

As Introduced

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H. B. No. 129

Representative Adams, J.

**Cosponsors: Representatives Balderson, Blair, Boose, Bubp, Burke, Combs,
Goodwin, Hall, Hite, Huffman, Jordan, Maag, Martin, Mecklenborg, Morgan,
Sears, Snitchler, Uecker, Wachtmann**

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A B I L L

To amend sections 1547.69, 2923.11, 2923.12, 1
2923.122, 2923.123, 2923.124, 2923.125, 2923.126, 2
2923.128, 2923.1212, 2923.1213, and 2923.16 of the 3
Revised Code to authorize a person to carry a 4
concealed handgun without obtaining a license to 5
the same extent as if the person had obtained such 6
a license, except on liquor permit premises, if 7
the person qualifies for a concealed carry license 8
and is legally permitted to purchase a handgun; to 9
remove the requirements that a concealed carry 10
licensee must be carrying the license in order to 11
carry a concealed handgun, must inform approaching 12
law enforcement officers that the person has a 13
license and is carrying the handgun when the 14
person is carrying a concealed handgun, and must 15
submit a new or renewed competency certification 16
when renewing the license; to eliminate as 17
premises in which a concealed carry licensee may 18
not carry a concealed handgun public or private 19
institutions of higher education, places of 20
worship, day-care centers and homes, and 21

government buildings other than schools, 22
courthouses, law enforcement offices, and 23
correctional facilities; to replace the 24
prohibitions that apply only to a concealed carry 25
licensee who is carrying a handgun in a motor 26
vehicle with a prohibition against a licensee who 27
is in a motor vehicle that is stopped by a law 28
enforcement officer knowingly menacing or 29
threatening an officer with a loaded handgun or 30
knowingly pointing a loaded handgun at an officer; 31
to remove the "in plain sight or secure 32
encasement" criterion that a concealed carry 33
licensee must satisfy to legally possess a handgun 34
in a motor vehicle; and to require a sheriff who 35
issues a renewed concealed carry license to return 36
the expired license to the licensee or destroy it. 37
38

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

Section 1. That sections 1547.69, 2923.11, 2923.12, 2923.122, 39
2923.123, 2923.124, 2923.125, 2923.126, 2923.128, 2923.1212, 40
2923.1213, and 2923.16 of the Revised Code be amended to read as 41
follows: 42

Sec. 1547.69. (A) As used in this section: 43

(1) "Firearm," ~~and~~ "handgun," and "qualifies for a license" 44
have the same meanings as in section 2923.11 of the Revised Code. 45

(2) "Unloaded" has the same meaning as in section 2923.16 of 46
the Revised Code. 47

(B) No person shall knowingly discharge a firearm while in or 48
on a vessel. 49

(C) No person shall knowingly transport or have a loaded 50
firearm in a vessel in a manner that the firearm is accessible to 51
the operator or any passenger. 52

(D) No person shall knowingly transport or have a firearm in 53
a vessel unless it is unloaded and is carried in one of the 54
following ways: 55

(1) In a closed package, box, or case; 56

(2) In plain sight with the action opened or the weapon 57
stripped, or, if the firearm is of a type on which the action will 58
not stay open or that cannot easily be stripped, in plain sight. 59

(E)(1) The affirmative defenses authorized in divisions 60
~~(D)~~(C)(1) and (2) of section 2923.12 of the Revised Code are 61
affirmative defenses to a charge under division (C) or (D) of this 62
section that involves a firearm other than a handgun. It is an 63
affirmative defense to a charge under division (C) or (D) of this 64
section of transporting or having a firearm of any type, including 65
a handgun, in a vessel that the actor transported or had the 66
firearm in the vessel for any lawful purpose and while the vessel 67
was on the actor's own property, provided that this affirmative 68
defense is not available unless the actor, prior to arriving at 69
the vessel on the actor's own property, did not transport or 70
possess the firearm in the vessel or in a motor vehicle in a 71
manner prohibited by this section or division (B) or (C) of 72
section 2923.16 of the Revised Code while the vessel was being 73
operated on a waterway that was not on the actor's own property or 74
while the motor vehicle was being operated on a street, highway, 75
or other public or private property used by the public for 76
vehicular traffic. 77

(2) No person who is charged with a violation of division (C) 78
or (D) of this section shall be required to obtain a license or 79
temporary emergency license to carry a concealed handgun under 80

section 2923.125 or 2923.1213 of the Revised Code as a condition 81
for the dismissal of the charge. 82

(F) Divisions (B), (C), and (D) of this section do not apply 83
to the possession or discharge of a United States coast guard 84
approved signaling device required to be carried aboard a vessel 85
under section 1547.251 of the Revised Code when the signaling 86
device is possessed or used for the purpose of giving a visual 87
distress signal. No person shall knowingly transport or possess 88
any signaling device of that nature in or on a vessel in a loaded 89
condition at any time other than immediately prior to the 90
discharge of the signaling device for the purpose of giving a 91
visual distress signal. 92

(G) No person shall operate or permit to be operated any 93
vessel on the waters in this state in violation of this section. 94

(H)(1) This section does not apply to any of the following: 95

(a) An officer, agent, or employee of this or any other state 96
or of the United States, or to a law enforcement officer, when 97
authorized to carry or have loaded or accessible firearms in a 98
vessel and acting within the scope of the officer's, agent's, or 99
employee's duties; 100

(b) Any person who is employed in this state, who is 101
authorized to carry or have loaded or accessible firearms in a 102
vessel, and who is subject to and in compliance with the 103
requirements of section 109.801 of the Revised Code, unless the 104
appointing authority of the person has expressly specified that 105
the exemption provided in division (H)(1)(b) of this section does 106
not apply to the person; 107

(c) Any person legally engaged in hunting. 108

(2) Divisions (C) and (D) of this section do not apply to a 109
person who transports or possesses a handgun in a vessel and who, 110
at the time of that transportation or possession, ~~is carrying~~ 111

qualifies for a license or has a valid license or temporary 112
emergency license to carry a concealed handgun issued to the 113
person under section 2923.125 or 2923.1213 of the Revised Code or 114
a license to carry a concealed handgun ~~that was~~ issued by another 115
state with which the attorney general has entered into a 116
reciprocity agreement under section 109.69 of the Revised Code, 117
unless the person knowingly is in a place on the vessel described 118
in division (B) of section 2923.126 of the Revised Code. 119

(I) If a law enforcement officer stops a vessel for a 120
violation of this section or any other law enforcement purpose, if 121
any person on the vessel surrenders a firearm to the officer, 122
either voluntarily or pursuant to a request or demand of the 123
officer, and if the officer does not charge the person with a 124
violation of this section or arrest the person for any offense, 125
the person is not otherwise prohibited by law from possessing the 126
firearm, and the firearm is not contraband, the officer shall 127
return the firearm to the person at the termination of the stop. 128

Sec. 2923.11. As used in sections 2923.11 to 2923.24 of the 129
Revised Code: 130

(A) "Deadly weapon" means any instrument, device, or thing 131
capable of inflicting death, and designed or specially adapted for 132
use as a weapon, or possessed, carried, or used as a weapon. 133

(B)(1) "Firearm" means any deadly weapon capable of expelling 134
or propelling one or more projectiles by the action of an 135
explosive or combustible propellant. "Firearm" includes an 136
unloaded firearm, and any firearm that is inoperable but that can 137
readily be rendered operable. 138

(2) When determining whether a firearm is capable of 139
expelling or propelling one or more projectiles by the action of 140
an explosive or combustible propellant, the trier of fact may rely 141
upon circumstantial evidence, including, but not limited to, the 142

representations and actions of the individual exercising control 143
over the firearm. 144

(C) "Handgun" means any of the following: 145

(1) Any firearm that has a short stock and is designed to be 146
held and fired by the use of a single hand; 147

(2) Any combination of parts from which a firearm of a type 148
described in division (C)(1) of this section can be assembled. 149

(D) "Semi-automatic firearm" means any firearm designed or 150
specially adapted to fire a single cartridge and automatically 151
chamber a succeeding cartridge ready to fire, with a single 152
function of the trigger. 153

(E) "Automatic firearm" means any firearm designed or 154
specially adapted to fire a succession of cartridges with a single 155
function of the trigger. "Automatic firearm" also means any 156
semi-automatic firearm designed or specially adapted to fire more 157
than thirty-one cartridges without reloading, other than a firearm 158
chambering only .22 caliber short, long, or long-rifle cartridges. 159

(F) "Sawed-off firearm" means a shotgun with a barrel less 160
than eighteen inches long, or a rifle with a barrel less than 161
sixteen inches long, or a shotgun or rifle less than twenty-six 162
inches long overall. 163

(G) "Zip-gun" means any of the following: 164

(1) Any firearm of crude and extemporized manufacture; 165

(2) Any device, including without limitation a starter's 166
pistol, that is not designed as a firearm, but that is specially 167
adapted for use as a firearm; 168

(3) Any industrial tool, signalling device, or safety device, 169
that is not designed as a firearm, but that as designed is capable 170
of use as such, when possessed, carried, or used as a firearm. 171

(H) "Explosive device" means any device designed or specially 172

adapted to cause physical harm to persons or property by means of 173
an explosion, and consisting of an explosive substance or agency 174
and a means to detonate it. "Explosive device" includes without 175
limitation any bomb, any explosive demolition device, any blasting 176
cap or detonator containing an explosive charge, and any pressure 177
vessel that has been knowingly tampered with or arranged so as to 178
explode. 179

(I) "Incendiary device" means any firebomb, and any device 180
designed or specially adapted to cause physical harm to persons or 181
property by means of fire, and consisting of an incendiary 182
substance or agency and a means to ignite it. 183

(J) "Ballistic knife" means a knife with a detachable blade 184
that is propelled by a spring-operated mechanism. 185

(K) "Dangerous ordnance" means any of the following, except 186
as provided in division (L) of this section: 187

(1) Any automatic or sawed-off firearm, zip-gun, or ballistic 188
knife; 189

(2) Any explosive device or incendiary device; 190

(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, 191
cyclonite, TNT, picric acid, and other high explosives; amatol, 192
tritonite, tetrytol, pentolite, pecretol, cyclitol, and other high 193
explosive compositions; plastic explosives; dynamite, blasting 194
gelatin, gelatin dynamite, sensitized ammonium nitrate, 195
liquid-oxygen blasting explosives, blasting powder, and other 196
blasting agents; and any other explosive substance having 197
sufficient brisance or power to be particularly suitable for use 198
as a military explosive, or for use in mining, quarrying, 199
excavating, or demolitions; 200

(4) Any firearm, rocket launcher, mortar, artillery piece, 201
grenade, mine, bomb, torpedo, or similar weapon, designed and 202
manufactured for military purposes, and the ammunition for that 203

weapon;	204
(5) Any firearm muffler or silencer;	205
(6) Any combination of parts that is intended by the owner for use in converting any firearm or other device into a dangerous ordnance.	206 207 208
(L) "Dangerous ordnance" does not include any of the following:	209 210
(1) Any firearm, including a military weapon and the ammunition for that weapon, and regardless of its actual age, that employs a percussion cap or other obsolete ignition system, or that is designed and safe for use only with black powder;	211 212 213 214
(2) Any pistol, rifle, or shotgun, designed or suitable for sporting purposes, including a military weapon as issued or as modified, and the ammunition for that weapon, unless the firearm is an automatic or sawed-off firearm;	215 216 217 218
(3) Any cannon or other artillery piece that, regardless of its actual age, is of a type in accepted use prior to 1887, has no mechanical, hydraulic, pneumatic, or other system for absorbing recoil and returning the tube into battery without displacing the carriage, and is designed and safe for use only with black powder;	219 220 221 222 223
(4) Black powder, priming quills, and percussion caps possessed and lawfully used to fire a cannon of a type defined in division (L)(3) of this section during displays, celebrations, organized matches or shoots, and target practice, and smokeless and black powder, primers, and percussion caps possessed and lawfully used as a propellant or ignition device in small-arms or small-arms ammunition;	224 225 226 227 228 229 230
(5) Dangerous ordnance that is inoperable or inert and cannot readily be rendered operable or activated, and that is kept as a trophy, souvenir, curio, or museum piece.	231 232 233

(6) Any device that is expressly excepted from the definition 234
of a destructive device pursuant to the "Gun Control Act of 1968," 235
82 Stat. 1213, 18 U.S.C. 921(a)(4), as amended, and regulations 236
issued under that act. 237

(M) "Explosive" means any chemical compound, mixture, or 238
device, the primary or common purpose of which is to function by 239
explosion. "Explosive" includes all materials that have been 240
classified as division 1.1, division 1.2, division 1.3, or 241
division 1.4 explosives by the United States department of 242
transportation in its regulations and includes, but is not limited 243
to, dynamite, black powder, pellet powders, initiating explosives, 244
blasting caps, electric blasting caps, safety fuses, fuse 245
igniters, squibs, cordeau detonant fuses, instantaneous fuses, and 246
igniter cords and igniters. "Explosive" does not include 247
"fireworks," as defined in section 3743.01 of the Revised Code, or 248
any substance or material otherwise meeting the definition of 249
explosive set forth in this section that is manufactured, sold, 250
possessed, transported, stored, or used in any activity described 251
in section 3743.80 of the Revised Code, provided the activity is 252
conducted in accordance with all applicable laws, rules, and 253
regulations, including, but not limited to, the provisions of 254
section 3743.80 of the Revised Code and the rules of the fire 255
marshal adopted pursuant to section 3737.82 of the Revised Code. 256
257

(N) "Qualifies for a license" means not having a license 258
issued under section 2923.125 of the Revised Code or a temporary 259
emergency license issued under section 2923.1213 of the Revised 260
Code but being legally permitted to purchase a firearm under the 261
laws of this state and the United States and meeting all the 262
requirements for a license to carry a concealed handgun under 263
division (D)(1)(a) to (m) of section 2923.125 of the Revised Code. 264
A person meets the requirement for a license that is specified in 265

division (D)(1)(1) of section 2923.125 of the Revised Code if the 266
person has a competency certification of any type described in 267
division (B)(3) of that section, regardless of when the 268
certification was issued, and the person has read the pamphlet 269
described in division (B)(4) of that section, regardless of 270
whether the person has submitted to another person certifications 271
of the types described in divisions (B)(3) and (4) of that 272
section. For purposes of this division, a period of time specified 273
in division (D)(1) of that section that is measured from the date 274
of application shall be measured from the current date. 275

276

Sec. 2923.12. (A) No person shall knowingly carry or have, 277
concealed on the person's person or concealed ready at hand, any 278
of the following: 279

(1) A deadly weapon other than a handgun; 280

(2) A handgun other than a dangerous ordnance; 281

(3) A dangerous ordnance. 282

~~(B) No person who has been issued a license or temporary~~ 283
~~emergency license to carry a concealed handgun under section~~ 284
~~2923.125 or 2923.1213 of the Revised Code or a license to carry a~~ 285
~~concealed handgun that was issued by another state with which the~~ 286
~~attorney general has entered into a reciprocity agreement under~~ 287
~~section 109.69 of the Revised Code shall do any of the following:~~ 288

~~(1) If the person is stopped for a law enforcement purpose~~ 289
~~and is carrying a concealed handgun, fail to promptly inform any~~ 290
~~law enforcement officer who approaches the person after the person~~ 291
~~has been stopped that the person has been issued a license or~~ 292
~~temporary emergency license to carry a concealed handgun and that~~ 293
~~the person then is carrying a concealed handgun;~~ 294

~~(2) If the person is stopped for a law enforcement purpose~~ 295

~~and if the person is carrying a concealed handgun, knowingly fail 296
to keep the person's hands in plain sight at any time after any 297
law enforcement officer begins approaching the person while 298
stopped and before the law enforcement officer leaves, unless the 299
failure is pursuant to and in accordance with directions given by 300
a law enforcement officer; 301~~

~~(3) If the person is stopped for a law enforcement purpose, 302
if the person is carrying a concealed handgun, and if the person 303
is approached by any law enforcement officer while stopped, 304
knowingly remove or attempt to remove the loaded handgun from the 305
holster, pocket, or other place in which the person is carrying 306
it, knowingly grasp or hold the loaded handgun, or knowingly have 307
contact with the loaded handgun by touching it with the person's 308
hands or fingers at any time after the law enforcement officer 309
begins approaching and before the law enforcement officer leaves, 310
unless the person removes, attempts to remove, grasps, holds, or 311
has contact with the loaded handgun pursuant to and in accordance 312
with directions given by the law enforcement officer; 313~~

~~(4) If the person is stopped for a law enforcement purpose 314
and if the person is carrying a concealed handgun, knowingly 315
disregard or fail to comply with any lawful order of any law 316
enforcement officer given while the person is stopped, including, 317
but not limited to, a specific order to the person to keep the 318
person's hands in plain sight. 319~~

~~(C)(1) This section does not apply to any of the following: 320~~

~~(a) An officer, agent, or employee of this or any other state 321
or the United States, or to a law enforcement officer, who is 322
authorized to carry concealed weapons or dangerous ordnance or is 323
authorized to carry handguns and is acting within the scope of the 324
officer's, agent's, or employee's duties; 325~~

~~(b) Any person who is employed in this state, who is 326~~

authorized to carry concealed weapons or dangerous ordnance or is 327
authorized to carry handguns, and who is subject to and in 328
compliance with the requirements of section 109.801 of the Revised 329
Code, unless the appointing authority of the person has expressly 330
specified that the exemption provided in division ~~(C)~~(B)(1)(b) of 331
this section does not apply to the person; 332

(c) A person's transportation or storage of a firearm, other 333
than a firearm described in divisions (G) to (M) of section 334
2923.11 of the Revised Code, in a motor vehicle for any lawful 335
purpose if the firearm is not on the actor's person; 336

(d) A person's storage or possession of a firearm, other than 337
a firearm described in divisions (G) to (M) of section 2923.11 of 338
the Revised Code, in the actor's own home for any lawful purpose. 339

(2) Division (A)(2) of this section does not apply to any 340
person who, at the time of the alleged carrying or possession of a 341
handgun, ~~is carrying~~ qualifies for a license or has a valid 342
license or temporary emergency license to carry a concealed 343
handgun issued to the person under section 2923.125 or 2923.1213 344
of the Revised Code or a license to carry a concealed handgun ~~that~~ 345
~~was~~ issued by another state with which the attorney general has 346
entered into a reciprocity agreement under section 109.69 of the 347
Revised Code, unless the person knowingly is in a place described 348
in division (B) of section 2923.126 of the Revised Code. 349

~~(D)~~(C) It is an affirmative defense to a charge under 350
division (A)(1) of this section of carrying or having control of a 351
weapon other than a handgun and other than a dangerous ordnance 352
that the actor was not otherwise prohibited by law from having the 353
weapon and that any of the following applies: 354

(1) The weapon was carried or kept ready at hand by the actor 355
for defensive purposes while the actor was engaged in or was going 356
to or from the actor's lawful business or occupation, which 357

business or occupation was of a character or was necessarily 358
carried on in a manner or at a time or place as to render the 359
actor particularly susceptible to criminal attack, such as would 360
justify a prudent person in going armed. 361

(2) The weapon was carried or kept ready at hand by the actor 362
for defensive purposes while the actor was engaged in a lawful 363
activity and had reasonable cause to fear a criminal attack upon 364
the actor, a member of the actor's family, or the actor's home, 365
such as would justify a prudent person in going armed. 366

(3) The weapon was carried or kept ready at hand by the actor 367
for any lawful purpose and while in the actor's own home. 368

~~(E)~~(D) No person who is charged with a violation of this 369
section shall be required to obtain a competency certification or 370
a license or temporary emergency license to carry a concealed 371
handgun under section 2923.125 or 2923.1213 of the Revised Code as 372
a condition for the dismissal of the charge. 373

~~(F)~~(E)(1) Whoever violates this section is guilty of carrying 374
concealed weapons. Except as otherwise provided in this division 375
~~or division (F)(2) of this section~~, carrying concealed weapons in 376
violation of division (A) of this section is a misdemeanor of the 377
first degree. Except as otherwise provided in this division ~~or~~ 378
~~division (F)(2) of this section~~, if the offender previously has 379
been convicted of a violation of this section or of any offense of 380
violence, if the weapon involved is a firearm that is either 381
loaded or for which the offender has ammunition ready at hand, or 382
if the weapon involved is dangerous ordnance, carrying concealed 383
weapons in violation of division (A) of this section is a felony 384
of the fourth degree. ~~Except as otherwise provided in division~~ 385
~~(F)(2) of this section, if~~ If the offense is committed aboard an 386
aircraft, or with purpose to carry a concealed weapon aboard an 387
aircraft, regardless of the weapon involved, carrying concealed 388
weapons in violation of division (A) of this section is a felony 389

of the third degree. 390

(2) If a person being arrested for a violation of division 391
(A)(2) of this section promptly produces a competency 392
certification, in the case of a person who qualifies for a 393
license, or a valid license or temporary emergency license to 394
carry a concealed handgun issued under section 2923.125 or 395
2923.1213 of the Revised Code or a license to carry a concealed 396
handgun that was issued by another state with which the attorney 397
general has entered into a reciprocity agreement under section 398
109.69 of the Revised Code, and if at the time of the violation 399
the person was not knowingly in a place described in division (B) 400
of section 2923.126 of the Revised Code, the officer shall not 401
arrest the person for a violation of that division. ~~If the person~~ 402
~~is not able to promptly produce any of those types of license and~~ 403
~~if the person is not in a place described in that section, the~~ 404
~~officer may arrest the person for a violation of that division,~~ 405
~~and the offender shall be punished as follows:~~ 406

~~(a) The offender shall be guilty of a minor misdemeanor if~~ 407
~~both of the following apply:~~ 408

~~(i) Within ten days after the arrest, the offender presents a~~ 409
~~license or temporary emergency license to carry a concealed~~ 410
~~handgun issued under section 2923.125 or 2923.1213 of the Revised~~ 411
~~Code or a license to carry a concealed handgun that was issued by~~ 412
~~another state with which the attorney general has entered into a~~ 413
~~reciprocity agreement under section 109.69 of the Revised Code,~~ 414
~~which license was valid at the time of the arrest to the law~~ 415
~~enforcement agency that employs the arresting officer.~~ 416

~~(ii) At the time of the arrest, the offender was not~~ 417
~~knowingly in a place described in division (B) of section 2923.126~~ 418
~~of the Revised Code.~~ 419

~~(b) The offender shall be guilty of a misdemeanor and shall~~ 420

~~be fined five hundred dollars if all of the following apply:~~ 421

~~(i) The offender previously had been issued a license to 422
carry a concealed handgun under section 2923.125 of the Revised 423
Code or a license to carry a concealed handgun that was issued by 424
another state with which the attorney general has entered into a 425
reciprocity agreement under section 109.69 of the Revised Code and 426
that was similar in nature to a license issued under section 427
2923.125 of the Revised Code, and that license expired within the 428
two years immediately preceding the arrest. 429~~

~~(ii) Within forty five days after the arrest, the offender 430
presents any type of license identified in division (F)(2)(a)(i) 431
of this section to the law enforcement agency that employed the 432
arresting officer, and the offender waives in writing the 433
offender's right to a speedy trial on the charge of the violation 434
that is provided in section 2945.71 of the Revised Code. 435~~

~~(iii) At the time of the commission of the offense, the 436
offender was not knowingly in a place described in division (B) of 437
section 2923.126 of the Revised Code. 438~~

~~(c) If neither division (F)(2)(a) nor (b) of this section 439
applies, the offender shall be punished under division (F)(1) of 440
this section. 441~~

~~(3) Except as otherwise provided in this division, carrying 442
concealed weapons in violation of division (B)(1) of this section 443
is a misdemeanor of the first degree, and, in addition to any 444
other penalty or sanction imposed for a violation of division 445
(B)(1) of this section, the offender's license or temporary 446
emergency license to carry a concealed handgun shall be suspended 447
pursuant to division (A)(2) of section 2923.128 of the Revised 448
Code. If, at the time of the stop of the offender for a law 449
enforcement purpose that was the basis of the violation, any law 450
enforcement officer involved with the stop had actual knowledge 451~~

~~that the offender has been issued a license or temporary emergency license to carry a concealed handgun, carrying concealed weapons in violation of division (B)(1) of this section is a minor misdemeanor, and the offender's license or temporary emergency license to carry a concealed handgun shall not be suspended pursuant to division (A)(2) of section 2923.128 of the Revised Code.~~

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

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

~~(G)(F)~~ If a law enforcement officer stops a person to question the person regarding a possible violation of this section, for a traffic stop, or for any other law enforcement purpose, if the person surrenders a firearm to the officer, either voluntarily or pursuant to a request or demand of the officer, and if the officer does not charge the person with a 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. If a court orders a law enforcement officer to return a firearm to a person pursuant to the requirement set forth in this division, division (B) of section 2923.163 of the Revised Code applies.

484

Sec. 2923.122. (A) No person shall knowingly convey, or 485
attempt to convey, a deadly weapon or dangerous ordnance into a 486
school safety zone. 487

(B) No person shall knowingly possess a deadly weapon or 488
dangerous ordnance in a school safety zone. 489

(C) No person shall knowingly possess an object in a school 490
safety zone if both of the following apply: 491

(1) The object is indistinguishable from a firearm, whether 492
or not the object is capable of being fired. 493

(2) The person indicates that the person possesses the object 494
and that it is a firearm, or the person knowingly displays or 495
brandishes the object and indicates that it is a firearm. 496

(D)(1) This section does not apply to any of the following: 497

(a) An officer, agent, or employee of this or any other state 498
or the United States, or a law enforcement officer, who is 499
authorized to carry deadly weapons or dangerous ordnance and is 500
acting within the scope of the officer's, agent's, or employee's 501
duties, a security officer employed by a board of education or 502
governing body of a school during the time that the security 503
officer is on duty pursuant to that contract of employment, or any 504
other person who has written authorization from the board of 505
education or governing body of a school to convey deadly weapons 506
or dangerous ordnance into a school safety zone or to possess a 507
deadly weapon or dangerous ordnance in a school safety zone and 508
who conveys or possesses the deadly weapon or dangerous ordnance 509
in accordance with that authorization; 510

(b) Any person who is employed in this state, who is 511
authorized to carry deadly weapons or dangerous ordnance, and who 512
is subject to and in compliance with the requirements of section 513

109.801 of the Revised Code, unless the appointing authority of 514
the person has expressly specified that the exemption provided in 515
division (D)(1)(b) of this section does not apply to the person. 516

(2) Division (C) of this section does not apply to premises 517
upon which home schooling is conducted. Division (C) of this 518
section also does not apply to a school administrator, teacher, or 519
employee who possesses an object that is indistinguishable from a 520
firearm for legitimate school purposes during the course of 521
employment, a student who uses an object that is indistinguishable 522
from a firearm under the direction of a school administrator, 523
teacher, or employee, or any other person who with the express 524
prior approval of a school administrator possesses an object that 525
is indistinguishable from a firearm for a legitimate purpose, 526
including the use of the object in a ceremonial activity, a play, 527
reenactment, or other dramatic presentation, or a ROTC activity or 528
another similar use of the object. 529

(3) This section does not apply to a person who conveys or 530
attempts to convey a handgun into, or possesses a handgun in, a 531
school safety zone if, at the time of that conveyance, attempted 532
conveyance, or possession of the handgun, all of the following 533
apply: 534

(a) The person does not enter into a school building or onto 535
school premises and is not at a school activity. 536

(b) The person ~~is carrying~~ qualifies for a license or has a 537
valid license or temporary emergency license to carry a concealed 538
handgun issued to the person under section 2923.125 or 2923.1213 539
of the Revised Code or a license to carry a concealed handgun ~~that~~ 540
~~was~~ issued by another state with which the attorney general has 541
entered into a reciprocity agreement under section 109.69 of the 542
Revised Code. 543

(c) The person is in the school safety zone in accordance 544

with 18 U.S.C. 922(q)(2)(B). 545

(d) The person is not knowingly in a place described in 546
division (B)(1) or (B)(3) to ~~(10)~~(6) of section 2923.126 of the 547
Revised Code. 548

(4) This section does not apply to a person who conveys or 549
attempts to convey a handgun into, or possesses a handgun in, a 550
school safety zone if at the time of that conveyance, attempted 551
conveyance, or possession of the handgun all of the following 552
apply: 553

(a) The person ~~is carrying~~ qualifies for a license or has a 554
valid license or temporary emergency license to carry a concealed 555
handgun issued to the person under section 2923.125 or 2923.1213 556
of the Revised Code or a license to carry a concealed handgun ~~that~~ 557
~~was~~ issued by another state with which the attorney general has 558
entered into a reciprocity agreement under section 109.69 of the 559
Revised Code. 560

(b) The person is the driver or passenger in a motor vehicle 561
and is in the school safety zone while immediately in the process 562
of picking up or dropping off a child. 563

(c) The person is not in violation of section 2923.16 of the 564
Revised Code. 565

(E)(1) Whoever violates division (A) or (B) of this section 566
is guilty of illegal conveyance or possession of a deadly weapon 567
or dangerous ordnance in a school safety zone. Except as otherwise 568
provided in this division, illegal conveyance or possession of a 569
deadly weapon or dangerous ordnance in a school safety zone is a 570
felony of the fifth degree. If the offender previously has been 571
convicted of a violation of this section, illegal conveyance or 572
possession of a deadly weapon or dangerous ordnance in a school 573
safety zone is a felony of the fourth degree. 574

(2) Whoever violates division (C) of this section is guilty 575

of illegal possession of an object indistinguishable from a 576
firearm in a school safety zone. Except as otherwise provided in 577
this division, illegal possession of an object indistinguishable 578
from a firearm in a school safety zone is a misdemeanor of the 579
first degree. If the offender previously has been convicted of a 580
violation of this section, illegal possession of an object 581
indistinguishable from a firearm in a school safety zone is a 582
felony of the fifth degree. 583

(F)(1) In addition to any other penalty imposed upon a person 584
who is convicted of or pleads guilty to a violation of this 585
section and subject to division (F)(2) of this section, if the 586
offender has not attained nineteen years of age, regardless of 587
whether the offender is attending or is enrolled in a school 588
operated by a board of education or for which the state board of 589
education prescribes minimum standards under section 3301.07 of 590
the Revised Code, the court shall impose upon the offender a class 591
four suspension of the offender's probationary driver's license, 592
restricted license, driver's license, commercial driver's license, 593
temporary instruction permit, or probationary commercial driver's 594
license that then is in effect from the range specified in 595
division (A)(4) of section 4510.02 of the Revised Code and shall 596
deny the offender the issuance of any permit or license of that 597
type during the period of the suspension. 598

If the offender is not a resident of this state, the court 599
shall impose a class four suspension of the nonresident operating 600
privilege of the offender from the range specified in division 601
(A)(4) of section 4510.02 of the Revised Code. 602

(2) If the offender shows good cause why the court should not 603
suspend one of the types of licenses, permits, or privileges 604
specified in division (F)(1) of this section or deny the issuance 605
of one of the temporary instruction permits specified in that 606
division, the court in its discretion may choose not to impose the 607

suspension, revocation, or denial required in that division. 608

(G) As used in this section, "object that is 609
indistinguishable from a firearm" means an object made, 610
constructed, or altered so that, to a reasonable person without 611
specialized training in firearms, the object appears to be a 612
firearm. 613

Sec. 2923.123. (A) No person shall knowingly convey or 614
attempt to convey a deadly weapon or dangerous ordnance into a 615
courthouse or into another building or structure in which a 616
courtroom is located. 617

(B) No person shall knowingly possess or have under the 618
person's control a deadly weapon or dangerous ordnance in a 619
courthouse or in another building or structure in which a 620
courtroom is located. 621

(C) This section does not apply to any of the following: 622

(1) Except as provided in division (E) of this section, a 623
judge of a court of record of this state or a magistrate; 624

(2) A peace officer, officer of a law enforcement agency, or 625
person who is in either of the following categories: 626

(a) Except as provided in division (E) of this section, a 627
peace officer, or an officer of a law enforcement agency of 628
another state, a political subdivision of another state, or the 629
United States, who is authorized to carry a deadly weapon or 630
dangerous ordnance, who possesses or has under that individual's 631
control a deadly weapon or dangerous ordnance as a requirement of 632
that individual's duties, and who is acting within the scope of 633
that individual's duties at the time of that possession or 634
control; 635

(b) Except as provided in division (E) of this section, a 636
person who is employed in this state, who is authorized to carry a 637

deadly weapon or dangerous ordnance, who possesses or has under 638
that individual's control a deadly weapon or dangerous ordnance as 639
a requirement of that person's duties, and who is subject to and 640
in compliance with the requirements of section 109.801 of the 641
Revised Code, unless the appointing authority of the person has 642
expressly specified that the exemption provided in division 643
(C)(2)(b) of this section does not apply to the person. 644

(3) A person who conveys, attempts to convey, possesses, or 645
has under the person's control a deadly weapon or dangerous 646
ordnance that is to be used as evidence in a pending criminal or 647
civil action or proceeding; 648

(4) Except as provided in division (E) of this section, a 649
bailiff or deputy bailiff of a court of record of this state who 650
is authorized to carry a firearm pursuant to section 109.77 of the 651
Revised Code, who possesses or has under that individual's control 652
a firearm as a requirement of that individual's duties, and who is 653
acting within the scope of that individual's duties at the time of 654
that possession or control; 655

(5) Except as provided in division (E) of this section, a 656
prosecutor, or a secret service officer appointed by a county 657
prosecuting attorney, who is authorized to carry a deadly weapon 658
or dangerous ordnance in the performance of the individual's 659
duties, who possesses or has under that individual's control a 660
deadly weapon or dangerous ordnance as a requirement of that 661
individual's duties, and who is acting within the scope of that 662
individual's duties at the time of that possession or control; 663

(6) Except as provided in division (E) of this section, a 664
person who conveys or attempts to convey a handgun into a 665
courthouse or into another building or structure in which a 666
courtroom is located, who, at the time of the conveyance or 667
attempt, ~~is carrying~~ qualifies for a license or has a valid 668
license or temporary emergency license to carry a concealed 669

handgun issued to the person under section 2923.125 or 2923.1213 670
of the Revised Code or a license to carry a concealed handgun ~~that~~ 671
~~was~~ issued by another state with which the attorney general has 672
entered into a reciprocity agreement under section 109.69 of the 673
Revised Code, and who transfers possession of the handgun to the 674
officer or officer's designee who has charge of the courthouse or 675
building. The officer shall secure the handgun until the licensee 676
or person who qualifies for a license is prepared to leave the 677
premises. The exemption described in this division applies only if 678
the officer who has charge of the courthouse or building provides 679
services of the nature described in this division. An officer who 680
has charge of the courthouse or building is not required to offer 681
services of the nature described in this division. 682

(D)(1) Whoever violates division (A) of this section is 683
guilty of illegal conveyance of a deadly weapon or dangerous 684
ordnance into a courthouse. Except as otherwise provided in this 685
division, illegal conveyance of a deadly weapon or dangerous 686
ordnance into a courthouse is a felony of the fifth degree. If the 687
offender previously has been convicted of a violation of division 688
(A) or (B) of this section, illegal conveyance of a deadly weapon 689
or dangerous ordnance into a courthouse is a felony of the fourth 690
degree. 691

(2) Whoever violates division (B) of this section is guilty 692
of illegal possession or control of a deadly weapon or dangerous 693
ordnance in a courthouse. Except as otherwise provided in this 694
division, illegal possession or control of a deadly weapon or 695
dangerous ordnance in a courthouse is a felony of the fifth 696
degree. If the offender previously has been convicted of a 697
violation of division (A) or (B) of this section, illegal 698
possession or control of a deadly weapon or dangerous ordnance in 699
a courthouse is a felony of the fourth degree. 700
701

(E) The exemptions described in divisions (C)(1), (2)(a), 702
(2)(b), (4), (5), and (6) of this section do not apply to any 703
judge, magistrate, peace officer, officer of a law enforcement 704
agency, bailiff, deputy bailiff, prosecutor, secret service 705
officer, or other person described in any of those divisions if a 706
rule of superintendence or another type of rule adopted by the 707
supreme court pursuant to Article IV, Ohio Constitution, or an 708
applicable local rule of court prohibits all persons from 709
conveying or attempting to convey a deadly weapon or dangerous 710
ordnance into a courthouse or into another building or structure 711
in which a courtroom is located or from possessing or having under 712
one's control a deadly weapon or dangerous ordnance in a 713
courthouse or in another building or structure in which a 714
courtroom is located. 715

(F) As used in this section: 716

(1) "Magistrate" means an individual who is appointed by a 717
court of record of this state and who has the powers and may 718
perform the functions specified in Civil Rule 53, Criminal Rule 719
19, or Juvenile Rule 40. 720

(2) "Peace officer" and "prosecutor" have the same meanings 721
as in section 2935.01 of the Revised Code. 722

Sec. 2923.124. As used in sections 2923.124 to 2923.1213 of 723
the Revised Code: 724

(A) "Application form" means the application form prescribed 725
pursuant to division (A)(1) of section 109.731 of the Revised Code 726
and includes a copy of that form. 727

(B) "Competency certification" and "competency certificate" 728
mean a document of the type described in division (B)(3) of 729
section 2923.125 of the Revised Code. 730

(C) "Detention facility" has the same meaning as in section 731

2921.01 of the Revised Code.	732
(D) "Licensee" means a person to whom a license to carry a concealed handgun has been issued under section 2923.125 of the Revised Code and, except when the context clearly indicates otherwise, includes a person to whom a temporary emergency license to carry a concealed handgun has been issued under section 2923.1213 of the Revised Code.	733 734 735 736 737 738
(E) "License fee" or "license renewal fee" means the fee for a license to carry a concealed handgun or the fee to renew that license that is prescribed pursuant to division (C) of section 109.731 of the Revised Code and that is to be paid by an applicant for a license of that type.	739 740 741 742 743
(F) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code.	744 745
(G) "State correctional institution" has the same meaning as in section 2967.01 of the Revised Code.	746 747
(H) "Valid license" means a license or temporary emergency license to carry a concealed handgun that has been issued under section 2923.125 or 2923.1213 of the Revised Code, that is currently valid, that is not under a suspension under division (A)(1) of section 2923.128 or under section 2923.1213 of the Revised Code, and that has not been revoked under division (B)(1) of section 2923.128 or under section 2923.1213 of the Revised Code.	748 749 750 751 752 753 754 755
(I) "Civil protection order" means a protection order issued, or consent agreement approved, under section 2903.214 or 3113.31 of the Revised Code.	756 757 758
(J) "Temporary protection order" means a protection order issued under section 2903.213 or 2919.26 of the Revised Code.	759 760
(K) "Protection order issued by a court of another state" has	761

the same meaning as in section 2919.27 of the Revised Code. 762

~~(L) "Child day care center," "type A family day care home" 763
and "type B family day care home" have the same meanings as in 764
section 5104.01 of the Revised Code. 765~~

~~(M) "Type C family day care home" means a family day care 766
home authorized to provide child care by Sub. H.B. 62 of the 121st 767
general assembly, as amended by Am. Sub. S.B. 160 of the 121st 768
general assembly and Sub. H.B. 407 of the 123rd general assembly. 769~~

~~(N) "Foreign air transportation," "interstate air 770
transportation," and "intrastate air transportation" have the same 771
meanings as in 49 U.S.C. 40102, as now or hereafter amended. 772~~

~~(O) "Commercial motor vehicle" has the same meaning as in 773
division (A) of section 4506.25 of the Revised Code. 774~~

~~(P) "Motor carrier enforcement unit" has the same meaning as 775
in section 2923.16 of the Revised Code. 776~~

Sec. 2923.125. (A) Upon the request of a person who wishes to 777
obtain a license to carry a concealed handgun or to renew a 778
license to carry a concealed handgun, a sheriff, as provided in 779
division (I) of this section, shall provide to the person free of 780
charge an application form and a copy of the pamphlet described in 781
division (B) of section 109.731 of the Revised Code. A sheriff 782
shall accept a completed application form and the fee, items, 783
materials, and information specified in divisions (B)(1) to (5) of 784
this section at the times and in the manners described in division 785
(I) of this section. 786

(B) An applicant for a license to carry a concealed handgun 787
shall submit a completed application form and all of the following 788
to the sheriff of the county in which the applicant resides or to 789
the sheriff of any county adjacent to the county in which the 790
applicant resides: 791

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

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

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

(a) 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 was offered by or under the auspices of the national rifle association and that complies with the requirements set forth in division (G) of this section;

(b) An original or photocopy of a certificate of completion

of a firearms safety, training, or requalification or firearms 824
safety instructor course, class, or program that satisfies all of 825
the following criteria: 826

(i) It was open to members of the general public. 827

(ii) It utilized qualified instructors who were certified by 828
the national rifle association, the executive director of the Ohio 829
peace officer training commission pursuant to section 109.75 or 830
109.78 of the Revised Code, or a governmental official or entity 831
of another state. 832

(iii) It was offered by or under the auspices of a law 833
enforcement agency of this or another state or the United States, 834
a public or private college, university, or other similar 835
postsecondary educational institution located in this or another 836
state, a firearms training school located in this or another 837
state, or another type of public or private entity or organization 838
located in this or another state. 839

(iv) It complies with the requirements set forth in division 840
(G) of this section. 841

(c) An original or photocopy of a certificate of completion 842
of a state, county, municipal, or department of natural resources 843
peace officer training school that is approved by the executive 844
director of the Ohio peace officer training commission pursuant to 845
section 109.75 of the Revised Code and that complies with the 846
requirements set forth in division (G) of this section, or the 847
applicant has satisfactorily completed and been issued a 848
certificate of completion of a basic firearms training program, a 849
firearms requalification training program, or another basic 850
training program described in section 109.78 or 109.801 of the 851
Revised Code that complies with the requirements set forth in 852
division (G) of this section; 853

(d) A document that evidences both of the following: 854

(i) That the applicant is an active or reserve member of the 855
armed forces of the United States, was honorably discharged from 856
military service in the active or reserve armed forces of the 857
United States, is a retired trooper of the state highway patrol, 858
or is a retired peace officer or federal law enforcement officer 859
described in division (B)(1) of this section or a retired person 860
described in division (B)(1)(b) of section 109.77 of the Revised 861
Code and division (B)(1) of this section; 862

(ii) That, through participation in the military service or 863
through the former employment described in division (B)(3)(d)(i) 864
of this section, the applicant acquired experience with handling 865
handguns or other firearms, and the experience so acquired was 866
equivalent to training that the applicant could have acquired in a 867
course, class, or program described in division (B)(3)(a), (b), or 868
(c) of this section. 869

(e) A certificate or another similar document that evidences 870
satisfactory completion of a firearms training, safety, or 871
regualification or firearms safety instructor course, class, or 872
program that is not otherwise described in division (B)(3)(a), 873
(b), (c), or (d) of this section, that was conducted by an 874
instructor who was certified by an official or entity of the 875
government of this or another state or the United States or by the 876
national rifle association, and that complies with the 877
requirements set forth in division (G) of this section; 878

(f) An affidavit that attests to the applicant's satisfactory 879
completion of a course, class, or program described in division 880
(B)(3)(a), (b), (c), or (e) of this section and that is subscribed 881
by the applicant's instructor or an authorized representative of 882
the entity that offered the course, class, or program or under 883
whose auspices the course, class, or program was offered. 884

(4) A certification by the applicant that the applicant has 885
read the pamphlet prepared by the Ohio peace officer training 886

commission pursuant to section 109.731 of the Revised Code that 887
reviews firearms, dispute resolution, and use of deadly force 888
matters. 889

(5) A set of fingerprints of the applicant provided as 890
described in section 311.41 of the Revised Code through use of an 891
electronic fingerprint reading device or, if the sheriff to whom 892
the application is submitted does not possess and does not have 893
ready access to the use of such a reading device, on a standard 894
impression sheet prescribed pursuant to division (C)(2) of section 895
109.572 of the Revised Code. 896

(C) Upon receipt of an applicant's completed application 897
form, supporting documentation, and, if not waived, license fee, a 898
sheriff, in the manner specified in section 311.41 of the Revised 899
Code, shall conduct or cause to be conducted the criminal records 900
check and the incompetency records check described in section 901
311.41 of the Revised Code. 902

(D)(1) Except as provided in division (D)(3) or (4) of this 903
section, within forty-five days after a sheriff's receipt of an 904
applicant's completed application form for a license to carry a 905
concealed handgun, the supporting documentation, and, if not 906
waived, the license fee, the sheriff shall make available through 907
the law enforcement automated data system in accordance with 908
division (H) of this section the information described in that 909
division and, upon making the information available through the 910
system, shall issue to the applicant a license to carry a 911
concealed handgun that shall expire as described in division 912
(D)(2)(a) of this section if all of the following apply: 913

(a) The applicant is legally living in the United States, has 914
been a resident of this state for at least forty-five days, and 915
has been a resident of the county in which the person seeks the 916
license or a county adjacent to the county in which the person 917
seeks the license for at least thirty days. For purposes of 918

division (D)(1)(a) of this section: 919

(i) If a person is absent from the United States, from this 920
state, or from a particular county in this state in compliance 921
with military or naval orders as an active or reserve member of 922
the armed forces of the United States and if prior to leaving this 923
state in compliance with those orders the person was legally 924
living in the United States and was a resident of this state, the 925
person, solely by reason of that absence, shall not be considered 926
to have lost the person's status as living in the United States or 927
the person's residence in this state or in the county in which the 928
person was a resident prior to leaving this state in compliance 929
with those orders, without regard to whether or not the person 930
intends to return to this state or to that county, shall not be 931
considered to have acquired a residence in any other state, and 932
shall not be considered to have become a resident of any other 933
state. 934

(ii) If a person is present in this state in compliance with 935
military or naval orders as an active or reserve member of the 936
armed forces of the United States for at least forty-five days, 937
the person shall be considered to have been a resident of this 938
state for that period of at least forty-five days, and, if a 939
person is present in a county of this state in compliance with 940
military or naval orders as an active or reserve member of the 941
armed forces of the United States for at least thirty days, the 942
person shall be considered to have been a resident of that county 943
for that period of at least thirty days. 944

(b) The applicant is at least twenty-one years of age. 945

(c) The applicant is not a fugitive from justice. 946

(d) The applicant is not under indictment for or otherwise 947
charged with a felony; an offense under Chapter 2925., 3719., or 948
4729. of the Revised Code that involves the illegal possession, 949

use, sale, administration, or distribution of or trafficking in a drug of abuse; a misdemeanor offense of violence; or a violation of section 2903.14 or 2923.1211 of the Revised Code.

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

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

Revised Code.	982
(g) Except as otherwise provided in division (D)(1)(e) of this section, the applicant, within five years of the date of the application, has not been convicted of, pleaded guilty to, or adjudicated a delinquent child for committing two or more violations of section 2903.13 or 2903.14 of the Revised Code.	983 984 985 986 987
(h) Except as otherwise provided in division (D)(5) of this section, the applicant, within ten years of the date of the application, has not been convicted of, pleaded guilty to, or adjudicated a delinquent child for committing a violation of section 2921.33 of the Revised Code.	988 989 990 991 992
(i) The applicant has not been adjudicated as a mental defective, has not been committed to any mental institution, is not under adjudication of mental incompetence, has not been found by a court to be a mentally ill person subject to hospitalization by court order, and is not an involuntary patient other than one who is a patient only for purposes of observation. As used in this division, "mentally ill person subject to hospitalization by court order" and "patient" have the same meanings as in section 5122.01 of the Revised Code.	993 994 995 996 997 998 999 1000 1001
(j) The applicant is not currently subject to a civil protection order, a temporary protection order, or a protection order issued by a court of another state.	1002 1003 1004
(k) The applicant certifies that the applicant desires a legal means to carry a concealed handgun for defense of the applicant or a member of the applicant's family while engaged in lawful activity.	1005 1006 1007 1008
(l) The applicant submits a competency certification of the type described in division (B)(3) of this section and submits a certification of the type described in division (B)(4) of this section regarding the applicant's reading of the pamphlet prepared	1009 1010 1011 1012

by the Ohio peace officer training commission pursuant to section 1013
109.731 of the Revised Code. 1014

(m) The applicant currently is not subject to a suspension 1015
imposed under former division (A)(2) of section 2923.128 of the 1016
Revised Code of a license to carry a concealed handgun, or a 1017
temporary emergency license to carry a concealed handgun, that 1018
previously was issued to the applicant under this section or 1019
section 2923.1213 of the Revised Code. 1020

(2)(a) A license to carry a concealed handgun that a sheriff 1021
issues under division (D)(1) of this section on or after March 14, 1022
2007, shall expire five years after the date of issuance. A 1023
license to carry a concealed handgun that a sheriff issued under 1024
division (D)(1) of this section prior to March 14, 2007, shall 1025
expire four years after the date of issuance. 1026

If a sheriff issues a license under this section, the sheriff 1027
shall place on the license a unique combination of letters and 1028
numbers identifying the license in accordance with the procedure 1029
prescribed by the Ohio peace officer training commission pursuant 1030
to section 109.731 of the Revised Code. 1031

(b) If a sheriff denies an application under this section 1032
because the applicant does not satisfy the criteria described in 1033
division (D)(1) of this section, the sheriff shall specify the 1034
grounds for the denial in a written notice to the applicant. The 1035
applicant may appeal the denial pursuant to section 119.12 of the 1036
Revised Code in the county served by the sheriff who denied the 1037
application. If the denial was as a result of the criminal records 1038
check conducted pursuant to section 311.41 of the Revised Code and 1039
if, pursuant to section 2923.127 of the Revised Code, the 1040
applicant challenges the criminal records check results using the 1041
appropriate challenge and review procedure specified in that 1042
section, the time for filing the appeal pursuant to section 119.12 1043
of the Revised Code and this division is tolled during the 1044

pendency of the request or the challenge and review. If the court 1045
in an appeal under section 119.12 of the Revised Code and this 1046
division enters a judgment sustaining the sheriff's refusal to 1047
grant to the applicant a license to carry a concealed handgun, the 1048
applicant may file a new application beginning one year after the 1049
judgment is entered. If the court enters a judgment in favor of 1050
the applicant, that judgment shall not restrict the authority of a 1051
sheriff to suspend or revoke the license pursuant to section 1052
2923.128 or 2923.1213 of the Revised Code or to refuse to renew 1053
the license for any proper cause that may occur after the date the 1054
judgment is entered. In the appeal, the court shall have full 1055
power to dispose of all costs. 1056

(3) If the sheriff with whom an application for a license to 1057
carry a concealed handgun was filed under this section becomes 1058
aware that the applicant has been arrested for or otherwise 1059
charged with an offense that would disqualify the applicant from 1060
holding the license, the sheriff shall suspend the processing of 1061
the application until the disposition of the case arising from the 1062
arrest or charge. 1063

(4) If the sheriff determines that the applicant is legally 1064
living in the United States and is a resident of the county in 1065
which the applicant seeks the license or of an adjacent county but 1066
does not yet meet the residency requirements described in division 1067
(D)(1)(a) of this section, the sheriff shall not deny the license 1068
because of the residency requirements but shall not issue the 1069
license until the applicant meets those residency requirements. 1070

(5) If an applicant has been convicted of or pleaded guilty 1071
to an offense identified in division (D)(1)(e), (f), or (h) of 1072
this section or has been adjudicated a delinquent child for 1073
committing an act or violation identified in any of those 1074
divisions, and if a court has ordered the sealing or expungement 1075
of the records of that conviction, guilty plea, or adjudication 1076

pursuant to sections 2151.355 to 2151.358 or sections 2953.31 to 1077
2953.36 of the Revised Code or a court has granted the applicant 1078
relief pursuant to section 2923.14 of the Revised Code from the 1079
disability imposed pursuant to section 2923.13 of the Revised Code 1080
relative to that conviction, guilty plea, or adjudication, the 1081
sheriff with whom the application was submitted shall not consider 1082
the conviction, guilty plea, or adjudication in making a 1083
determination under division (D)(1) or (F) of this section or, in 1084
relation to an application for a temporary emergency license to 1085
carry a concealed handgun submitted under section 2923.1213 of the 1086
Revised Code, in making a determination under division (B)(2) of 1087
that section. 1088

(E) If a license to carry a concealed handgun issued under 1089
this section is lost or is destroyed, the licensee may obtain from 1090
the sheriff who issued that license a duplicate license upon the 1091
payment of a fee of fifteen dollars and the submission of an 1092
affidavit attesting to the loss or destruction of the license. The 1093
sheriff, in accordance with the procedures prescribed in section 1094
109.731 of the Revised Code, shall place on the replacement 1095
license a combination of identifying numbers different from the 1096
combination on the license that is being replaced. 1097

(F)(1) A licensee who wishes to renew a license to carry a 1098
concealed handgun issued under this section shall do so not 1099
earlier than ninety days before the expiration date of the license 1100
or at any time after the expiration date of the license by filing 1101
with the sheriff of the county in which the applicant resides or 1102
with the sheriff of an adjacent county an application for renewal 1103
of the license obtained pursuant to division (D) of this section, 1104
a certification by the applicant that, subsequent to the issuance 1105
of the license, the applicant has reread the pamphlet prepared by 1106
the Ohio peace officer training commission pursuant to section 1107
109.731 of the Revised Code that reviews firearms, dispute 1108

resolution, and use of deadly force matters, and a nonrefundable 1109
license renewal fee unless the fee is waived, ~~and one of the~~ 1110
~~following:~~ 1111

~~(a) If the licensee previously has not renewed a license to~~ 1112
~~carry a concealed handgun issued under this section, proof that~~ 1113
~~the licensee at one time had a competency certification of the~~ 1114
~~type described in division (B)(3) of this section. A valid license~~ 1115
~~or any other previously issued license that has not been revoked~~ 1116
~~is prima facie evidence that the licensee at one time had a~~ 1117
~~competency certification of the type described in division (B)(3)~~ 1118
~~of this section.~~ 1119

~~(b) If the licensee previously has renewed a license to carry~~ 1120
~~a concealed handgun issued under this section, a renewed~~ 1121
~~competency certification of the type described in division (C)(4)~~ 1122
~~of this section.~~ 1123

(2) A sheriff shall accept a completed renewal application, 1124
the license renewal fee, and information specified in division 1125
(F)(1) of this section at the times and in the manners described 1126
in division (I) of this section. Upon receipt of a completed 1127
renewal application, of certification that the applicant has 1128
reread the specified pamphlet prepared by the Ohio peace officer 1129
training commission, ~~of proof of a prior competency certification~~ 1130
~~for an initial renewal or of a renewed competency certification~~ 1131
~~for a second or subsequent renewal,~~ and of a license renewal fee 1132
unless the fee is waived, a sheriff, in the manner specified in 1133
section 311.41 of the Revised Code shall conduct or cause to be 1134
conducted the criminal records check and the incompetency records 1135
check described in section 311.41 of the Revised Code. The sheriff 1136
shall renew the license if the sheriff determines that the 1137
applicant continues to satisfy the requirements described in 1138
division (D)(1) of this section, except that the applicant is not 1139
required to meet the requirements of division (D)(1)(1) of this 1140

section. A renewed license that is renewed on or after March 14, 1141
2007, shall expire five years after the date of issuance, and a 1142
renewed license that is renewed prior to March 14, 2007, shall 1143
expire four years after the date of issuance. A renewed license is 1144
subject to division (E) of this section and sections 2923.126 and 1145
2923.128 of the Revised Code. A sheriff shall comply with 1146
divisions (D)(2) to (4) of this section when the circumstances 1147
described in those divisions apply to a requested license renewal. 1148
If a sheriff denies the renewal of a license to carry a concealed 1149
handgun, the applicant may appeal the denial, or challenge the 1150
criminal record check results that were the basis of the denial if 1151
applicable, in the same manner as specified in division (D)(2)(b) 1152
of this section and in section 2923.127 of the Revised Code, 1153
regarding the denial of a license under this section. 1154

1155

(G)(1) Each course, class, or program described in division 1156
(B)(3)(a), (b), (c), or (e) of this section shall provide to each 1157
person who takes the course, class, or program a copy of the 1158
pamphlet prepared by the Ohio peace officer training commission 1159
pursuant to section 109.731 of the Revised Code that reviews 1160
firearms, dispute resolution, and use of deadly force matters. 1161
Each such course, class, or program described in one of those 1162
divisions shall include at least twelve hours of training in the 1163
safe handling and use of a firearm that shall include all of the 1164
following: 1165

(a) At least ten hours of training on the following matters: 1166

(i) The ability to name, explain, and demonstrate the rules 1167
for safe handling of a handgun and proper storage practices for 1168
handguns and ammunition; 1169

(ii) The ability to demonstrate and explain how to handle 1170
ammunition in a safe manner; 1171

(iii) The ability to demonstrate the knowledge, skills, and attitude necessary to shoot a handgun in a safe manner; 1172
1173

(iv) Gun handling training. 1174

(b) At least two hours of training that consists of range time and live-fire training. 1175
1176

(2) To satisfactorily complete the course, class, or program described in division (B)(3)(a), (b), (c), or (e) of this section, the applicant shall pass a competency examination that shall include both of the following: 1177
1178
1179
1180

(a) A written section on the ability to name and explain the rules for the safe handling of a handgun and proper storage practices for handguns and ammunition; 1181
1182
1183

(b) A physical demonstration of competence in the use of a handgun and in the rules for safe handling and storage of a handgun and a physical demonstration of the attitude necessary to shoot a handgun in a safe manner. 1184
1185
1186
1187

(3) The competency certification described in division (B)(3)(a), (b), (c), or (e) of this section shall be dated and shall attest that the course, class, or program the applicant successfully completed met the requirements described in division (G)(1) of this section and that the applicant passed the competency examination described in division (G)(2) of this section. 1188
1189
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(4) A person who previously has received a competency certification as described in division (B)(3) of this section, or who previously has received a renewed competency certification as described in this division, may obtain a renewed competency certification pursuant to this division. If the person previously has received a competency certification or previously has received a renewed competency certification, the person may obtain a renewed competency certification from an entity that offers a 1195
1196
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1202

course, class, or program described in division (B)(3)(a), (b), 1203
(c), or (e) of this section by passing a test that demonstrates 1204
that the person is range competent. In these circumstances, the 1205
person is not required to attend the course, class, or program or 1206
to take the competency examination described in division (G)(2) of 1207
this section for the renewed competency certification in order to 1208
be eligible to receive a renewed competency certification. A 1209
renewed competency certification issued under this division shall 1210
be dated and shall attest that the person has demonstrated range 1211
competency. 1212

(H) Upon deciding to issue a license, deciding to issue a 1213
replacement license, or deciding to renew a license to carry a 1214
concealed handgun pursuant to this section, and before actually 1215
issuing or renewing the license, the sheriff shall make available 1216
through the law enforcement automated data system all information 1217
contained on the license. If the license subsequently is suspended 1218
under division (A)(1) ~~or (2)~~ of section 2923.128 of the Revised 1219
Code, revoked pursuant to division (B)(1) of section 2923.128 of 1220
the Revised Code, or lost or destroyed, the sheriff also shall 1221
make available through the law enforcement automated data system a 1222
notation of that fact. The superintendent of the state highway 1223
patrol shall ensure that the law enforcement automated data system 1224
is so configured as to permit the transmission through the system 1225
of the information specified in this division. 1226

(I) A sheriff shall accept a completed application form or 1227
renewal application, and the fee, items, materials, and 1228
information specified in divisions (B)(1) to (5) or division (F) 1229
of this section, whichever is applicable, and shall provide an 1230
application form or renewal application and a copy of the pamphlet 1231
described in division (B) of section 109.731 of the Revised Code 1232
to any person during at least fifteen hours a week. The sheriff 1233
shall post notice of the hours during which the sheriff is 1234

available to accept or provide the information described in this 1235
division. 1236

(J) When a sheriff issues a renewed license, the sheriff 1237
shall offer to return the expired license to the licensee. If the 1238
licensee does not take the expired license, the sheriff shall 1239
destroy it. 1240

Sec. 2923.126. (A) A license to carry a concealed handgun 1241
that is issued under section 2923.125 of the Revised Code on or 1242
after March 14, 2007, shall expire five years after the date of 1243
issuance, and a license that is so issued prior to March 14, 2007, 1244
shall expire four years after the date of issuance. A licensee who 1245
has been issued a license under that section shall be granted a 1246
grace period of thirty days after the licensee's license expires 1247
during which the licensee's license remains valid. Except as 1248
provided in divisions (B) and (C) of this section, a licensee who 1249
has been issued a license under section 2923.125 or 2923.1213 of 1250
the Revised Code may carry a concealed handgun anywhere in this 1251
state if the licensee also carries ~~a valid license and~~ valid 1252
identification when the licensee is in actual possession of a 1253
concealed handgun. The licensee shall give notice of any change in 1254
the licensee's residence address to the sheriff who issued the 1255
license within forty-five days after that change. 1256

~~If a licensee is the driver or an occupant of a motor vehicle 1257~~
~~that is stopped as the result of a traffic stop or a stop for 1258~~
~~another law enforcement purpose and if the licensee is 1259~~
~~transporting or has a loaded handgun in the motor vehicle at that 1260~~
~~time, the licensee shall promptly inform any law enforcement 1261~~
~~officer who approaches the vehicle while stopped that the licensee 1262~~
~~has been issued a license or temporary emergency license to carry 1263~~
~~a concealed handgun and that the licensee currently possesses or 1264~~
~~has a loaded handgun; the licensee shall not knowingly disregard 1265~~

~~or fail to comply with lawful orders of a law enforcement officer 1266
given while the motor vehicle is stopped, knowingly fail to remain 1267
in the motor vehicle while stopped, or knowingly fail to keep the 1268
licensee's hands in plain sight after any law enforcement officer 1269
begins approaching the licensee while stopped and before the 1270
officer leaves, unless directed otherwise by a law enforcement 1271
officer; and the licensee shall not knowingly remove, attempt to 1272
remove, grasp, or hold the loaded handgun or knowingly have 1273
contact with the loaded handgun by touching it with the licensee's 1274
hands or fingers, in any manner in violation of division (E) of 1275
section 2923.16 of the Revised Code, after any law enforcement 1276
officer begins approaching the licensee while stopped and before 1277
the officer leaves. Additionally, if a licensee is the driver or 1278
an occupant of a commercial motor vehicle that is stopped by an 1279
employee of the motor carrier enforcement unit for the purposes 1280
defined in section 5503.04 of the Revised Code and if the licensee 1281
is transporting or has a loaded handgun in the commercial motor 1282
vehicle at that time, the licensee shall promptly inform the 1283
employee of the unit who approaches the vehicle while stopped that 1284
the licensee has been issued a license or temporary emergency 1285
license to carry a concealed handgun and that the licensee 1286
currently possesses or has a loaded handgun. 1287~~

~~If a licensee is stopped for a law enforcement purpose and if 1289
the licensee is carrying a concealed handgun at the time the 1290
officer approaches, the licensee shall promptly inform any law 1291
enforcement officer who approaches the licensee while stopped that 1292
the licensee has been issued a license or temporary emergency 1293
license to carry a concealed handgun and that the licensee 1294
currently is carrying a concealed handgun; the licensee shall not 1295
knowingly disregard or fail to comply with lawful orders of a law 1296
enforcement officer given while the licensee is stopped or 1297
knowingly fail to keep the licensee's hands in plain sight after 1298~~

~~any law enforcement officer begins approaching the licensee while 1299
stopped and before the officer leaves, unless directed otherwise 1300
by a law enforcement officer; and the licensee shall not knowingly 1301
remove, attempt to remove, grasp, or hold the loaded handgun or 1302
knowingly have contact with the loaded handgun by touching it with 1303
the licensee's hands or fingers, in any manner in violation of 1304
division (B) of section 2923.12 of the Revised Code, after any law 1305
enforcement officer begins approaching the licensee while stopped 1306
and before the officer leaves. 1307~~

1308
(B) A competency certification described in or valid license 1309
issued under section 2923.125 or 2923.1213 of the Revised Code 1310
does not authorize the licensee holder of the certification or 1311
license to carry a concealed handgun ~~in any manner prohibited 1312
under division (B) of section 2923.12 of the Revised Code or in 1313
any manner prohibited under section 2923.16 of the Revised Code. A 1314
competency certification or valid license does not authorize the 1315
licensee holder of the certification or license to carry a 1316
concealed handgun into any of the following places: 1317~~

(1) A police station, sheriff's office, or state highway 1318
patrol station, premises controlled by the bureau of criminal 1319
identification and investigation, a state correctional 1320
institution, jail, workhouse, or other detention facility, an 1321
airport passenger terminal, or an institution that is maintained, 1322
operated, managed, and governed pursuant to division (A) of 1323
section 5119.02 of the Revised Code or division (A)(1) of section 1324
5123.03 of the Revised Code; 1325

(2) A school safety zone if the ~~licensee's~~ holder's carrying 1326
the concealed handgun is in violation of section 2923.122 of the 1327
Revised Code; 1328

(3) A courthouse or another building or structure in which a 1329
courtroom is located, in violation of section 2923.123 of the 1330

Revised Code; 1331

(4) Any premises or open air arena for which a D permit has 1332
been issued under Chapter 4303. of the Revised Code if the 1333
~~licensee's~~ holder's carrying the concealed handgun is in violation 1334
of section 2923.121 of the Revised Code; 1335

(5) ~~Any premises owned or leased by any public or private~~ 1336
~~college, university, or other institution of higher education,~~ 1337
~~unless the handgun is in a locked motor vehicle or the licensee is~~ 1338
~~in the immediate process of placing the handgun in a locked motor~~ 1339
~~vehicle;~~ 1340

(6) ~~Any church, synagogue, mosque, or other place of worship,~~ 1341
~~unless the church, synagogue, mosque, or other place of worship~~ 1342
~~posts or permits otherwise;~~ 1343

(7) ~~A child day care center, a type A family day care home, a~~ 1344
~~type B family day care home, or a type C family day care home,~~ 1345
~~except that this division does not prohibit a licensee who resides~~ 1346
~~in a type A family day care home, a type B family day care home,~~ 1347
~~or a type C family day care home from carrying a concealed handgun~~ 1348
~~at any time in any part of the home that is not dedicated or used~~ 1349
~~for day care purposes, or from carrying a concealed handgun in a~~ 1350
~~part of the home that is dedicated or used for day care purposes~~ 1351
~~at any time during which no children, other than children of that~~ 1352
~~licensee, are in the home;~~ 1353

(8) An aircraft that is in, or intended for operation in, 1354
foreign air transportation, interstate air transportation, 1355
intrastate air transportation, or the transportation of mail by 1356
aircraft; 1357

(9) ~~Any building that is a government facility of this state~~ 1358
~~or a political subdivision of this state and that is not a~~ 1359
~~building that is used primarily as a shelter, restroom, parking~~ 1360
~~facility for motor vehicles, or rest facility and is not a~~ 1361

~~courthouse or other building or structure in which a courtroom is~~ 1362
~~located that is subject to division (B)(3) of this section;~~ 1363

~~(10)(6)~~ A place in which federal law prohibits the carrying 1364
of handguns. 1365

(C)(1) Nothing in this section shall negate or restrict a 1366
rule, policy, or practice of a private employer that is not a 1367
private college, university, or other institution of higher 1368
education concerning or prohibiting the presence of firearms on 1369
the private employer's premises or property, including motor 1370
vehicles owned by the private employer. Nothing in this section 1371
shall require a private employer of that nature to adopt a rule, 1372
policy, or practice concerning or prohibiting the presence of 1373
firearms on the private employer's premises or property, including 1374
motor vehicles owned by the private employer. 1375

(2)(a) A private employer shall be immune from liability in a 1376
civil action for any injury, death, or loss to person or property 1377
that allegedly was caused by or related to a person who qualifies 1378
for a license or who is a licensee bringing a handgun onto the 1379
premises or property of the private employer, including motor 1380
vehicles owned by the private employer, unless the private 1381
employer acted with malicious purpose. A private employer is 1382
immune from liability in a civil action for any injury, death, or 1383
loss to person or property that allegedly was caused by or related 1384
to the private employer's decision to permit a person who 1385
qualifies for a license or who is a licensee to bring, or prohibit 1386
a licensee from bringing, a handgun onto the premises or property 1387
of the private employer. As used in this division, "private 1388
employer" includes a private college, university, or other 1389
institution of higher education. 1390

(b) A political subdivision shall be immune from liability in 1391
a civil action, to the extent and in the manner provided in 1392
Chapter 2744. of the Revised Code, for any injury, death, or loss 1393

to person or property that allegedly was caused by or related to a 1394
person who qualifies for a license or who is a licensee bringing a 1395
handgun onto any premises or property owned, leased, or otherwise 1396
under the control of the political subdivision. As used in this 1397
division, "political subdivision" has the same meaning as in 1398
section 2744.01 of the Revised Code. 1399

(3)(a) Except as provided in division (C)(3)(b) of this 1400
section, the owner or person in control of private land or 1401
premises, and a private person or entity leasing land or premises 1402
owned by the state, the United States, or a political subdivision 1403
of the state or the United States, may post a sign in a 1404
conspicuous location on that land or on those premises prohibiting 1405
persons from carrying firearms or concealed firearms on or onto 1406
that land or those premises. Except as otherwise provided in this 1407
division, a person who knowingly violates a posted prohibition of 1408
that nature is guilty of criminal trespass in violation of 1409
division (A)(4) of section 2911.21 of the Revised Code and is 1410
guilty of a misdemeanor of the fourth degree. If a person 1411
knowingly violates a posted prohibition of that nature and the 1412
posted land or premises primarily was a parking lot or other 1413
parking facility, the person is not guilty of criminal trespass in 1414
violation of division (A)(4) of section 2911.21 of the Revised 1415
Code and instead is subject only to a civil cause of action for 1416
trespass based on the violation. 1417

(b) A landlord may not prohibit or restrict a tenant who is a 1418
licensee and who on or after ~~the effective date of this amendment~~ 1419
September 9, 2008, enters into a rental agreement with the 1420
landlord for the use of residential premises, and the tenant's 1421
guest while the tenant is present, from lawfully carrying or 1422
possessing a handgun on those residential premises. 1423

(c) As used in division (C)(3) of this section: 1424

(i) "Residential premises" has the same meaning as in section 1425

5321.01 of the Revised Code, except "residential premises" does 1426
not include a dwelling unit that is owned or operated by a college 1427
or university. 1428

(ii) "Landlord," "tenant," and "rental agreement" have the 1429
same meanings as in section 5321.01 of the Revised Code. 1430

(D) A person who holds a license to carry a concealed handgun 1431
that was issued pursuant to the law of another state that is 1432
recognized by the attorney general pursuant to a reciprocity 1433
agreement entered into pursuant to section 109.69 of the Revised 1434
Code has the same right to carry a concealed handgun in this state 1435
as a person who was issued a license to carry a concealed handgun 1436
under section 2923.125 of the Revised Code and is subject to the 1437
same restrictions that apply to a person who carries a license 1438
issued under that section. 1439

(E) A peace officer has the same right to carry a concealed 1440
handgun in this state as a person who was issued a license to 1441
carry a concealed handgun under section 2923.125 of the Revised 1442
Code. For purposes of reciprocity with other states, a peace 1443
officer shall be considered to be a licensee in this state. 1444

(F)(1) A qualified retired peace officer who possesses a 1445
retired peace officer identification card issued pursuant to 1446
division (F)(2) of this section and a valid firearms 1447
requalification certification issued pursuant to division (F)(3) 1448
of this section has the same right to carry a concealed handgun in 1449
this state as a person who was issued a license to carry a 1450
concealed handgun under section 2923.125 of the Revised Code and 1451
is subject to the same restrictions that apply to a person who 1452
carries a license issued under that section. For purposes of 1453
reciprocity with other states, a qualified retired peace officer 1454
who possesses a retired peace officer identification card issued 1455
pursuant to division (F)(2) of this section and a valid firearms 1456
requalification certification issued pursuant to division (F)(3) 1457

of this section shall be considered to be a licensee in this 1458
state. 1459

(2)(a) Each public agency of this state or of a political 1460
subdivision of this state that is served by one or more peace 1461
officers shall issue a retired peace officer identification card 1462
to any person who retired from service as a peace officer with 1463
that agency, if the issuance is in accordance with the agency's 1464
policies and procedures and if the person, with respect to the 1465
person's service with that agency, satisfies all of the following: 1466

(i) The person retired in good standing from service as a 1467
peace officer with the public agency, and the retirement was not 1468
for reasons of mental instability. 1469

(ii) Before retiring from service as a peace officer with 1470
that agency, the person was authorized to engage in or supervise 1471
the prevention, detection, investigation, or prosecution of, or 1472
the incarceration of any person for, any violation of law and the 1473
person had statutory powers of arrest. 1474

(iii) At the time of the person's retirement as a peace 1475
officer with that agency, the person was trained and qualified to 1476
carry firearms in the performance of the peace officer's duties. 1477

(iv) Before retiring from service as a peace officer with 1478
that agency, the person was regularly employed as a peace officer 1479
for an aggregate of fifteen years or more, or, in the alternative, 1480
the person retired from service as a peace officer with that 1481
agency, after completing any applicable probationary period of 1482
that service, due to a service-connected disability, as determined 1483
by the agency. 1484

(b) A retired peace officer identification card issued to a 1485
person under division (F)(2)(a) of this section shall identify the 1486
person by name, contain a photograph of the person, identify the 1487
public agency of this state or of the political subdivision of 1488

this state from which the person retired as a peace officer and 1489
that is issuing the identification card, and specify that the 1490
person retired in good standing from service as a peace officer 1491
with the issuing public agency and satisfies the criteria set 1492
forth in divisions (F)(2)(a)(i) to (iv) of this section. In 1493
addition to the required content specified in this division, a 1494
retired peace officer identification card issued to a person under 1495
division (F)(2)(a) of this section may include the firearms 1496
requalification certification described in division (F)(3) of this 1497
section, and if the identification card includes that 1498
certification, the identification card shall serve as the firearms 1499
requalification certification for the retired peace officer. If 1500
the issuing public agency issues credentials to active law 1501
enforcement officers who serve the agency, the agency may comply 1502
with division (F)(2)(a) of this section by issuing the same 1503
credentials to persons who retired from service as a peace officer 1504
with the agency and who satisfy the criteria set forth in 1505
divisions (F)(2)(a)(i) to (iv) of this section, provided that the 1506
credentials so issued to retired peace officers are stamped with 1507
the word "RETIRED." 1508

(c) A public agency of this state or of a political 1509
subdivision of this state may charge persons who retired from 1510
service as a peace officer with the agency a reasonable fee for 1511
issuing to the person a retired peace officer identification card 1512
pursuant to division (F)(2)(a) of this section. 1513

(3) If a person retired from service as a peace officer with 1514
a public agency of this state or of a political subdivision of 1515
this state and the person satisfies the criteria set forth in 1516
divisions (F)(2)(a)(i) to (iv) of this section, the public agency 1517
may provide the retired peace officer with the opportunity to 1518
attend a firearms requalification program that is approved for 1519
purposes of firearms requalification required under section 1520

109.801 of the Revised Code. The retired peace officer may be 1521
required to pay the cost of the course. 1522

If a retired peace officer who satisfies the criteria set 1523
forth in divisions (F)(2)(a)(i) to (iv) of this section attends a 1524
firearms requalification program that is approved for purposes of 1525
firearms requalification required under section 109.801 of the 1526
Revised Code, the retired peace officer's successful completion of 1527
the firearms requalification program requalifies the retired peace 1528
officer for purposes of division (F) of this section for five 1529
years from the date on which the program was successfully 1530
completed, and the requalification is valid during that five-year 1531
period. If a retired peace officer who satisfies the criteria set 1532
forth in divisions (F)(2)(a)(i) to (iv) of this section 1533
satisfactorily completes such a firearms requalification program, 1534
the retired peace officer shall be issued a firearms 1535
requalification certification that identifies the retired peace 1536
officer by name, identifies the entity that taught the program, 1537
specifies that the retired peace officer successfully completed 1538
the program, specifies the date on which the course was 1539
successfully completed, and specifies that the requalification is 1540
valid for five years from that date of successful completion. The 1541
firearms requalification certification for a retired peace officer 1542
may be included in the retired peace officer identification card 1543
issued to the retired peace officer under division (F)(2) of this 1544
section. 1545

A retired peace officer who attends a firearms 1546
requalification program that is approved for purposes of firearms 1547
requalification required under section 109.801 of the Revised Code 1548
may be required to pay the cost of the program. 1549

(G) As used in this section: 1550

(1) "Qualified retired peace officer" means a person who 1551
satisfies all of the following: 1552

(a) The person satisfies the criteria set forth in divisions	1553
(F)(2)(a)(i) to (v) of this section.	1554
(b) The person is not under the influence of alcohol or	1555
another intoxicating or hallucinatory drug or substance.	1556
(c) The person is not prohibited by federal law from	1557
receiving firearms.	1558
(2) "Retired peace officer identification card" means an	1559
identification card that is issued pursuant to division (F)(2) of	1560
this section to a person who is a retired peace officer.	1561
(3) "Government facility of this state or a political	1562
subdivision of this state" means any of the following:	1563
(a) A building or part of a building that is owned or leased	1564
by the government of this state or a political subdivision of this	1565
state and where employees of the government of this state or the	1566
political subdivision regularly are present for the purpose of	1567
performing their official duties as employees of the state or	1568
political subdivision;	1569
(b) The office of a deputy registrar serving pursuant to	1570
Chapter 4503. of the Revised Code that is used to perform deputy	1571
registrar functions.	1572
Sec. 2923.128. (A)(1)(a) If a licensee holding a valid	1573
license issued under section 2923.125 or 2923.1213 of the Revised	1574
Code is arrested for or otherwise charged with an offense	1575
described in division (D)(1)(d) of section 2923.125 of the Revised	1576
Code or with a violation of section 2923.15 of the Revised Code or	1577
becomes subject to a temporary protection order or to a protection	1578
order issued by a court of another state that is substantially	1579
equivalent to a temporary protection order, the sheriff who issued	1580
the license or temporary emergency license shall suspend it and	1581
shall comply with division (A) (3) <u>(2)</u> of this section upon becoming	1582

aware of the arrest, charge, or protection order. Upon suspending 1583
the license or temporary emergency license, the sheriff also shall 1584
comply with division (H) of section 2923.125 of the Revised Code. 1585

(b) A suspension under division (A)(1)(a) of this section 1586
shall be considered as beginning on the date that the licensee is 1587
arrested for or otherwise charged with an offense described in 1588
that division or on the date the appropriate court issued the 1589
protection order described in that division, irrespective of when 1590
the sheriff notifies the licensee under division (A)(3) of this 1591
section. The suspension shall end on the date on which the charges 1592
are dismissed or the licensee is found not guilty of the offense 1593
described in division (A)(1)(a) of this section or, subject to 1594
division (B) of this section, on the date the appropriate court 1595
terminates the protection order described in that division. If the 1596
suspension so ends, the sheriff shall return the license or 1597
temporary emergency license to the licensee. 1598

~~(2)(a) If a licensee holding a valid license issued under 1599
section 2923.125 or 2923.1213 of the Revised Code is convicted of 1600
or pleads guilty to a misdemeanor violation of division (B)(1), 1601
(2), or (4) of section 2923.12 of the Revised Code or of division 1602
(E)(3), (4), or (6) of section 2923.16 of the Revised Code, except 1603
as provided in division (A)(2)(c) of this section and subject to 1604
division (C) of this section, the sheriff who issued the license 1605
or temporary emergency license shall suspend it and shall comply 1606
with division (A)(3) of this section upon becoming aware of the 1607
conviction or guilty plea. Upon suspending the license or 1608
temporary emergency license, the sheriff also shall comply with 1609
division (H) of section 2923.125 of the Revised Code. 1610~~

~~(b) A suspension under division (A)(2)(a) of this section 1611
shall be considered as beginning on the date that the licensee is 1612
convicted of or pleads guilty to the offense described in that 1613
division, irrespective of when the sheriff notifies the licensee 1614~~

~~under division (A)(3) of this section. If the suspension is 1615
imposed for a misdemeanor violation of division (B)(1) or (2) of 1616
section 2923.12 of the Revised Code or of division (E)(3) or (4) 1617
of section 2923.16 of the Revised Code, it shall end on the date 1618
that is one year after the date that the licensee is convicted of 1619
or pleads guilty to that violation. If the suspension is imposed 1620
for a misdemeanor violation of division (B)(4) of section 2923.12 1621
of the Revised Code or of division (E)(6) of section 2923.16 of 1622
the Revised Code, it shall end on the date that is two years after 1623
the date that the licensee is convicted of or pleads guilty to 1624
that violation. If the licensee's license was issued under section 1625
2923.125 of the Revised Code and the license remains valid after 1626
the suspension ends as described in this division, when the 1627
suspension ends, the sheriff shall return the license to the 1628
licensee. If the licensee's license was issued under section 1629
2923.125 of the Revised Code and the license expires before the 1630
suspension ends as described in this division, or if the 1631
licensee's license was issued under section 2923.1213 of the 1632
Revised Code, the licensee is not eligible to apply for a new 1633
license under section 2923.125 or 2923.1213 of the Revised Code or 1634
to renew the license under section 2923.125 of the Revised Code 1635
until after the suspension ends as described in this division. 1636~~

~~(c) The license of a licensee who is convicted of or pleads 1637
guilty to a violation of division (B)(1) of section 2923.12 or 1638
division (E)(3) of section 2923.16 of the Revised Code shall not 1639
be suspended pursuant to division (A)(2)(a) of this section if, at 1640
the time of the stop of the licensee for a law enforcement 1641
purpose, for a traffic stop, or for a purpose defined in section 1642
5503.34 of the Revised Code that was the basis of the violation, 1643
any law enforcement officer involved with the stop or the employee 1644
of the motor carrier enforcement unit who made the stop had actual 1645
knowledge of the licensee's status as a licensee. 1646~~

~~(3) Upon becoming aware of an arrest, charge, or protection order described in division (A)(1)(a) of this section with respect to a licensee who was issued a license under section 2923.125 or 2923.1213 of the Revised Code, or a conviction of or plea of guilty to a misdemeanor offense described in division (A)(2)(a) of this section with respect to a licensee who was issued a license under either section and with respect to which division (A)(2)(c) of this section does not apply, subject to division (C) of this section, the sheriff who issued the licensee's license or temporary emergency license to carry a concealed handgun shall notify the licensee, by certified mail, return receipt requested, at the licensee's last known residence address that the license or temporary emergency license has been suspended and that the licensee is required to surrender the license or temporary emergency license at the sheriff's office within ten days of the date on which the notice was mailed. If the suspension is pursuant to division (A)(2) of this section, the notice shall identify the date on which the suspension ends.~~

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

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

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

(c) Subject to division (C) of this section, on or after the date on which the license or temporary emergency license was

issued, the licensee is convicted of or pleads guilty to a 1679
violation of section 2923.15 of the Revised Code or an offense 1680
described in division (D)(1)(e), (f), (g), or (h) of section 1681
2923.125 of the Revised Code. 1682

(d) On or after the date on which the license or temporary 1683
emergency license was issued, the licensee becomes subject to a 1684
civil protection order or to a protection order issued by a court 1685
of another state that is substantially equivalent to a civil 1686
protection order. 1687

(e) The licensee knowingly carries a concealed handgun into a 1688
place that the licensee knows is an unauthorized place specified 1689
in division (B) of section 2923.126 of the Revised Code. 1690

(f) On or after the date on which the license or temporary 1691
emergency license was issued, the licensee is adjudicated as a 1692
mental defective or is committed to a mental institution. 1693

(g) At the time of the issuance of the license or temporary 1694
emergency license, the licensee did not meet the residency 1695
requirements described in division (D)(1) of section 2923.125 of 1696
the Revised Code and currently does not meet the residency 1697
requirements described in that division. 1698

(h) Regarding a license issued under section 2923.125 of the 1699
Revised Code, the competency certificate the licensee submitted 1700
was forged or otherwise was fraudulent. 1701

(2) Upon becoming aware of any circumstance listed in 1702
division (B)(1) of this section that applies to a particular 1703
licensee who was issued a license under section 2923.125 or 1704
2923.1213 of the Revised Code, subject to division (C) of this 1705
section, the sheriff who issued the license or temporary emergency 1706
license to carry a concealed handgun to the licensee shall notify 1707
the licensee, by certified mail, return receipt requested, at the 1708
licensee's last known residence address that the license or 1709

temporary emergency license is subject to revocation and that the 1710
licensee may come to the sheriff's office and contest the 1711
sheriff's proposed revocation within fourteen days of the date on 1712
which the notice was mailed. After the fourteen-day period and 1713
after consideration of any information that the licensee provides 1714
during that period, if the sheriff determines on the basis of the 1715
information of which the sheriff is aware that the licensee is 1716
described in division (B)(1) of this section and no longer 1717
satisfies the requirements described in division (D)(1) of section 1718
2923.125 of the Revised Code that are applicable to the licensee's 1719
type of license, the sheriff shall revoke the license or temporary 1720
emergency license, notify the licensee of that fact, and require 1721
the licensee to surrender the license or temporary emergency 1722
license. Upon revoking the license or temporary emergency license, 1723
the sheriff also shall comply with division (H) of section 1724
2923.125 of the Revised Code. 1725

(C) If a sheriff who issues a license or temporary emergency 1726
license to carry a concealed handgun to a licensee under section 1727
2923.125 or 2923.1213 of the Revised Code becomes aware that at 1728
the time of the issuance of the license or temporary emergency 1729
license the licensee had been convicted of or pleaded guilty to an 1730
offense identified in division (D)(1)(e), (f), or (h) of section 1731
2923.125 of the Revised Code or had been adjudicated a delinquent 1732
child for committing an act or violation identified in any of 1733
those divisions or becomes aware that on or after the date on 1734
which the license or temporary emergency license was issued the 1735
licensee has been convicted of or pleaded guilty to an offense 1736
identified in division ~~(A)(2)(a)~~ or (B)(1)(c) of this section, the 1737
sheriff shall not consider that conviction, guilty plea, or 1738
adjudication as having occurred for purposes of divisions ~~(A)(2)~~, 1739
(A)(3), (B)(1), and (B)(2) of this section if a court has ordered 1740
the sealing or expungement of the records of that conviction, 1741
guilty plea, or adjudication pursuant to sections 2151.355 to 1742

2151.358 or sections 2953.31 to 2953.36 of the Revised Code or a 1743
court has granted the licensee relief pursuant to section 2923.14 1744
of the Revised Code from the disability imposed pursuant to 1745
section 2923.13 of the Revised Code relative to that conviction, 1746
guilty plea, or adjudication. 1747

~~(D) As used in this section, "motor carrier enforcement unit" 1748
has the same meaning as in section 2923.16 of the Revised Code. 1749~~

Sec. 2923.1212. (A) The following persons, boards, and 1750
entities, or designees, shall post in the following locations a 1751
sign that contains a statement in substantially the following 1752
form: "Unless otherwise authorized by law, pursuant to the Ohio 1753
Revised Code, no person shall knowingly possess, have under the 1754
person's control, convey, or attempt to convey a deadly weapon or 1755
dangerous ordnance onto these premises.": 1756

(1) The director of public safety or the person or board 1757
charged with the erection, maintenance, or repair of police 1758
stations, municipal jails, and the municipal courthouse and 1759
courtrooms in a conspicuous location at all police stations, 1760
municipal jails, and municipal courthouses and courtrooms; 1761

(2) The sheriff or sheriff's designee who has charge of the 1762
sheriff's office in a conspicuous location in that office; 1763

(3) The superintendent of the state highway patrol or the 1764
superintendent's designee in a conspicuous location at all state 1765
highway patrol stations; 1766

(4) Each sheriff, chief of police, or person in charge of 1767
every county, multicounty, municipal, municipal-county, or 1768
multicounty-municipal jail or workhouse, community-based 1769
correctional facility, halfway house, alternative residential 1770
facility, or other local or state correctional institution or 1771
detention facility within the state, or that person's designee, in 1772

a conspicuous location at that facility under that person's 1773
charge; 1774

(5) The board of trustees of a regional airport authority, 1775
chief administrative officer of an airport facility, or other 1776
person in charge of an airport facility in a conspicuous location 1777
at each airport facility under that person's control; 1778

(6) The officer or officer's designee who has charge of a 1779
courthouse or the building or structure in which a courtroom is 1780
located in a conspicuous location in that building or structure; 1781

(7) The superintendent of the bureau of criminal 1782
identification and investigation or the superintendent's designee 1783
in a conspicuous location in all premises controlled by that 1784
bureau; 1785

~~(8) The owner, administrator, or operator of a child day care 1786
center, a type A family day care home, a type B family day care 1787
home, or a type C family day care home; 1788~~

~~(9) The officer of this state or of a political subdivision 1789
of this state, or the officer's designee, who has charge of a 1790
building that is a government facility of this state or the 1791
political subdivision of this state, as defined in section 1792
2923.126 of the Revised Code, and that is not a building that is 1793
used primarily as a shelter, restroom, parking facility for motor 1794
vehicles, or rest facility and is not a courthouse or other 1795
building or structure in which a courtroom is located that is 1796
subject to division (B)(3) of that section. 1797~~

(B) The following boards, bodies, and persons, or designees, 1798
shall post in the following locations a sign that contains a 1799
statement in substantially the following form: "Unless otherwise 1800
authorized by law, pursuant to Ohio Revised Code section 2923.122, 1801
no person shall knowingly possess, have under the person's 1802
control, convey, or attempt to convey a deadly weapon or dangerous 1803

ordnance into a school safety zone." : 1804

(1) A board of education of a city, local, exempted village, 1805
or joint vocational school district or that board's designee in a 1806
conspicuous location in each building and on each parcel of real 1807
property owned or controlled by the board; 1808

(2) A governing body of a school for which the state board of 1809
education prescribes minimum standards under section 3301.07 of 1810
the Revised Code or that body's designee in a conspicuous location 1811
in each building and on each parcel of real property owned or 1812
controlled by the school; 1813

(3) The principal or chief administrative officer of a 1814
nonpublic school in a conspicuous location on property owned or 1815
controlled by that nonpublic school. 1816

Sec. 2923.1213. (A) As used in this section: 1817

(1) "Evidence of imminent danger" means any of the following: 1818

(a) A statement sworn by the person seeking to carry a 1819
concealed handgun that is made under threat of perjury and that 1820
states that the person has reasonable cause to fear a criminal 1821
attack upon the person or a member of the person's family, such as 1822
would justify a prudent person in going armed; 1823

(b) A written document prepared by a governmental entity or 1824
public official describing the facts that give the person seeking 1825
to carry a concealed handgun reasonable cause to fear a criminal 1826
attack upon the person or a member of the person's family, such as 1827
would justify a prudent person in going armed. Written documents 1828
of this nature include, but are not limited to, any temporary 1829
protection order, civil protection order, protection order issued 1830
by another state, or other court order, any court report, and any 1831
report filed with or made by a law enforcement agency or 1832
prosecutor. 1833

(2) "Prosecutor" has the same meaning as in section 2935.01 1834
of the Revised Code. 1835

(B)(1) A person seeking a temporary emergency license to 1836
carry a concealed handgun shall submit to the sheriff of the 1837
county in which the person resides all of the following: 1838

(a) Evidence of imminent danger to the person or a member of 1839
the person's family; 1840

(b) A sworn affidavit that contains all of the information 1841
required to be on the license and attesting that the person is 1842
legally living in the United States; is at least twenty-one years 1843
of age; is not a fugitive from justice; is not under indictment 1844
for or otherwise charged with an offense identified in division 1845
(D)(1)(d) of section 2923.125 of the Revised Code; has not been 1846
convicted of or pleaded guilty to an offense, and has not been 1847
adjudicated a delinquent child for committing an act, identified 1848
in division (D)(1)(e) of that section and to which division (B)(3) 1849
of this section does not apply; within three years of the date of 1850
the submission, has not been convicted of or pleaded guilty to an 1851
offense, and has not been adjudicated a delinquent child for 1852
committing an act, identified in division (D)(1)(f) of that 1853
section and to which division (B)(3) of this section does not 1854
apply; within five years of the date of the submission, has not 1855
been convicted of, pleaded guilty, or adjudicated a delinquent 1856
child for committing two or more violations identified in division 1857
(D)(1)(g) of that section; within ten years of the date of the 1858
submission, has not been convicted of, pleaded guilty, or 1859
adjudicated a delinquent child for committing a violation 1860
identified in division (D)(1)(h) of that section and to which 1861
division (B)(3) of this section does not apply; has not been 1862
adjudicated as a mental defective, has not been committed to any 1863
mental institution, is not under adjudication of mental 1864
incompetence, has not been found by a court to be a mentally ill 1865

person subject to hospitalization by court order, and is not an 1866
involuntary patient other than one who is a patient only for 1867
purposes of observation, as described in division (D)(1)(i) of 1868
that section; and is not currently subject to a civil protection 1869
order, a temporary protection order, or a protection order issued 1870
by a court of another state, as described in division (D)(1)(j) of 1871
that section; ~~and is not currently subject to a suspension imposed~~ 1872
~~under division (A)(2) of section 2923.128 of the Revised Code of a~~ 1873
~~license to carry a concealed handgun, or a temporary emergency~~ 1874
~~license to carry a concealed handgun, that previously was issued~~ 1875
~~to the person;~~ 1876

(c) A temporary emergency license fee established by the Ohio 1877
peace officer training commission for an amount that does not 1878
exceed the actual cost of conducting the criminal background check 1879
or thirty dollars; 1880

(d) A set of fingerprints of the applicant provided as 1881
described in section 311.41 of the Revised Code through use of an 1882
electronic fingerprint reading device or, if the sheriff to whom 1883
the application is submitted does not possess and does not have 1884
ready access to the use of an electronic fingerprint reading 1885
device, on a standard impression sheet prescribed pursuant to 1886
division (C)(2) of section 109.572 of the Revised Code. If the 1887
fingerprints are provided on a standard impression sheet, the 1888
person also shall provide the person's social security number to 1889
the sheriff. 1890

(2) A sheriff shall accept the evidence of imminent danger, 1891
the sworn affidavit, the fee, and the set of fingerprints required 1892
under division (B)(1) of this section at the times and in the 1893
manners described in division (I) of this section. Upon receipt of 1894
the evidence of imminent danger, the sworn affidavit, the fee, and 1895
the set of fingerprints required under division (B)(1) of this 1896
section, the sheriff, in the manner specified in section 311.41 of 1897

the Revised Code, immediately shall conduct or cause to be 1898
conducted the criminal records check and the incompetency records 1899
check described in section 311.41 of the Revised Code. Immediately 1900
upon receipt of the results of the records checks, the sheriff 1901
shall review the information and shall determine whether the 1902
criteria set forth in divisions (D)(1)(a) to (j) and (m) of 1903
section 2923.125 of the Revised Code apply regarding the person. 1904
If the sheriff determines that all of criteria set forth in 1905
divisions (D)(1)(a) to (j) and (m) of section 2923.125 of the 1906
Revised Code apply regarding the person, the sheriff shall 1907
immediately make available through the law enforcement automated 1908
data system all information that will be contained on the 1909
temporary emergency license for the person if one is issued, and 1910
the superintendent of the state highway patrol shall ensure that 1911
the system is so configured as to permit the transmission through 1912
the system of that information. Upon making that information 1913
available through the law enforcement automated data system, the 1914
sheriff shall immediately issue to the person a temporary 1915
emergency license to carry a concealed handgun. 1916

If the sheriff denies the issuance of a temporary emergency 1917
license to the person, the sheriff shall specify the grounds for 1918
the denial in a written notice to the person. The person may 1919
appeal the denial, or challenge criminal records check results 1920
that were the basis of the denial if applicable, in the same 1921
manners specified in division (D)(2) of section 2923.125 and in 1922
section 2923.127 of the Revised Code, regarding the denial of an 1923
application for a license to carry a concealed handgun under that 1924
section. 1925

The temporary emergency license under this division shall be 1926
in the form, and shall include all of the information, described 1927
in divisions (A)(2) and (5) of section 109.731 of the Revised 1928
Code, and also shall include a unique combination of identifying 1929

letters and numbers in accordance with division (A)(4) of that section. 1930
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The temporary emergency license issued under this division is valid for ninety days and may not be renewed. A person who has been issued a temporary emergency license under this division shall not be issued another temporary emergency license unless at least four years has expired since the issuance of the prior temporary emergency license. 1932
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(3) If a person seeking a temporary emergency license to carry a concealed handgun has been convicted of or pleaded guilty to an offense identified in division (D)(1)(e), (f), or (h) of section 2923.125 of the Revised Code or has been adjudicated a delinquent child for committing an act or violation identified in any of those divisions, and if a court has ordered the sealing or expungement of the records of that conviction, guilty plea, or adjudication pursuant to sections 2151.355 to 2151.358 or sections 2953.31 to 2953.36 of the Revised Code or a court has granted the applicant relief pursuant to section 2923.14 of the Revised Code from the disability imposed pursuant to section 2923.13 of the Revised Code relative to that conviction, guilty plea, or adjudication, the conviction, guilty plea, or adjudication shall not be relevant for purposes of the sworn affidavit described in division (B)(1)(b) of this section, and the person may complete, and swear to the truth of, the affidavit as if the conviction, guilty plea, or adjudication never had occurred. 1938
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(C) A person who holds a temporary emergency license to carry a concealed handgun has the same right to carry a concealed handgun as a person who was issued a license to carry a concealed handgun under section 2923.125 of the Revised Code, and any exceptions to the prohibitions contained in section 1547.69 and sections 2923.12 to 2923.16 of the Revised Code for a licensee under section 2923.125 of the Revised Code apply to a licensee 1955
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under this section. The person is subject to the same 1962
restrictions, and to all other procedures, duties, and sanctions, 1963
that apply to a person who carries a license issued under section 1964
2923.125 of the Revised Code, other than the license renewal 1965
procedures set forth in that section. 1966

(D) A sheriff who issues a temporary emergency license to 1967
carry a concealed handgun under this section shall not require a 1968
person seeking to carry a concealed handgun in accordance with 1969
this section to submit a competency certificate as a prerequisite 1970
for issuing the license and shall comply with division (H) of 1971
section 2923.125 of the Revised Code in regards to the license. 1972
The sheriff shall suspend or revoke the license in accordance with 1973
section 2923.128 of the Revised Code. In addition to the 1974
suspension or revocation procedures set forth in section 2923.128 1975
of the Revised Code, the sheriff may revoke the license upon 1976
receiving information, verifiable by public documents, that the 1977
person is not eligible to possess a firearm under either the laws 1978
of this state or of the United States or that the person committed 1979
perjury in obtaining the license; if the sheriff revokes a license 1980
under this additional authority, the sheriff shall notify the 1981
person, by certified mail, return receipt requested, at the 1982
person's last known residence address that the license has been 1983
revoked and that the person is required to surrender the license 1984
at the sheriff's office within ten days of the date on which the 1985
notice was mailed. Division (H) of section 2923.125 of the Revised 1986
Code applies regarding any suspension or revocation of a temporary 1987
emergency license to carry a concealed handgun. 1988

(E) A sheriff who issues a temporary emergency license to 1989
carry a concealed handgun under this section shall retain, for the 1990
entire period during which the temporary emergency license is in 1991
effect, the evidence of imminent danger that the person submitted 1992
to the sheriff and that was the basis for the license, or a copy 1993

of that evidence, as appropriate. 1994

(F) If a temporary emergency license to carry a concealed 1995
handgun issued under this section is lost or is destroyed, the 1996
licensee may obtain from the sheriff who issued that license a 1997
duplicate license upon the payment of a fee of fifteen dollars and 1998
the submission of an affidavit attesting to the loss or 1999
destruction of the license. The sheriff, in accordance with the 2000
procedures prescribed in section 109.731 of the Revised Code, 2001
shall place on the replacement license a combination of 2002
identifying numbers different from the combination on the license 2003
that is being replaced. 2004

(G) The Ohio peace officer training commission shall 2005
prescribe, and shall make available to sheriffs, a standard form 2006
to be used under division (B) of this section by a person who 2007
applies for a temporary emergency license to carry a concealed 2008
handgun on the basis of imminent danger of a type described in 2009
division (A)(1)(a) of this section. 2010

(H) A sheriff who receives any fees paid by a person under 2011
this section shall deposit all fees so paid into the sheriff's 2012
concealed handgun license issuance expense fund established under 2013
section 311.42 of the Revised Code. 2014

(I) A sheriff shall accept evidence of imminent danger, a 2015
sworn affidavit, the fee, and the set of fingerprints specified in 2016
division (B)(1) of this section at any time during normal business 2017
hours. In no case shall a sheriff require an appointment, or 2018
designate a specific period of time, for the submission or 2019
acceptance of evidence of imminent danger, a sworn affidavit, the 2020
fee, and the set of fingerprints specified in division (B)(1) of 2021
this section, or for the provision to any person of a standard 2022
form to be used for a person to apply for a temporary emergency 2023
license to carry a concealed handgun. 2024

Sec. 2923.16. (A) No person shall knowingly discharge a 2025
firearm while in or on a motor vehicle. 2026

(B) No person shall knowingly transport or have a loaded 2027
firearm in a motor vehicle in such a manner that the firearm is 2028
accessible to the operator or any passenger without leaving the 2029
vehicle. 2030

(C) No person shall knowingly transport or have a firearm in 2031
a motor vehicle, unless the person may lawfully possess that 2032
firearm under applicable law of this state or the United States, 2033
the firearm is unloaded, and the firearm is carried in one of the 2034
following ways: 2035

(1) In a closed package, box, or case; 2036

(2) In a compartment that can be reached only by leaving the 2037
vehicle; 2038

(3) In plain sight and secured in a rack or holder made for 2039
the purpose; 2040

(4) If the firearm is at least twenty-four inches in overall 2041
length as measured from the muzzle to the part of the stock 2042
furthest from the muzzle and if the barrel is at least eighteen 2043
inches in length, either in plain sight with the action open or 2044
the weapon stripped, or, if the firearm is of a type on which the 2045
action will not stay open or which cannot easily be stripped, in 2046
plain sight. 2047

(D) No person shall knowingly transport or have a loaded 2048
handgun in a motor vehicle if, at the time of that transportation 2049
or possession, any of the following applies: 2050

(1) The person is under the influence of alcohol, a drug of 2051
abuse, or a combination of them. 2052

(2) The person's whole blood, blood serum or plasma, breath, 2053
or urine contains a concentration of alcohol, a listed controlled 2054

substance, or a listed metabolite of a controlled substance 2055
prohibited for persons operating a vehicle, as specified in 2056
division (A) of section 4511.19 of the Revised Code, regardless of 2057
whether the person at the time of the transportation or possession 2058
as described in this division is the operator of or a passenger in 2059
the motor vehicle. 2060

(E) No person who qualifies for a license or ~~has been issued~~ 2061
a valid license or temporary emergency license to carry a 2062
concealed handgun under section 2923.125 or 2923.1213 of the 2063
Revised Code ~~shall do any of the following:~~ 2064

~~(1) Knowingly transport or have a loaded handgun in a motor 2065
vehicle unless one of the following applies:~~ 2066

~~(a) The loaded handgun is in a holster on the person's 2067
person.~~ 2068

~~(b) The loaded handgun is in a closed case, bag, box, or 2069
other container that is in plain sight and that has a lid, a 2070
cover, or a closing mechanism with a zipper, snap, or buckle, 2071
which lid, cover, or closing mechanism must be opened for a person 2072
to gain access to the handgun.~~ 2073

~~(c) The loaded handgun is securely encased by being stored in 2074
a closed glove compartment or vehicle console or in a case that is 2075
locked.~~ 2076

~~(2) If the person is transporting or has a loaded handgun in 2077
a motor vehicle in a manner authorized under division (E)(1) of 2078
this section, knowingly remove or attempt to remove the loaded 2079
handgun from the holster, case, bag, box, container, or glove 2080
compartment, knowingly grasp or hold the loaded handgun, or 2081
knowingly have contact with the loaded handgun by touching it with 2082
the person's hands or fingers while the motor vehicle is being 2083
operated on a street, highway, or public property unless the 2084
person removes, attempts to remove, grasps, holds, or has the 2085~~

~~contact with the loaded handgun pursuant to and in accordance with 2086
directions given by a law enforcement officer; 2087~~

~~(3) If the person is the driver or an occupant of a motor 2088
vehicle that is stopped as a result of a traffic stop or a stop 2089
for another law enforcement purpose or is the driver or an 2090
occupant of a commercial motor vehicle that is stopped by an 2091
employee of the motor carrier enforcement unit for the purposes 2092
defined in section 5503.34 of the Revised Code, and if the person 2093
is transporting or has a loaded handgun in the motor vehicle or 2094
commercial motor vehicle in any manner, fail to do any of the 2095
following that is applicable: 2096~~

~~(a) If the person is the driver or an occupant of a motor 2097
vehicle stopped as a result of a traffic stop or a stop for 2098
another law enforcement purpose, fail to promptly inform any law 2099
enforcement officer who approaches the vehicle while stopped that 2100
the person has been issued a license or temporary emergency 2101
license to carry a concealed handgun and that the person then 2102
possesses or has a loaded handgun in the motor vehicle; 2103~~

~~(b) If the person is the driver or an occupant of a 2104
commercial motor vehicle stopped by an employee of the motor 2105
carrier enforcement unit for any of the defined purposes, fail to 2106
promptly inform the employee of the unit who approaches the 2107
vehicle while stopped that the person has been issued a license or 2108
temporary emergency license to carry a concealed handgun and that 2109
the person then possesses or has a loaded handgun in the 2110
commercial motor vehicle. 2111~~

~~(4) If the person is the driver or an occupant of a motor 2112
vehicle that is stopped as a result of a traffic stop or a stop 2113
for another law enforcement purpose and if the person is 2114
transporting or has a loaded handgun in the motor vehicle in any 2115
manner, knowingly fail to remain in the motor vehicle while 2116
stopped or knowingly fail to keep the person's hands in plain 2117~~

~~sight at any time after any law enforcement officer begins 2118
approaching the person while stopped and before the law 2119
enforcement officer leaves, unless the failure is pursuant to and 2120
in accordance with directions given by a law enforcement officer; 2121~~

~~(5) If the person, who is the driver or an occupant of a 2122
motor vehicle that is stopped as a result of a traffic stop or a 2123
stop for another law enforcement purpose, if the person and who is 2124
transporting or has a loaded handgun in the motor vehicle in a 2125
manner authorized under division (E)(1) of this section, and if 2126
the person is approached by any law enforcement officer while 2127
stopped, knowingly remove or attempt to remove the loaded handgun 2128
from the holster, case, bag, box, container, or glove compartment, 2129
knowingly grasp or hold the loaded handgun, or knowingly have 2130
contact with the loaded handgun by touching it with the person's 2131
hands or fingers in the motor vehicle at any time after the law 2132
enforcement officer begins approaching and before the law 2133
enforcement officer leaves shall, while stopped, knowingly 2134
brandish the loaded handgun in a menacing manner while a law 2135
enforcement officer is approaching the vehicle or in a law 2136
enforcement officer's presence, knowingly threaten a law 2137
enforcement officer with the loaded handgun, knowingly point the 2138
loaded handgun at a law enforcement officer, or otherwise 2139
knowingly cause a law enforcement officer to believe that the 2140
person will cause or attempt to cause physical harm to a law 2141
enforcement officer with the handgun, unless the person removes, 2142
~~attempts to remove, grasps, holds, or has contact with the loaded 2143
handgun engages in the conduct pursuant to and in accordance with 2144
directions given by the law enforcement officer; 2145~~~~

~~(6) If the person is the driver or an occupant of a motor 2146
vehicle that is stopped as a result of a traffic stop or a stop 2147
for another law enforcement purpose and if the person is 2148
transporting or has a loaded handgun in the motor vehicle in any 2149~~

~~manner, knowingly disregard or fail to comply with any lawful 2150
order of any law enforcement officer given while the motor vehicle 2151
is stopped, including, but not limited to, a specific order to the 2152
person to keep the person's hands in plain sight. 2153~~

(F)(1) Divisions (A), (B), and (C), ~~and (E)~~ of this section 2154
do not apply to any of the following: 2155

(a) An officer, agent, or employee of this or any other state 2156
or the United States, or a law enforcement officer, when 2157
authorized to carry or have loaded or accessible firearms in motor 2158
vehicles and acting within the scope of the officer's, agent's, or 2159
employee's duties; 2160

(b) Any person who is employed in this state, who is 2161
authorized to carry or have loaded or accessible firearms in motor 2162
vehicles, and who is subject to and in compliance with the 2163
requirements of section 109.801 of the Revised Code, unless the 2164
appointing authority of the person has expressly specified that 2165
the exemption provided in division (F)(1)(b) of this section does 2166
not apply to the person. 2167

(2) Division (A) of this section does not apply to a person 2168
if all of the following circumstances apply: 2169

(a) The person discharges a firearm from a motor vehicle at a 2170
coyote or groundhog, the discharge is not during the deer gun 2171
hunting season as set by the chief of the division of wildlife of 2172
the department of natural resources, and the discharge at the 2173
coyote or groundhog, but for the operation of this section, is 2174
lawful. 2175

(b) The motor vehicle from which the person discharges the 2176
firearm is on real property that is located in an unincorporated 2177
area of a township and that either is zoned for agriculture or is 2178
used for agriculture. 2179

(c) The person owns the real property described in division 2180

(F)(2)(b) of this section, is the spouse or a child of another 2181
person who owns that real property, is a tenant of another person 2182
who owns that real property, or is the spouse or a child of a 2183
tenant of another person who owns that real property. 2184

(d) The person does not discharge the firearm in any of the 2185
following manners: 2186

(i) While under the influence of alcohol, a drug of abuse, or 2187
alcohol and a drug of abuse; 2188

(ii) In the direction of a street, highway, or other public 2189
or private property used by the public for vehicular traffic or 2190
parking; 2191

(iii) At or into an occupied structure that is a permanent or 2192
temporary habitation; 2193

(iv) In the commission of any violation of law, including, 2194
but not limited to, a felony that includes, as an essential 2195
element, purposely or knowingly causing or attempting to cause the 2196
death of or physical harm to another and that was committed by 2197
discharging a firearm from a motor vehicle. 2198

(3) Division (A) of this section does not apply to a person 2199
if all of the following apply: 2200

(a) The person possesses a valid electric-powered all-purpose 2201
vehicle permit issued under section 1533.103 of the Revised Code 2202
by the chief of the division of wildlife. 2203

(b) The person discharges a firearm at a wild quadruped or 2204
game bird as defined in section 1531.01 of the Revised Code during 2205
the open hunting season for the applicable wild quadruped or game 2206
bird. 2207

(c) The person discharges a firearm from a stationary 2208
electric-powered all-purpose vehicle as defined in section 1531.01 2209
of the Revised Code or a motor vehicle that is parked on a road 2210

that is owned or administered by the division of wildlife, 2211
provided that the road is identified by an electric-powered 2212
all-purpose vehicle sign. 2213

(d) The person does not discharge the firearm in any of the 2214
following manners: 2215

(i) While under the influence of alcohol, a drug of abuse, or 2216
alcohol and a drug of abuse; 2217

(ii) In the direction of a street, a highway, or other public 2218
or private property that is used by the public for vehicular 2219
traffic or parking; 2220

(iii) At or into an occupied structure that is a permanent or 2221
temporary habitation; 2222

(iv) In the commission of any violation of law, including, 2223
but not limited to, a felony that includes, as an essential 2224
element, purposely or knowingly causing or attempting to cause the 2225
death of or physical harm to another and that was committed by 2226
discharging a firearm from a motor vehicle. 2227

(4) Division (A) of this section does not apply to a person 2228
who discharges a firearm in self-defense while in or on a motor 2229
vehicle. 2230

(5) Divisions (B) and (C) of this section do not apply to a 2231
person if all of the following circumstances apply: 2232

(a) At the time of the alleged violation of either of those 2233
divisions, the person is the operator of or a passenger in a motor 2234
vehicle. 2235

(b) The motor vehicle is on real property that is located in 2236
an unincorporated area of a township and that either is zoned for 2237
agriculture or is used for agriculture. 2238

(c) The person owns the real property described in division 2239
(D)(4)(F)(5)(b) of this section, is the spouse or a child of 2240

another person who owns that real property, is a tenant of another 2241
person who owns that real property, or is the spouse or a child of 2242
a tenant of another person who owns that real property. 2243

(d) The person, prior to arriving at the real property 2244
described in division ~~(D)~~~~(4)~~~~(F)~~~~(5)~~(b) of this section, did not 2245
transport or possess a firearm in the motor vehicle in a manner 2246
prohibited by division (B) or (C) of this section while the motor 2247
vehicle was being operated on a street, highway, or other public 2248
or private property used by the public for vehicular traffic or 2249
parking. 2250

~~(5)~~~~(6)~~ Divisions (B) and (C) of this section do not apply to 2251
a person who transports or possesses a handgun in a motor vehicle 2252
if, at the time of that transportation or possession, all both of 2253
the following apply: 2254

(a) The person transporting or possessing the handgun ~~is~~ 2255
~~carrying~~ qualifies for a license or has a valid license or 2256
temporary emergency license to carry a concealed handgun issued to 2257
the person under section 2923.125 or 2923.1213 of the Revised Code 2258
or a license to carry a concealed handgun ~~that was~~ issued by 2259
another state with which the attorney general has entered into a 2260
reciprocity agreement under section 109.69 of the Revised Code. 2261

(b) The person transporting or possessing the handgun is not 2262
knowingly in a place described in division (B) of section 2923.126 2263
of the Revised Code. 2264

~~(c) One of the following applies:~~ 2265

~~(i) The handgun is in a holster on the person's person.~~ 2266

~~(ii) The handgun is in a closed case, bag, box, or other 2267
container that is in plain sight and that has a lid, a cover, or a 2268
closing mechanism with a zipper, snap, or buckle, which lid, 2269
cover, or closing mechanism must be opened for a person to gain 2270
access to the handgun.~~ 2271

~~(iii) The handgun is securely encased by being stored in a closed glove compartment or vehicle console or in a case that is locked.~~

~~(6)~~(7) Divisions (B) and (C) of this section do not apply to a person if all of the following apply:

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

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

(c) The person is on or in an electric-powered all-purpose vehicle as defined in section 1531.01 of the Revised Code or a motor vehicle that is parked on a road that is owned or administered by the division of wildlife, provided that the road is identified by an electric-powered all-purpose vehicle sign.

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

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

used by the public for vehicular traffic. 2303

(H) No person who is charged with a violation of division 2304
(B), (C), or (D) of this section shall be required to obtain a 2305
competency certification or a license or temporary emergency 2306
license to carry a concealed handgun under section 2923.125 or 2307
2923.1213 of the Revised Code as a condition for the dismissal of 2308
the charge. 2309

(I) Whoever violates this section is guilty of improperly 2310
handling firearms in a motor vehicle. Violation of division (A) of 2311
this section is a felony of the fourth degree. Violation of 2312
division (C) of this section is a misdemeanor of the fourth 2313
degree. A violation of division (D) of this section is a felony of 2314
the fifth degree or, if the loaded handgun is concealed on the 2315
person's person, a felony of the fourth degree. ~~Except as~~ 2316
~~otherwise provided in this division, a violation of division~~ 2317
~~(E)(3) of this section is a misdemeanor of the first degree, and,~~ 2318
~~in addition to any other penalty or sanction imposed for the~~ 2319
~~violation, the offender's license or temporary emergency license~~ 2320
~~to carry a concealed handgun shall be suspended pursuant to~~ 2321
~~division (A)(2) of section 2923.128 of the Revised Code. If at the~~ 2322
~~time of the stop of the offender for a traffic stop, for another~~ 2323
~~law enforcement purpose, or for a purpose defined in section~~ 2324
~~5503.34 of the Revised Code that was the basis of the violation~~ 2325
~~any law enforcement officer involved with the stop or the employee~~ 2326
~~of the motor carrier enforcement unit who made the stop had actual~~ 2327
~~knowledge of the offender's status as a licensee, a violation of~~ 2328
~~division (E)(3) of this section is a minor misdemeanor, and the~~ 2329
~~offender's license or temporary emergency license to carry a~~ 2330
~~concealed handgun shall not be suspended pursuant to division~~ 2331
~~(A)(2) of section 2923.128 of the Revised Code. A violation of~~ 2332
~~division (E)(1), (2), or (5) of this section is a felony of the~~ 2333
~~fifth degree. A violation of division (E)(4) or (6) of this~~ 2334

~~section is a misdemeanor of the first degree or, if the offender 2335
previously has been convicted of or pleaded guilty to a violation 2336
of division (E)(4) or (6) of this section, a felony of the fifth 2337
degree. In addition to any other penalty or sanction imposed for a 2338
misdemeanor violation of division (E)(4) or (6) of this section, 2339
the offender's license or temporary emergency license to carry a 2340
concealed handgun shall be suspended pursuant to division (A)(2) 2341
of section 2923.128 of the Revised Code. A violation of division 2342
(B) of this section is whichever of the following is applicable: 2343~~

~~(1) If, at the time of the transportation or possession in 2345
violation of division (B) of this section, the offender was 2346
carrying a valid license or temporary emergency license to carry a 2347
concealed handgun issued to the offender under section 2923.125 or 2348
2923.1213 of the Revised Code or a license to carry a concealed 2349
handgun that was issued by another state with which the attorney 2350
general has entered into a reciprocity agreement under section 2351
109.69 of the Revised Code and the offender was not knowingly in a 2352
place described in division (B) of section 2923.126 of the Revised 2353
Code, the violation is a misdemeanor of the first degree or, if 2354
the offender previously has been convicted of or pleaded guilty to 2355
a violation of division (B) of this section, a felony of the 2356
fourth degree. 2357~~

~~(2) If division (I)(1) of this section does not apply, a 2358
felony of the fourth degree. 2359~~

~~(J) If a law enforcement officer stops a motor vehicle for a 2360
traffic stop or any other purpose, if any person in the motor 2361
vehicle surrenders a firearm to the officer, either voluntarily or 2362
pursuant to a request or demand of the officer, and if the officer 2363
does not charge the person with a violation of this section or 2364
arrest the person for any offense, the person is not otherwise 2365
prohibited by law from possessing the firearm, and the firearm is 2366~~

not contraband, the officer shall return the firearm to the person 2367
at the termination of the stop. If a court orders a law 2368
enforcement officer to return a firearm to a person pursuant to 2369
the requirement set forth in this division, division (B) of 2370
section 2923.163 of the Revised Code applies. 2371

(K) As used in this section: 2372

(1) "Motor vehicle," "street," and "highway" have the same 2373
meanings as in section 4511.01 of the Revised Code. 2374

(2) "Occupied structure" has the same meaning as in section 2375
2909.01 of the Revised Code. 2376

(3) "Agriculture" has the same meaning as in section 519.01 2377
of the Revised Code. 2378

(4) "Tenant" has the same meaning as in section 1531.01 of 2379
the Revised Code. 2380

(5) "Unloaded" means any of the following: 2381

(a) No ammunition is in the firearm in question, and no 2382
ammunition is loaded into a magazine or speed loader that may be 2383
used with the firearm in question and that is located anywhere 2384
within the vehicle in question, without regard to where ammunition 2385
otherwise is located within the vehicle in question. 2386

(b) With respect to a firearm employing a percussion cap, 2387
flintlock, or other obsolete ignition system, when the weapon is 2388
uncapped or when the priming charge is removed from the pan. 2389

~~(6) "Commercial motor vehicle" has the same meaning as in 2390
division (A) of section 4506.25 of the Revised Code. 2391~~

~~(7) "Motor carrier enforcement unit" means the motor carrier 2392
enforcement unit in the department of public safety, division of 2393
state highway patrol, that is created by section 5503.34 of the 2394
Revised Code. 2395~~

Section 2. That existing sections 1547.69, 2923.11, 2923.12, 2396
2923.122, 2923.123, 2923.124, 2923.125, 2923.126, 2923.128, 2397
2923.1212, 2923.1213, and 2923.16 of the Revised Code are hereby 2398
repealed. 2399

Section 3. Section 2923.16 of the Revised Code is presented 2400
in this act as a composite of the section as amended by both Sub. 2401
S.B. 184 and Sub. S.B. 209 of the 127th General Assembly. The 2402
General Assembly, applying the principle stated in division (B) of 2403
section 1.52 of the Revised Code that amendments are to be 2404
harmonized if reasonably capable of simultaneous operation, finds 2405
that the composite is the resulting version of the section in 2406
effect prior to the effective date of the section as presented in 2407
this act. 2408