, IN | 1693 |
| VIOLATION OF SECTION 2921.13 OF THE OHIO REVISED CODE. | 1694 |
| (1) I have been furnished, and have read, the pamphlet that | 1695 |
| explains the Ohio firearms laws, that provides instruction in | 1696 |
| dispute resolution and explains the Ohio laws related to that | 1697 |
| matter, and that provides information regarding all aspects | 1698 |
| of the use of deadly force with a firearm, and I am | 1699 |
| knowledgeable of the provisions of those laws and of the | 1700 |
| information on those matters. | 1701 |
| (2) I desire a legal means to carry a concealed handgun for | 1702 |
| defense of myself or a member of my family while engaged in | 1703 |
| lawful activity. | 1704 |
| (3) I have never been convicted of or pleaded guilty to a crime of | 1705 |
| violence in the state of Ohio or elsewhere. I am of sound | 1706 |
| mind. I hereby certify that the statements contained herein | 1707 |
| are true and correct to the best of my knowledge and belief. | 1708 |
| I understand that if I knowingly make any false statements | 1709 |
| herein I am subject to penalties prescribed by law. I | 1710 |
| authorize the sheriff or the sheriff's designee to inspect | 1711 |
| only those records or documents relevant to information | 1712 |
| required for this application. | 1713 |
| (4) The information contained in this application and all attached | 1714 |

| | |
|--|--|
| documents are true and correct to the best of my knowledge. | 1715 |
| ..... | 1716 |
| Signature of Applicant" | 1717 |
| | |
| Sec. 2923.1213. (A) As used in this section: | 1718 |
| (1) "Evidence of imminent danger" means any of the following: | 1719 |
| (a) A statement sworn by the person seeking to carry a concealed handgun 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; | 1720 1721 1722 1723 1724 |
| (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 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. | 1725 1726 1727 1728 1729 1730 1731 1732 1733 1734 |
| (2) "Prosecutor" has the same meaning as in section 2935.01 of the Revised Code. | 1735 1736 |
| (B)(1) A person seeking a temporary emergency license to carry a concealed handgun shall submit to the sheriff of the county in which the person resides all of the following: | 1737 1738 1739 |
| (a) Evidence of imminent danger to the person or a member of the person's family; | 1740 1741 |
| (b) A sworn affidavit that contains all of the information required to be on the license and attesting that the person <u>is</u> <u>legally living in the United States</u> ; is at least twenty-one years | 1742 1743 1744 |

of age; is not a fugitive from justice; is not under indictment 1745
for or otherwise charged with an offense identified in division 1746
(D)(1)(d) of section 2923.125 of the Revised Code; has not been 1747
convicted of or pleaded guilty to an offense, and has not been 1748
adjudicated a delinquent child for committing an act, identified 1749
in division (D)(1)(e) of that section; within three years of the 1750
date of the submission, has not been convicted of or pleaded 1751
guilty to an offense, and has not been adjudicated a delinquent 1752
child for committing an act, identified in division (D)(1)(f) of 1753
that section; within five years of the date of the submission, has 1754
not been convicted of, pleaded guilty, or adjudicated a delinquent 1755
child for committing two or more violations identified in division 1756
(D)(1)(g) of that section; within ten years of the date of the 1757
submission, has not been convicted of, pleaded guilty, or 1758
adjudicated a delinquent child for committing a violation 1759
identified in division (D)(1)(h) of that section; has not been 1760
adjudicated as a mental defective, has not been committed to any 1761
mental institution, is not under adjudication of mental 1762
incompetence, has not been found by a court to be a mentally ill 1763
person subject to hospitalization by court order, and is not an 1764
involuntary patient other than one who is a patient only for 1765
purposes of observation, as described in division (D)(1)(i) of 1766
that section; and is not currently subject to a civil protection 1767
order, a temporary protection order, or a protection order issued 1768
by a court of another state, as described in division (D)(1)(j) of 1769
that section; 1770

(c) A temporary emergency license fee established by the Ohio 1771
peace officer training commission for an amount that does not 1772
exceed the actual cost of conducting the criminal background check 1773
or thirty dollars; 1774

(d) A set of fingerprints of the applicant provided as 1775
described in section 311.41 of the Revised Code through use of an 1776

electronic fingerprint reading device or, if the sheriff to whom
the application is submitted does not possess and does not have
ready access to the use of an electronic fingerprint reading
device, on a standard impression sheet prescribed pursuant to
division (C)(2) of section 109.572 of the Revised Code. If the
fingerprints are provided on a standard impression sheet, the
person also shall provide the person's social security number to
the sheriff.

(2) A sheriff shall accept the evidence of imminent danger,
the sworn affidavit, the fee, and the set of fingerprints required
under division (B)(1) of this section at the times and in the
manners described in division (I) of this section. Upon receipt of
the evidence of imminent danger, the sworn affidavit, the fee, and
the set of fingerprints required under division (B)(1) of this
section, the sheriff, in the manner specified in section 311.41 of
the Revised Code, immediately shall conduct or cause to be
conducted the criminal records check and the incompetency records
check described in section 311.41 of the Revised Code. Immediately
upon receipt of the results of the records checks, the sheriff
shall review the information and shall determine whether the
criteria set forth in divisions (D)(1)(a) to (j) of section
2923.125 of the Revised Code apply regarding the person. If the
sheriff determines that all of criteria set forth in divisions
(D)(1)(a) to (j) of section 2923.125 of the Revised Code apply
regarding the person, the sheriff shall immediately make available
through the law enforcement automated data system all information
that will be contained on the temporary emergency license for the
person if one is issued, and the superintendent of the state
highway patrol shall ensure that the system is so configured as to
permit the transmission through the system of that information.
Upon making that information available through the law enforcement
automated data system, the sheriff shall immediately issue to the

person a temporary emergency license to carry a concealed handgun. 1809

If the sheriff denies the issuance of a temporary emergency 1810
license to the person, the sheriff shall specify the grounds for 1811
the denial in a written notice to the person. The person may 1812
appeal the denial, or challenge criminal records check results 1813
that were the basis of the denial if applicable, in the same 1814
manners specified in division (D)(2) of section 2923.125 and in 1815
section 2923.127 of the Revised Code, regarding the denial of an 1816
application for a license to carry a concealed handgun under that 1817
section. 1818

The temporary emergency license under this division shall be 1819
in the form, and shall include all of the information, described 1820
in divisions (A)(2) and (5) of section 109.731 of the Revised 1821
Code, and also shall include a unique combination of identifying 1822
letters and numbers in accordance with division (A)(4) of that 1823
section. 1824

The temporary emergency license issued under this division is 1825
valid for ninety days and may not be renewed. A person who has 1826
been issued a temporary emergency license under this division 1827
shall not be issued another temporary emergency license unless at 1828
least four years has expired since the issuance of the prior 1829
temporary emergency license. 1830

(C) A person who holds a temporary emergency license to carry 1831
a concealed handgun has the same right to carry a concealed 1832
handgun as a person who was issued a license to carry a concealed 1833
handgun under section 2923.125 of the Revised Code, and any 1834
exceptions to the prohibitions contained in section 1547.69 and 1835
sections 2923.12 to 2923.16 of the Revised Code for a licensee 1836
under section 2923.125 of the Revised Code apply to a licensee 1837
under this section. The person is subject to the same 1838
restrictions, and to all other procedures, duties, and sanctions, 1839
that apply to a person who carries a license issued under section 1840

2923.125 of the Revised Code, other than the license renewal 1841
procedures set forth in that section. 1842

(D) A sheriff who issues a temporary emergency license to 1843
carry a concealed handgun under this section shall not require a 1844
person seeking to carry a concealed handgun in accordance with 1845
this section to submit a competency certificate as a prerequisite 1846
for issuing the license and shall comply with division (H) of 1847
section 2923.125 of the Revised Code in regards to the license. 1848
The sheriff shall suspend or revoke the license in accordance with 1849
section 2923.128 of the Revised Code. In addition to the 1850
suspension or revocation procedures set forth in section 2923.128 1851
of the Revised Code, the sheriff may revoke the license upon 1852
receiving information, verifiable by public documents, that the 1853
person is not eligible to possess a firearm under either the laws 1854
of this state or of the United States or that the person committed 1855
perjury in obtaining the license; if the sheriff revokes a license 1856
under this additional authority, the sheriff shall notify the 1857
person, by certified mail, return receipt requested, at the 1858
person's last known residence address that the license has been 1859
revoked and that the person is required to surrender the license 1860
at the sheriff's office within ten days of the date on which the 1861
notice was mailed. Division (H) of section 2923.125 of the Revised 1862
Code applies regarding any suspension or revocation of a temporary 1863
emergency license to carry a concealed handgun. 1864

(E) A sheriff who issues a temporary emergency license to 1865
carry a concealed handgun under this section shall retain, for the 1866
entire period during which the temporary emergency license is in 1867
effect, the evidence of imminent danger that the person submitted 1868
to the sheriff and that was the basis for the license, or a copy 1869
of that evidence, as appropriate. 1870

(F) If a temporary emergency license to carry a concealed 1871
handgun issued under this section is lost or is destroyed, the 1872

licensee may obtain from the sheriff who issued that license a
duplicate license upon the payment of a fee of fifteen dollars and
the submission of an affidavit attesting to the loss or
destruction of the license. The sheriff, in accordance with the
procedures prescribed in section 109.731 of the Revised Code,
shall place on the replacement license a combination of
identifying numbers different from the combination on the license
that is being replaced.

(G) The Ohio peace officer training commission shall
prescribe, and shall make available to sheriffs, a standard form
to be used under division (B) of this section by a person who
applies for a temporary emergency license to carry a concealed
handgun on the basis of imminent danger of a type described in
division (A)(1)(a) of this section.

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

(I) A sheriff shall accept evidence of imminent danger, a
sworn affidavit, the fee, and the set of fingerprints specified in
division (B)(1) of this section at any time during normal business
hours. In no case shall a sheriff require an appointment, or
designate a specific period of time, for the submission or
acceptance of evidence of imminent danger, a sworn affidavit, the
fee, and the set of fingerprints specified in division (B)(1) of
this section, or for the provision to any person of a standard
form to be used for a person to apply for a temporary emergency
license to carry a concealed handgun.

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

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

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

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

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

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

(4) In plain sight with the action open or the weapon
stripped, or, if the firearm is of a type on which the action will
not stay open or which cannot easily be stripped, in plain sight.

(D) ~~No~~ Except as provided in division (F)(5) of this section,
no person shall knowingly transport or have a loaded handgun in a
motor vehicle if, at the time of that transportation or
possession, any of the following applies:

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

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

(E) No person who has been issued a license or temporary
emergency license to carry a concealed handgun under section

2923.125 or 2923.1213 of the Revised Code shall do any of the following: 1933
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(1) Knowingly transport or have a loaded handgun in a motor vehicle unless the loaded handgun either is in a holster ~~and in plain sight~~ on the person's person or it is securely encased by being stored in a closed, locked glove compartment or in a case that is ~~in plain sight and that is~~ locked; 1935
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(2) If the person is transporting or has a loaded handgun in a motor vehicle in a manner authorized under division (E)(1) of this section, knowingly remove or attempt to remove the loaded handgun from the holster, glove compartment, or case, knowingly grasp or hold the loaded handgun, or knowingly have contact with the loaded handgun by touching it with the person's hands or fingers while the motor vehicle is being operated on a street, highway, or public property unless the person removes, attempts to remove, grasps, holds, or has the contact with the loaded handgun pursuant to and in accordance with directions given by a law enforcement officer; 1940
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(3) If the person is the driver or an occupant of a motor vehicle that is stopped as a result of a traffic stop or a stop for another law enforcement purpose and if the person is transporting or has a loaded handgun in the motor vehicle in any manner, fail to promptly inform any law enforcement officer who approaches the vehicle while stopped that the person has been issued a license or temporary emergency license to carry a concealed handgun and that the person then possesses or has a loaded handgun in the motor vehicle. 1951
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(4) If the person is the driver or an occupant of a motor vehicle that is stopped as a result of a traffic stop or a stop for another law enforcement purpose and if the person is transporting or has a loaded handgun in the motor vehicle in any 1960
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manner, knowingly disregard or fail to comply with any lawful 1964
order of any law enforcement officer given while the motor vehicle 1965
is stopped, knowingly fail to remain in the motor vehicle while 1966
stopped, or knowingly fail to keep the person's hands in plain 1967
sight at any time after any law enforcement officer begins 1968
approaching the person while stopped and before the law 1969
enforcement officer leaves, unless, regarding a failure to remain 1970
in the motor vehicle or to keep the person's hands in plain sight, 1971
the failure is pursuant to and in accordance with directions given 1972
by a law enforcement officer; 1973

(5) If the person is the driver or an occupant of a motor 1974
vehicle that is stopped as a result of a traffic stop or a stop 1975
for another law enforcement purpose, if the person is transporting 1976
or has a loaded handgun in the motor vehicle in a manner 1977
authorized under division (E)(1) of this section, and if the 1978
person is approached by any law enforcement officer while stopped, 1979
knowingly remove or attempt to remove the loaded handgun from the 1980
holster, glove compartment, or case, knowingly grasp or hold the 1981
loaded handgun, or knowingly have contact with the loaded handgun 1982
by touching it with the person's hands or fingers in the motor 1983
vehicle at any time after the law enforcement officer begins 1984
approaching and before the law enforcement officer leaves, unless 1985
the person removes, attempts to remove, grasps, holds, or has 1986
contact with the loaded handgun pursuant to and in accordance with 1987
directions given by the law enforcement officer. 1988

(F)(1) ~~This~~ Divisions (A), (B), (C), and (E) of this section 1989
~~does~~ do not apply to officers, agents, or employees of this or any 1990
other state or the United States, or to law enforcement officers, 1991
when authorized to carry or have loaded or accessible firearms in 1992
motor vehicles and acting within the scope of their duties. 1993
Divisions (A), (B), (C), and (E) of this section do not apply to 1994
any person who is subject to and in compliance with the 1995

requirements of section 109.801 of the Revised Code, unless the 1996
appointing authority of the person has expressly specified that 1997
the exemptions provided under this provision do not apply to the 1998
person. 1999

(2) Division (A) of this section does not apply to a person 2000
if all of the following circumstances apply: 2001

(a) The person discharges a firearm from a motor vehicle at a 2002
coyote or groundhog, the discharge is not during the deer gun 2003
hunting season as set by the chief of the division of wildlife of 2004
the department of natural resources, and the discharge at the 2005
coyote or groundhog, but for the operation of this section, is 2006
lawful. 2007

(b) The motor vehicle from which the person discharges the 2008
firearm is on real property that is located in an unincorporated 2009
area of a township and that either is zoned for agriculture or is 2010
used for agriculture. 2011

(c) The person owns the real property described in division 2012
(F)(2)(b) of this section, is the spouse or a child of another 2013
person who owns that real property, is a tenant of another person 2014
who owns that real property, or is the spouse or a child of a 2015
tenant of another person who owns that real property. 2016

(d) The person does not discharge the firearm in any of the 2017
following manners: 2018

(i) While under the influence of alcohol, a drug of abuse, or 2019
alcohol and a drug of abuse; 2020

(ii) In the direction of a street, highway, or other public 2021
or private property used by the public for vehicular traffic or 2022
parking; 2023

(iii) At or into an occupied structure that is a permanent or 2024
temporary habitation; 2025

(iv) In the commission of any violation of law, including, 2026
but not limited to, a felony that includes, as an essential 2027
element, purposely or knowingly causing or attempting to cause the 2028
death of or physical harm to another and that was committed by 2029
discharging a firearm from a motor vehicle. 2030

(3) Divisions (B) and (C) of this section do not apply to a 2031
person if all of the following circumstances apply: 2032

(a) At the time of the alleged violation of either of those 2033
divisions, the person is the operator of or a passenger in a motor 2034
vehicle. 2035

(b) The motor vehicle is on real property that is located in 2036
an unincorporated area of a township and that either is zoned for 2037
agriculture or is used for agriculture. 2038

(c) The person owns the real property described in division 2039
(D)(3)(b) of this section, is the spouse or a child of another 2040
person who owns that real property, is a tenant of another person 2041
who owns that real property, or is the spouse or a child of a 2042
tenant of another person who owns that real property. 2043

(d) The person, prior to arriving at the real property 2044
described in division (D)(3)(b) of this section, did not transport 2045
or possess a firearm in the motor vehicle in a manner prohibited 2046
by division (B) or (C) of this section while the motor vehicle was 2047
being operated on a street, highway, or other public or private 2048
property used by the public for vehicular traffic or parking. 2049

(4) Divisions (B) and (C) of this section do not apply to a 2050
person who transports or possesses a handgun in a motor vehicle 2051
if, at the time of that transportation or possession, all of the 2052
following apply: 2053

(a) The person transporting or possessing the handgun is 2054
carrying a valid license or temporary emergency license to carry a 2055

concealed handgun issued to the person under section 2923.125 or 2056
2923.1213 of the Revised Code or a license to carry a concealed 2057
handgun that was issued by another state with which the attorney 2058
general has entered into a reciprocity agreement under section 2059
109.69 of the Revised Code. 2060

(b) The person transporting or possessing the handgun is not 2061
knowingly in a place described in division (B) of section 2923.126 2062
of the Revised Code. 2063

(c) Either the handgun is in a holster ~~and in plain sight~~ on 2064
the person's person or the handgun is securely encased by being 2065
stored in a closed, locked glove compartment or in a case that is 2066
~~in plain sight and that is~~ locked. 2067

(5) Division (D) of this section does not apply if the person 2068
with the prohibited concentration of alcohol or under the 2069
influence of alcohol, a drug of abuse, or a combination of them 2070
has surrendered possession or control of the handgun to a person 2071
who is not otherwise prohibited by division (D) of this section 2072
from transporting or possessing a handgun in a motor vehicle and 2073
who transports or possesses the handgun in a motor vehicle as 2074
provided in divisions (C) or (E) of this section. 2075

(G)(1) The affirmative defenses authorized in divisions 2076
(D)(1)and (2) of section 2923.12 of the Revised Code are 2077
affirmative defenses to a charge under division (B) or (C) of this 2078
section that involves a firearm other than a handgun. 2079

(2) It is an affirmative defense to a charge under division 2080
(B) or (C) of this section of improperly handling firearms in a 2081
motor vehicle that the actor transported or had the firearm in the 2082
motor vehicle for any lawful purpose and while the motor vehicle 2083
was on the actor's own property, provided that this affirmative 2084
defense is not available unless the person, prior to arriving at 2085
the actor's own property, did not transport or possess the firearm 2086

in a motor vehicle in a manner prohibited by division (B) or (C) 2087
of this section while the motor vehicle was being operated on a 2088
street, highway, or other public or private property used by the 2089
public for vehicular traffic. 2090

(H) No person who is charged with a violation of division 2091
(B), (C), or (D) of this section shall be required to obtain a 2092
license or temporary emergency license to carry a concealed 2093
handgun under section 2923.125 or 2923.1213 of the Revised Code as 2094
a condition for the dismissal of the charge. 2095

(I) Whoever violates this section is guilty of improperly 2096
handling firearms in a motor vehicle. Violation of division (A) of 2097
this section is a felony of the fourth degree. Violation of 2098
division (C) of this section is a misdemeanor of the fourth 2099
degree. A violation of division (D) of this section is a felony of 2100
the fifth degree or, if the loaded handgun is concealed on the 2101
person's person, a felony of the fourth degree. A violation of 2102
division (E)(3) of this section is a misdemeanor of the ~~fourth~~ 2103
third degree. A violation of division (E)(1), (2), or (5) of this 2104
section is a felony of the fifth degree. A violation of division 2105
(E)(4) of this section is a misdemeanor of the first degree or, if 2106
the offender previously has been convicted of or pleaded guilty to 2107
a violation of division (E)(4) of this section, a felony of the 2108
fifth degree. A violation of division (B) of this section is 2109
whichever of the following is applicable: 2110

(1) If, at the time of the transportation or possession in 2111
violation of division (B) of this section, the offender was 2112
carrying a valid license or temporary emergency license to carry a 2113
concealed handgun issued to the offender under section 2923.125 or 2114
2923.1213 of the Revised Code or a license to carry a concealed 2115
handgun that was issued by another state with which the attorney 2116
general has entered into a reciprocity agreement under section 2117
109.69 of the Revised Code and the offender was not knowingly in a 2118

place described in division (B) of section 2923.126 of the Revised Code, the violation 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) of this section, a felony of the fourth degree.

(2) If division (I)(1) of this section does not apply, a felony of the fourth degree.

(J) If a law enforcement officer stops a motor vehicle for a traffic stop or any other purpose, if any person in the motor vehicle surrenders a firearm to the officer, either voluntarily or pursuant to a request or demand of the officer, and if the officer does not charge the person with a violation of this section or arrest the person for any offense, the person is not otherwise prohibited by law from possessing the firearm, and the firearm is not contraband, the officer shall return the firearm to the person at the termination of the stop.

(K) As used in this section:

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

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

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

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

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

Section 2. That existing sections 109.731, 109.801, 311.41,

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| 1547.69, 2923.12, 2923.121, 2923.122, 2923.123, 2923.125, | 2149 |
| 2923.126, 2923.127, 2923.128, 2923.1210, 2923.1213, and 2923.16 of | 2150 |
| the Revised Code are hereby repealed. | 2151 |