

**As Introduced**

**129th General Assembly  
Regular Session  
2011-2012**

**H. B. No. 256**

**Representative Adams, J.**

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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

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

**Section 1.** That sections 1547.69, 2923.11, 2923.12, 2923.122, 38  
2923.123, 2923.124, 2923.125, 2923.126, 2923.128, 2923.1212, 39  
2923.1213, and 2923.16 of the Revised Code be amended to read as 40  
follows: 41

**Sec. 1547.69.** (A) As used in this section: 42

(1) "Firearm<sub>L</sub>" ~~and~~ "handgun<sub>L</sub>" and "qualifies for a license" 43  
have the same meanings as in section 2923.11 of the Revised Code. 44

(2) "Unloaded" has the same meaning as in section 2923.16 of 45  
the Revised Code. 46

(B) No person shall knowingly discharge a firearm while in or 47  
on a vessel. 48

(C) No person shall knowingly transport or have a loaded 49  
firearm in a vessel in a manner that the firearm is accessible to 50  
the operator or any passenger. 51

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

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

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

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

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

(F) Divisions (B), (C), and (D) of this section do not apply

to the possession or discharge of a United States coast guard 83  
approved signaling device required to be carried aboard a vessel 84  
under section 1547.251 of the Revised Code when the signaling 85  
device is possessed or used for the purpose of giving a visual 86  
distress signal. No person shall knowingly transport or possess 87  
any signaling device of that nature in or on a vessel in a loaded 88  
condition at any time other than immediately prior to the 89  
discharge of the signaling device for the purpose of giving a 90  
visual distress signal. 91

(G) No person shall operate or permit to be operated any 92  
vessel on the waters in this state in violation of this section. 93

(H)(1) This section does not apply to any of the following: 94

(a) An officer, agent, or employee of this or any other state 95  
or of the United States, or to a law enforcement officer, when 96  
authorized to carry or have loaded or accessible firearms in a 97  
vessel and acting within the scope of the officer's, agent's, or 98  
employee's duties; 99

(b) Any person who is employed in this state, who is 100  
authorized to carry or have loaded or accessible firearms in a 101  
vessel, and who is subject to and in compliance with the 102  
requirements of section 109.801 of the Revised Code, unless the 103  
appointing authority of the person has expressly specified that 104  
the exemption provided in division (H)(1)(b) of this section does 105  
not apply to the person; 106

(c) Any person legally engaged in hunting. 107

(2) Divisions (C) and (D) of this section do not apply to a 108  
person who transports or possesses a handgun in a vessel and who, 109  
at the time of that transportation or possession, ~~is carrying~~ 110  
qualifies for a license or has a valid license or temporary 111  
emergency license to carry a concealed handgun issued to the 112  
person under section 2923.125 or 2923.1213 of the Revised Code or 113

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

(I) If a law enforcement officer stops a vessel for a 119  
violation of this section or any other law enforcement purpose, if 120  
any person on the vessel surrenders a firearm to the officer, 121  
either voluntarily or pursuant to a request or demand of the 122  
officer, and if the officer does not charge the person with a 123  
violation of this section or arrest the person for any offense, 124  
the person is not otherwise prohibited by law from possessing the 125  
firearm, and the firearm is not contraband, the officer shall 126  
return the firearm to the person at the termination of the stop. 127

**Sec. 2923.11.** As used in sections 2923.11 to 2923.24 of the 128  
Revised Code: 129

(A) "Deadly weapon" means any instrument, device, or thing 130  
capable of inflicting death, and designed or specially adapted for 131  
use as a weapon, or possessed, carried, or used as a weapon. 132

(B)(1) "Firearm" means any deadly weapon capable of expelling 133  
or propelling one or more projectiles by the action of an 134  
explosive or combustible propellant. "Firearm" includes an 135  
unloaded firearm, and any firearm that is inoperable but that can 136  
readily be rendered operable. 137

(2) When determining whether a firearm is capable of 138  
expelling or propelling one or more projectiles by the action of 139  
an explosive or combustible propellant, the trier of fact may rely 140  
upon circumstantial evidence, including, but not limited to, the 141  
representations and actions of the individual exercising control 142  
over the firearm. 143

(C) "Handgun" means any of the following:	144
(1) Any firearm that has a short stock and is designed to be held and fired by the use of a single hand;	145 146
(2) Any combination of parts from which a firearm of a type described in division (C)(1) of this section can be assembled.	147 148
(D) "Semi-automatic firearm" means any firearm designed or specially adapted to fire a single cartridge and automatically chamber a succeeding cartridge ready to fire, with a single function of the trigger.	149 150 151 152
(E) "Automatic firearm" means any firearm designed or specially adapted to fire a succession of cartridges with a single function of the trigger. "Automatic firearm" also means any semi-automatic firearm designed or specially adapted to fire more than thirty-one cartridges without reloading, other than a firearm chambering only .22 caliber short, long, or long-rifle cartridges.	153 154 155 156 157 158
(F) "Sawed-off firearm" means a shotgun with a barrel less than eighteen inches long, or a rifle with a barrel less than sixteen inches long, or a shotgun or rifle less than twenty-six inches long overall.	159 160 161 162
(G) "Zip-gun" means any of the following:	163
(1) Any firearm of crude and extemporized manufacture;	164
(2) Any device, including without limitation a starter's pistol, that is not designed as a firearm, but that is specially adapted for use as a firearm;	165 166 167
(3) Any industrial tool, signalling device, or safety device, that is not designed as a firearm, but that as designed is capable of use as such, when possessed, carried, or used as a firearm.	168 169 170
(H) "Explosive device" means any device designed or specially adapted to cause physical harm to persons or property by means of an explosion, and consisting of an explosive substance or agency	171 172 173

and a means to detonate it. "Explosive device" includes without 174  
limitation any bomb, any explosive demolition device, any blasting 175  
cap or detonator containing an explosive charge, and any pressure 176  
vessel that has been knowingly tampered with or arranged so as to 177  
explode. 178

(I) "Incendiary device" means any firebomb, and any device 179  
designed or specially adapted to cause physical harm to persons or 180  
property by means of fire, and consisting of an incendiary 181  
substance or agency and a means to ignite it. 182

(J) "Ballistic knife" means a knife with a detachable blade 183  
that is propelled by a spring-operated mechanism. 184

(K) "Dangerous ordnance" means any of the following, except 185  
as provided in division (L) of this section: 186

(1) Any automatic or sawed-off firearm, zip-gun, or ballistic 187  
knife; 188

(2) Any explosive device or incendiary device; 189

(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, 190  
cyclonite, TNT, picric acid, and other high explosives; amatol, 191  
tritonite, tetrytol, pentolite, pecretol, cyclitol, and other high 192  
explosive compositions; plastic explosives; dynamite, blasting 193  
gelatin, gelatin dynamite, sensitized ammonium nitrate, 194  
liquid-oxygen blasting explosives, blasting powder, and other 195  
blasting agents; and any other explosive substance having 196  
sufficient brisance or power to be particularly suitable for use 197  
as a military explosive, or for use in mining, quarrying, 198  
excavating, or demolitions; 199

(4) Any firearm, rocket launcher, mortar, artillery piece, 200  
grenade, mine, bomb, torpedo, or similar weapon, designed and 201  
manufactured for military purposes, and the ammunition for that 202  
weapon; 203

(5) Any firearm muffler or silencer;	204
(6) Any combination of parts that is intended by the owner for use in converting any firearm or other device into a dangerous ordnance.	205 206 207
(L) "Dangerous ordnance" does not include any of the following:	208 209
(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;	210 211 212 213
(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;	214 215 216 217
(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;	218 219 220 221 222
(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;	223 224 225 226 227 228 229
(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.	230 231 232
(6) Any device that is expressly excepted from the definition	233



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

(M) "Explosive" means any chemical compound, mixture, or 237  
device, the primary or common purpose of which is to function by 238  
explosion. "Explosive" includes all materials that have been 239  
classified as division 1.1, division 1.2, division 1.3, or 240  
division 1.4 explosives by the United States department of 241  
transportation in its regulations and includes, but is not limited 242  
to, dynamite, black powder, pellet powders, initiating explosives, 243  
blasting caps, electric blasting caps, safety fuses, fuse 244  
igniters, squibs, cordeau detonant fuses, instantaneous fuses, and 245  
igniter cords and igniters. "Explosive" does not include 246  
"fireworks," as defined in section 3743.01 of the Revised Code, or 247  
any substance or material otherwise meeting the definition of 248  
explosive set forth in this section that is manufactured, sold, 249  
possessed, transported, stored, or used in any activity described 250  
in section 3743.80 of the Revised Code, provided the activity is 251  
conducted in accordance with all applicable laws, rules, and 252  
regulations, including, but not limited to, the provisions of 253  
section 3743.80 of the Revised Code and the rules of the fire 254  
marshal adopted pursuant to section 3737.82 of the Revised Code. 255

(N) "Qualifies for a license" means not having a license 256  
issued under section 2923.125 of the Revised Code or a temporary 257  
emergency license issued under section 2923.1213 of the Revised 258  
Code but being legally permitted to purchase a firearm under the 259  
laws of this state and the United States and meeting all the 260  
requirements for a license to carry a concealed handgun under 261  
division (D)(1)(a) to (m) of section 2923.125 of the Revised Code. 262  
A person meets the requirement for a license that is specified in 263  
division (D)(1)(l) of section 2923.125 of the Revised Code if the 264  
person has a competency certification of any type described in 265

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

**Sec. 2923.12.** (A) No person shall knowingly carry or have, 274  
concealed on the person's person or concealed ready at hand, any 275  
of the following: 276

(1) A deadly weapon other than a handgun; 277

(2) A handgun other than a dangerous ordnance; 278

(3) A dangerous ordnance. 279

~~(B) No person who has been issued a license or temporary~~ 280  
~~emergency license to carry a concealed handgun under section~~ 281  
~~2923.125 or 2923.1213 of the Revised Code or a license to carry a~~ 282  
~~concealed handgun that was issued by another state with which the~~ 283  
~~attorney general has entered into a reciprocity agreement under~~ 284  
~~section 109.69 of the Revised Code shall do any of the following:~~ 285

~~(1) If the person is stopped for a law enforcement purpose~~ 286  
~~and is carrying a concealed handgun, fail to promptly inform any~~ 287  
~~law enforcement officer who approaches the person after the person~~ 288  
~~has been stopped that the person has been issued a license or~~ 289  
~~temporary emergency license to carry a concealed handgun and that~~ 290  
~~the person then is carrying a concealed handgun;~~ 291

~~(2) If the person is stopped for a law enforcement purpose~~ 292  
~~and if the person is carrying a concealed handgun, knowingly fail~~ 293  
~~to keep the person's hands in plain sight at any time after any~~ 294  
~~law enforcement officer begins approaching the person while~~ 295

~~stopped and before the law enforcement officer leaves, unless the~~ 296  
~~failure is pursuant to and in accordance with directions given by~~ 297  
~~a law enforcement officer;~~ 298

~~(3) If the person is stopped for a law enforcement purpose,~~ 299  
~~if the person is carrying a concealed handgun, and if the person~~ 300  
~~is approached by any law enforcement officer while stopped,~~ 301  
~~knowingly remove or attempt to remove the loaded handgun from the~~ 302  
~~holster, pocket, or other place in which the person is carrying~~ 303  
~~it, knowingly grasp or hold the loaded handgun, or knowingly have~~ 304  
~~contact with the loaded handgun by touching it with the person's~~ 305  
~~hands or fingers at any time after the law enforcement officer~~ 306  
~~begins approaching and before the law enforcement officer leaves,~~ 307  
~~unless the person removes, attempts to remove, grasps, holds, or~~ 308  
~~has contact with the loaded handgun pursuant to and in accordance~~ 309  
~~with directions given by the law enforcement officer;~~ 310

~~(4) If the person is stopped for a law enforcement purpose~~ 311  
~~and if the person is carrying a concealed handgun, knowingly~~ 312  
~~disregard or fail to comply with any lawful order of any law~~ 313  
~~enforcement officer given while the person is stopped, including,~~ 314  
~~but not limited to, a specific order to the person to keep the~~ 315  
~~person's hands in plain sight.~~ 316

~~(C)(1) This section does not apply to any of the following:~~ 317

~~(a) An officer, agent, or employee of this or any other state~~ 318  
~~or the United States, or to a law enforcement officer, who is~~ 319  
~~authorized to carry concealed weapons or dangerous ordnance or is~~ 320  
~~authorized to carry handguns and is acting within the scope of the~~ 321  
~~officer's, agent's, or employee's duties;~~ 322

~~(b) Any person who is employed in this state, who is~~ 323  
~~authorized to carry concealed weapons or dangerous ordnance or is~~ 324  
~~authorized to carry handguns, and who is subject to and in~~ 325  
~~compliance with the requirements of section 109.801 of the Revised~~ 326

Code, unless the appointing authority of the person has expressly 327  
specified that the exemption provided in division ~~(C)~~(B)(1)(b) of 328  
this section does not apply to the person; 329

(c) A person's transportation or storage of a firearm, other 330  
than a firearm described in divisions (G) to (M) of section 331  
2923.11 of the Revised Code, in a motor vehicle for any lawful 332  
purpose if the firearm is not on the actor's person; 333

(d) A person's storage or possession of a firearm, other than 334  
a firearm described in divisions (G) to (M) of section 2923.11 of 335  
the Revised Code, in the actor's own home for any lawful purpose. 336

(2) Division (A)(2) of this section does not apply to any 337  
person who, at the time of the alleged carrying or possession of a 338  
handgun, ~~is carrying~~ qualifies for a license or has a valid 339  
license or temporary emergency license to carry a concealed 340  
handgun issued to the person under section 2923.125 or 2923.1213 341  
of the Revised Code or a license to carry a concealed handgun ~~that~~ 342  
~~was~~ issued by another state with which the attorney general has 343  
entered into a reciprocity agreement under section 109.69 of the 344  
Revised Code, unless the person knowingly is in a place described 345  
in division (B) of section 2923.126 of the Revised Code. 346

~~(D)~~(C) It is an affirmative defense to a charge under 347  
division (A)(1) of this section of carrying or having control of a 348  
weapon other than a handgun and other than a dangerous ordnance 349  
that the actor was not otherwise prohibited by law from having the 350  
weapon and that any of the following applies: 351

(1) The weapon was carried or kept ready at hand by the actor 352  
for defensive purposes while the actor was engaged in or was going 353  
to or from the actor's lawful business or occupation, which 354  
business or occupation was of a character or was necessarily 355  
carried on in a manner or at a time or place as to render the 356  
actor particularly susceptible to criminal attack, such as would 357

justify a prudent person in going armed. 358

(2) The weapon was carried or kept ready at hand by the actor 359  
for defensive purposes while the actor was engaged in a lawful 360  
activity and had reasonable cause to fear a criminal attack upon 361  
the actor, a member of the actor's family, or the actor's home, 362  
such as would justify a prudent person in going armed. 363

(3) The weapon was carried or kept ready at hand by the actor 364  
for any lawful purpose and while in the actor's own home. 365

~~(E)~~(D) No person who is charged with a violation of this 366  
section shall be required to obtain a competency certification or 367  
a license or temporary emergency license to carry a concealed 368  
handgun under section 2923.125 or 2923.1213 of the Revised Code as 369  
a condition for the dismissal of the charge. 370

~~(F)~~(E)(1) Whoever violates this section is guilty of carrying 371  
concealed weapons. Except as otherwise provided in this division 372  
~~or division (F)(2) of this section~~, carrying concealed weapons in 373  
violation of division (A) of this section is a misdemeanor of the 374  
first degree. Except as otherwise provided in this division ~~or~~ 375  
~~division (F)(2) of this section~~, if the offender previously has 376  
been convicted of a violation of this section or of any offense of 377  
violence, if the weapon involved is a firearm that is either 378  
loaded or for which the offender has ammunition ready at hand, or 379  
if the weapon involved is dangerous ordnance, carrying concealed 380  
weapons in violation of division (A) of this section is a felony 381  
of the fourth degree. ~~Except as otherwise provided in division~~ 382  
~~(F)(2) of this section, if~~ If the offense is committed aboard an 383  
aircraft, or with purpose to carry a concealed weapon aboard an 384  
aircraft, regardless of the weapon involved, carrying concealed 385  
weapons in violation of division (A) of this section is a felony 386  
of the third degree. 387

(2) If a person being arrested for a violation of division 388

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

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

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

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

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

~~(i) The offender previously had been issued a license to~~

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

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

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

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

~~(3) Except as otherwise provided in this division, carrying concealed weapons in violation of division (B)(1) of this section is a misdemeanor of the first degree, and, in addition to any other penalty or sanction imposed for a violation of division (B)(1) of this section, the offender's 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. If, at the time of the stop of the offender for a law enforcement purpose that was the basis of the violation, any law enforcement officer involved with the stop had actual knowledge that the offender has been issued a 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.~~ 452  
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~~(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.~~ 456  
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~~(5) Carrying concealed weapons in violation of division  
(B)(3) of this section is a felony of the fifth degree.~~ 465  
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~~(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.~~ 467  
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**Sec. 2923.122.** (A) No person shall knowingly convey, or 480  
attempt to convey, a deadly weapon or dangerous ordnance into a 481  
school safety zone. 482



(B) No person shall knowingly possess a deadly weapon or 483  
dangerous ordnance in a school safety zone. 484

(C) No person shall knowingly possess an object in a school 485  
safety zone if both of the following apply: 486

(1) The object is indistinguishable from a firearm, whether 487  
or not the object is capable of being fired. 488

(2) The person indicates that the person possesses the object 489  
and that it is a firearm, or the person knowingly displays or 490  
brandishes the object and indicates that it is a firearm. 491

(D)(1) This section does not apply to any of the following: 492

(a) An officer, agent, or employee of this or any other state 493  
or the United States, or a law enforcement officer, who is 494  
authorized to carry deadly weapons or dangerous ordnance and is 495  
acting within the scope of the officer's, agent's, or employee's 496  
duties, a security officer employed by a board of education or 497  
governing body of a school during the time that the security 498  
officer is on duty pursuant to that contract of employment, or any 499  
other person who has written authorization from the board of 500  
education or governing body of a school to convey deadly weapons 501  
or dangerous ordnance into a school safety zone or to possess a 502  
deadly weapon or dangerous ordnance in a school safety zone and 503  
who conveys or possesses the deadly weapon or dangerous ordnance 504  
in accordance with that authorization; 505

(b) Any person who is employed in this state, who is 506  
authorized to carry deadly weapons or dangerous ordnance, and who 507  
is subject to and in compliance with the requirements of section 508  
109.801 of the Revised Code, unless the appointing authority of 509  
the person has expressly specified that the exemption provided in 510  
division (D)(1)(b) of this section does not apply to the person. 511

(2) Division (C) of this section does not apply to premises 512  
upon which home schooling is conducted. Division (C) of this 513

section also does not apply to a school administrator, teacher, or 514  
employee who possesses an object that is indistinguishable from a 515  
firearm for legitimate school purposes during the course of 516  
employment, a student who uses an object that is indistinguishable 517  
from a firearm under the direction of a school administrator, 518  
teacher, or employee, or any other person who with the express 519  
prior approval of a school administrator possesses an object that 520  
is indistinguishable from a firearm for a legitimate purpose, 521  
including the use of the object in a ceremonial activity, a play, 522  
reenactment, or other dramatic presentation, or a ROTC activity or 523  
another similar use of the object. 524

(3) This section does not apply to a person who conveys or 525  
attempts to convey a handgun into, or possesses a handgun in, a 526  
school safety zone if, at the time of that conveyance, attempted 527  
conveyance, or possession of the handgun, all of the following 528  
apply: 529

(a) The person does not enter into a school building or onto 530  
school premises and is not at a school activity. 531

(b) The person ~~is carrying~~ qualifies for a license or has a 532  
valid license or temporary emergency license to carry a concealed 533  
handgun issued to the person under section 2923.125 or 2923.1213 534  
of the Revised Code or a license to carry a concealed handgun ~~that~~ 535  
~~was~~ issued by another state with which the attorney general has 536  
entered into a reciprocity agreement under section 109.69 of the 537  
Revised Code. 538

(c) The person is in the school safety zone in accordance 539  
with 18 U.S.C. 922(q)(2)(B). 540

(d) The person is not knowingly in a place described in 541  
division (B)(1) or (B)(3) to ~~(10)(6)~~ of section 2923.126 of the 542  
Revised Code. 543

(4) This section does not apply to a person who conveys or 544

attempts to convey a handgun into, or possesses a handgun in, a school safety zone if at the time of that conveyance, attempted conveyance, or possession of the handgun all of the following apply:

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

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

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

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

(2) Whoever violates division (C) of this section is guilty of illegal possession of an object indistinguishable from a firearm in a school safety zone. Except as otherwise provided in this division, illegal possession of an object indistinguishable from a firearm in a school safety zone is a misdemeanor of the first degree. If the offender previously has been convicted of a

violation of this section, illegal possession of an object 576  
indistinguishable from a firearm in a school safety zone is a 577  
felony of the fifth degree. 578

(F)(1) In addition to any other penalty imposed upon a person 579  
who is convicted of or pleads guilty to a violation of this 580  
section and subject to division (F)(2) of this section, if the 581  
offender has not attained nineteen years of age, regardless of 582  
whether the offender is attending or is enrolled in a school 583  
operated by a board of education or for which the state board of 584  
education prescribes minimum standards under section 3301.07 of 585  
the Revised Code, the court shall impose upon the offender a class 586  
four suspension of the offender's probationary driver's license, 587  
restricted license, driver's license, commercial driver's license, 588  
temporary instruction permit, or probationary commercial driver's 589  
license that then is in effect from the range specified in 590  
division (A)(4) of section 4510.02 of the Revised Code and shall 591  
deny the offender the issuance of any permit or license of that 592  
type during the period of the suspension. 593

If the offender is not a resident of this state, the court 594  
shall impose a class four suspension of the nonresident operating 595  
privilege of the offender from the range specified in division 596  
(A)(4) of section 4510.02 of the Revised Code. 597

(2) If the offender shows good cause why the court should not 598  
suspend one of the types of licenses, permits, or privileges 599  
specified in division (F)(1) of this section or deny the issuance 600  
of one of the temporary instruction permits specified in that 601  
division, the court in its discretion may choose not to impose the 602  
suspension, revocation, or denial required in that division. 603

(G) As used in this section, "object that is 604  
indistinguishable from a firearm" means an object made, 605  
constructed, or altered so that, to a reasonable person without 606  
specialized training in firearms, the object appears to be a 607

firearm. 608

**Sec. 2923.123.** (A) No person shall knowingly convey or 609  
attempt to convey a deadly weapon or dangerous ordnance into a 610  
courthouse or into another building or structure in which a 611  
courtroom is located. 612

(B) No person shall knowingly possess or have under the 613  
person's control a deadly weapon or dangerous ordnance in a 614  
courthouse or in another building or structure in which a 615  
courtroom is located. 616

(C) This section does not apply to any of the following: 617

(1) Except as provided in division (E) of this section, a 618  
judge of a court of record of this state or a magistrate; 619

(2) A peace officer, officer of a law enforcement agency, or 620  
person who is in either of the following categories: 621

(a) Except as provided in division (E) of this section, a 622  
peace officer, or an officer of a law enforcement agency of 623  
another state, a political subdivision of another state, or the 624  
United States, who is authorized to carry a deadly weapon or 625  
dangerous ordnance, who possesses or has under that individual's 626  
control a deadly weapon or dangerous ordnance as a requirement of 627  
that individual's duties, and who is acting within the scope of 628  
that individual's duties at the time of that possession or 629  
control; 630

(b) Except as provided in division (E) of this section, a 631  
person who is employed in this state, who is authorized to carry a 632  
deadly weapon or dangerous ordnance, who possesses or has under 633  
that individual's control a deadly weapon or dangerous ordnance as 634  
a requirement of that person's duties, and who is subject to and 635  
in compliance with the requirements of section 109.801 of the 636  
Revised Code, unless the appointing authority of the person has 637

expressly specified that the exemption provided in division 638  
(C)(2)(b) of this section does not apply to the person. 639

(3) A person who conveys, attempts to convey, possesses, or 640  
has under the person's control a deadly weapon or dangerous 641  
ordnance that is to be used as evidence in a pending criminal or 642  
civil action or proceeding; 643

(4) Except as provided in division (E) of this section, a 644  
bailiff or deputy bailiff of a court of record of this state who 645  
is authorized to carry a firearm pursuant to section 109.77 of the 646  
Revised Code, who possesses or has under that individual's control 647  
a firearm as a requirement of that individual's duties, and who is 648  
acting within the scope of that individual's duties at the time of 649  
that possession or control; 650

(5) Except as provided in division (E) of this section, a 651  
prosecutor, or a secret service officer appointed by a county 652  
prosecuting attorney, who is authorized to carry a deadly weapon 653  
or dangerous ordnance in the performance of the individual's 654  
duties, who possesses or has under that individual's control a 655  
deadly weapon or dangerous ordnance as a requirement of that 656  
individual's duties, and who is acting within the scope of that 657  
individual's duties at the time of that possession or control; 658

(6) Except as provided in division (E) of this section, a 659  
person who conveys or attempts to convey a handgun into a 660  
courthouse or into another building or structure in which a 661  
courtroom is located, who, at the time of the conveyance or 662  
attempt, ~~is carrying~~ qualifies for a license or has a valid 663  
license or temporary emergency license to carry a concealed 664  
handgun issued to the person under section 2923.125 or 2923.1213 665  
of the Revised Code or a license to carry a concealed handgun ~~that~~ 666  
~~was~~ issued by another state with which the attorney general has 667  
entered into a reciprocity agreement under section 109.69 of the 668  
Revised Code, and who transfers possession of the handgun to the 669

officer or officer's designee who has charge of the courthouse or 670  
building. The officer shall secure the handgun until the licensee 671  
or person who qualifies for a license is prepared to leave the 672  
premises. The exemption described in this division applies only if 673  
the officer who has charge of the courthouse or building provides 674  
services of the nature described in this division. An officer who 675  
has charge of the courthouse or building is not required to offer 676  
services of the nature described in this division. 677

(D)(1) Whoever violates division (A) of this section is 678  
guilty of illegal conveyance of a deadly weapon or dangerous 679  
ordnance into a courthouse. Except as otherwise provided in this 680  
division, illegal conveyance of a deadly weapon or dangerous 681  
ordnance into a courthouse is a felony of the fifth degree. If the 682  
offender previously has been convicted of a violation of division 683  
(A) or (B) of this section, illegal conveyance of a deadly weapon 684  
or dangerous ordnance into a courthouse is a felony of the fourth 685  
degree. 686

(2) Whoever violates division (B) of this section is guilty 687  
of illegal possession or control of a deadly weapon or dangerous 688  
ordnance in a courthouse. Except as otherwise provided in this 689  
division, illegal possession or control of a deadly weapon or 690  
dangerous ordnance in a courthouse is a felony of the fifth 691  
degree. If the offender previously has been convicted of a 692  
violation of division (A) or (B) of this section, illegal 693  
possession or control of a deadly weapon or dangerous ordnance in 694  
a courthouse is a felony of the fourth degree. 695

(E) The exemptions described in divisions (C)(1), (2)(a), 696  
(2)(b), (4), (5), and (6) of this section do not apply to any 697  
judge, magistrate, peace officer, officer of a law enforcement 698  
agency, bailiff, deputy bailiff, prosecutor, secret service 699  
officer, or other person described in any of those divisions if a 700  
rule of superintendence or another type of rule adopted by the 701

supreme court pursuant to Article IV, Ohio Constitution, or an applicable local rule of court prohibits all persons from conveying or attempting to convey a deadly weapon or dangerous ordnance into a courthouse or into another building or structure in which a courtroom is located or from possessing or having under one's control a deadly weapon or dangerous ordnance in a courthouse or in another building or structure in which a courtroom is located.

(F) As used in this section:

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

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

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

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

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

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

(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.	732
(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.	733 734 735 736 737
(F) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code.	738 739
(G) "State correctional institution" has the same meaning as in section 2967.01 of the Revised Code.	740 741
(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.	742 743 744 745 746 747 748 749
(I) "Civil protection order" means a protection order issued, or consent agreement approved, under section 2903.214 or 3113.31 of the Revised Code.	750 751 752
(J) "Temporary protection order" means a protection order issued under section 2903.213 or 2919.26 of the Revised Code.	753 754
(K) "Protection order issued by a court of another state" has the same meaning as in section 2919.27 of the Revised Code.	755 756
<del>(L) "Child day care center," "type A family day care home" and "type B family day care home" have the same meanings as in section 5104.01 of the Revised Code.</del>	<del>757 758 759</del>
<del>(M) "Type C family day care home" means a family day care home authorized to provide child care by Sub. H.B. 62 of the 121st</del>	<del>760 761</del>

~~general assembly, as amended by Am. Sub. S.B. 160 of the 121st 762  
general assembly and Sub. H.B. 407 of the 123rd general assembly. 763~~

~~(N) "Foreign air transportation," "interstate air 764  
transportation," and "intrastate air transportation" have the same 765  
meanings as in 49 U.S.C. 40102, as now or hereafter amended. 766~~

~~(O) "Commercial motor vehicle" has the same meaning as in 767  
division (A) of section 4506.25 of the Revised Code. 768~~

~~(P) "Motor carrier enforcement unit" has the same meaning as 769  
in section 2923.16 of the Revised Code. 770~~

**Sec. 2923.125.** (A) Upon the request of a person who wishes to 771  
obtain a license to carry a concealed handgun or to renew a 772  
license to carry a concealed handgun, a sheriff, as provided in 773  
division (I) of this section, shall provide to the person free of 774  
charge an application form and the web site address at which the 775  
pamphlet described in division (B) of section 109.731 of the 776  
Revised Code may be found. A sheriff shall accept a completed 777  
application form and the fee, items, materials, and information 778  
specified in divisions (B)(1) to (5) of this section at the times 779  
and in the manners described in division (I) of this section. 780

(B) An applicant for a license to carry a concealed handgun 781  
shall submit a completed application form and all of the following 782  
to the sheriff of the county in which the applicant resides or to 783  
the sheriff of any county adjacent to the county in which the 784  
applicant resides: 785

(1)(a) A nonrefundable license fee as described in either of 786  
the following: 787

(i) For an applicant who has been a resident of this state 788  
for five or more years, a fee of sixty-seven dollars; 789

(ii) For an applicant who has been a resident of this state 790  
for less than five years, a fee of sixty-seven dollars plus the 791

actual cost of having a background check performed by the federal 792  
bureau of investigation. 793

(b) No sheriff shall require an applicant to pay for the cost 794  
of a background check performed by the bureau of criminal 795  
identification and investigation. 796

(c) A sheriff shall waive the payment of the license fee 797  
described in division (B)(1)(a) of this section in connection with 798  
an initial or renewal application for a license that is submitted 799  
by an applicant who is a retired peace officer, a retired person 800  
described in division (B)(1)(b) of section 109.77 of the Revised 801  
Code, or a retired federal law enforcement officer who, prior to 802  
retirement, was authorized under federal law to carry a firearm in 803  
the course of duty, unless the retired peace officer, person, or 804  
federal law enforcement officer retired as the result of a mental 805  
disability. 806

(d) The sheriff shall deposit all fees paid by an applicant 807  
under division (B)(1)(a) of this section into the sheriff's 808  
concealed handgun license issuance fund established pursuant to 809  
section 311.42 of the Revised Code. The county shall distribute 810  
the fees in accordance with section 311.42 of the Revised Code. 811

(2) A color photograph of the applicant that was taken within 812  
thirty days prior to the date of the application; 813

(3) One or more of the following competency certifications, 814  
each of which shall reflect that, regarding a certification 815  
described in division (B)(3)(a), (b), (c), (e), or (f) of this 816  
section, within the three years immediately preceding the 817  
application the applicant has performed that to which the 818  
competency certification relates and that, regarding a 819  
certification described in division (B)(3)(d) of this section, the 820  
applicant currently is an active or reserve member of the armed 821  
forces of the United States or within the six years immediately 822

preceding the application the honorable discharge or retirement to 823  
which the competency certification relates occurred: 824

(a) An original or photocopy of a certificate of completion 825  
of a firearms safety, training, or requalification or firearms 826  
safety instructor course, class, or program that was offered by or 827  
under the auspices of the national rifle association and that 828  
complies with the requirements set forth in division (G) of this 829  
section; 830

(b) An original or photocopy of a certificate of completion 831  
of a firearms safety, training, or requalification or firearms 832  
safety instructor course, class, or program that satisfies all of 833  
the following criteria: 834

(i) It was open to members of the general public. 835

(ii) It utilized qualified instructors who were certified by 836  
the national rifle association, the executive director of the Ohio 837  
peace officer training commission pursuant to section 109.75 or 838  
109.78 of the Revised Code, or a governmental official or entity 839  
of another state. 840

(iii) It was offered by or under the auspices of a law 841  
enforcement agency of this or another state or the United States, 842  
a public or private college, university, or other similar 843  
postsecondary educational institution located in this or another 844  
state, a firearms training school located in this or another 845  
state, or another type of public or private entity or organization 846  
located in this or another state. 847

(iv) It complies with the requirements set forth in division 848  
(G) of this section. 849

(c) An original or photocopy of a certificate of completion 850  
of a state, county, municipal, or department of natural resources 851  
peace officer training school that is approved by the executive 852  
director of the Ohio peace officer training commission pursuant to 853

section 109.75 of the Revised Code and that complies with the 854  
requirements set forth in division (G) of this section, or the 855  
applicant has satisfactorily completed and been issued a 856  
certificate of completion of a basic firearms training program, a 857  
firearms requalification training program, or another basic 858  
training program described in section 109.78 or 109.801 of the 859  
Revised Code that complies with the requirements set forth in 860  
division (G) of this section; 861

(d) A document that evidences both of the following: 862

(i) That the applicant is an active or reserve member of the 863  
armed forces of the United States, was honorably discharged from 864  
military service in the active or reserve armed forces of the 865  
United States, is a retired trooper of the state highway patrol, 866  
or is a retired peace officer or federal law enforcement officer 867  
described in division (B)(1) of this section or a retired person 868  
described in division (B)(1)(b) of section 109.77 of the Revised 869  
Code and division (B)(1) of this section; 870

(ii) That, through participation in the military service or 871  
through the former employment described in division (B)(3)(d)(i) 872  
of this section, the applicant acquired experience with handling 873  
handguns or other firearms, and the experience so acquired was 874  
equivalent to training that the applicant could have acquired in a 875  
course, class, or program described in division (B)(3)(a), (b), or 876  
(c) of this section. 877

(e) A certificate or another similar document that evidences 878  
satisfactory completion of a firearms training, safety, or 879  
requalification or firearms safety instructor course, class, or 880  
program that is not otherwise described in division (B)(3)(a), 881  
(b), (c), or (d) of this section, that was conducted by an 882  
instructor who was certified by an official or entity of the 883  
government of this or another state or the United States or by the 884  
national rifle association, and that complies with the 885

requirements set forth in division (G) of this section; 886

(f) An affidavit that attests to the applicant's satisfactory 887  
completion of a course, class, or program described in division 888  
(B)(3)(a), (b), (c), or (e) of this section and that is subscribed 889  
by the applicant's instructor or an authorized representative of 890  
the entity that offered the course, class, or program or under 891  
whose auspices the course, class, or program was offered. 892

(4) A certification by the applicant that the applicant has 893  
read the pamphlet prepared by the Ohio peace officer training 894  
commission pursuant to section 109.731 of the Revised Code that 895  
reviews firearms, dispute resolution, and use of deadly force 896  
matters. 897

(5) A set of fingerprints of the applicant provided as 898  
described in section 311.41 of the Revised Code through use of an 899  
electronic fingerprint reading device or, if the sheriff to whom 900  
the application is submitted does not possess and does not have 901  
ready access to the use of such a reading device, on a standard 902  
impression sheet prescribed pursuant to division (C)(2) of section 903  
109.572 of the Revised Code. 904

(C) Upon receipt of an applicant's completed application 905  
form, supporting documentation, and, if not waived, license fee, a 906  
sheriff, in the manner specified in section 311.41 of the Revised 907  
Code, shall conduct or cause to be conducted the criminal records 908  
check and the incompetency records check described in section 909  
311.41 of the Revised Code. 910

(D)(1) Except as provided in division (D)(3) or (4) of this 911  
section, within forty-five days after a sheriff's receipt of an 912  
applicant's completed application form for a license to carry a 913  
concealed handgun, the supporting documentation, and, if not 914  
waived, the license fee, the sheriff shall make available through 915  
the law enforcement automated data system in accordance with 916

division (H) of this section the information described in that 917  
division and, upon making the information available through the 918  
system, shall issue to the applicant a license to carry a 919  
concealed handgun that shall expire as described in division 920  
(D)(2)(a) of this section if all of the following apply: 921

(a) The applicant is legally living in the United States, has 922  
been a resident of this state for at least forty-five days, and 923  
has been a resident of the county in which the person seeks the 924  
license or a county adjacent to the county in which the person 925  
seeks the license for at least thirty days. For purposes of 926  
division (D)(1)(a) of this section: 927

(i) If a person is absent from the United States, from this 928  
state, or from a particular county in this state in compliance 929  
with military or naval orders as an active or reserve member of 930  
the armed forces of the United States and if prior to leaving this 931  
state in compliance with those orders the person was legally 932  
living in the United States and was a resident of this state, the 933  
person, solely by reason of that absence, shall not be considered 934  
to have lost the person's status as living in the United States or 935  
the person's residence in this state or in the county in which the 936  
person was a resident prior to leaving this state in compliance 937  
with those orders, without regard to whether or not the person 938  
intends to return to this state or to that county, shall not be 939  
considered to have acquired a residence in any other state, and 940  
shall not be considered to have become a resident of any other 941  
state. 942

(ii) If a person is present in this state in compliance with 943  
military or naval orders as an active or reserve member of the 944  
armed forces of the United States for at least forty-five days, 945  
the person shall be considered to have been a resident of this 946  
state for that period of at least forty-five days, and, if a 947  
person is present in a county of this state in compliance with 948

military or naval orders as an active or reserve member of the 949  
armed forces of the United States for at least thirty days, the 950  
person shall be considered to have been a resident of that county 951  
for that period of at least thirty days. 952

(b) The applicant is at least twenty-one years of age. 953

(c) The applicant is not a fugitive from justice. 954

(d) The applicant is not under indictment for or otherwise 955  
charged with a felony; an offense under Chapter 2925., 3719., or 956  
4729. of the Revised Code that involves the illegal possession, 957  
use, sale, administration, or distribution of or trafficking in a 958  
drug of abuse; a misdemeanor offense of violence; or a violation 959  
of section 2903.14 or 2923.1211 of the Revised Code. 960

(e) Except as otherwise provided in division (D)(5) of this 961  
section, the applicant has not been convicted of or pleaded guilty 962  
to a felony or an offense under Chapter 2925., 3719., or 4729. of 963  
the Revised Code that involves the illegal possession, use, sale, 964  
administration, or distribution of or trafficking in a drug of 965  
abuse; has not been adjudicated a delinquent child for committing 966  
an act that if committed by an adult would be a felony or would be 967  
an offense under Chapter 2925., 3719., or 4729. of the Revised 968  
Code that involves the illegal possession, use, sale, 969  
administration, or distribution of or trafficking in a drug of 970  
abuse; and has not been convicted of, pleaded guilty to, or 971  
adjudicated a delinquent child for committing a violation of 972  
section 2903.13 of the Revised Code when the victim of the 973  
violation is a peace officer, regardless of whether the applicant 974  
was sentenced under division (C)(3) of that section. 975

(f) Except as otherwise provided in division (D)(5) of this 976  
section, the applicant, within three years of the date of the 977  
application, has not been convicted of or pleaded guilty to a 978  
misdemeanor offense of violence other than a misdemeanor violation 979



of section 2921.33 of the Revised Code or a violation of section 980  
2903.13 of the Revised Code when the victim of the violation is a 981  
peace officer, or a misdemeanor violation of section 2923.1211 of 982  
the Revised Code; and has not been adjudicated a delinquent child 983  
for committing an act that if committed by an adult would be a 984  
misdemeanor offense of violence other than a misdemeanor violation 985  
of section 2921.33 of the Revised Code or a violation of section 986  
2903.13 of the Revised Code when the victim of the violation is a 987  
peace officer or for committing an act that if committed by an 988  
adult would be a misdemeanor violation of section 2923.1211 of the 989  
Revised Code. 990

(g) Except as otherwise provided in division (D)(1)(e) of 991  
this section, the applicant, within five years of the date of the 992  
application, has not been convicted of, pleaded guilty to, or 993  
adjudicated a delinquent child for committing two or more 994  
violations of section 2903.13 or 2903.14 of the Revised Code. 995

(h) Except as otherwise provided in division (D)(5) of this 996  
section, the applicant, within ten years of the date of the 997  
application, has not been convicted of, pleaded guilty to, or 998  
adjudicated a delinquent child for committing a violation of 999  
section 2921.33 of the Revised Code. 1000

(i) The applicant has not been adjudicated as a mental 1001  
defective, has not been committed to any mental institution, is 1002  
not under adjudication of mental incompetence, has not been found 1003  
by a court to be a mentally ill person subject to hospitalization 1004  
by court order, and is not an involuntary patient other than one 1005  
who is a patient only for purposes of observation. As used in this 1006  
division, "mentally ill person subject to hospitalization by court 1007  
order" and "patient" have the same meanings as in section 5122.01 1008  
of the Revised Code. 1009

(j) The applicant is not currently subject to a civil 1010  
protection order, a temporary protection order, or a protection 1011

order issued by a court of another state. 1012

(k) The applicant certifies that the applicant desires a 1013  
legal means to carry a concealed handgun for defense of the 1014  
applicant or a member of the applicant's family while engaged in 1015  
lawful activity. 1016

(l) The applicant submits a competency certification of the 1017  
type described in division (B)(3) of this section and submits a 1018  
certification of the type described in division (B)(4) of this 1019  
section regarding the applicant's reading of the pamphlet prepared 1020  
by the Ohio peace officer training commission pursuant to section 1021  
109.731 of the Revised Code. 1022

(m) The applicant currently is not subject to a suspension 1023  
imposed under former division (A)(2) of section 2923.128 of the 1024  
Revised Code of a license to carry a concealed handgun, or a 1025  
temporary emergency license to carry a concealed handgun, that 1026  
previously was issued to the applicant under this section or 1027  
section 2923.1213 of the Revised Code. 1028

(2)(a) A license to carry a concealed handgun that a sheriff 1029  
issues under division (D)(1) of this section on or after March 14, 1030  
2007, shall expire five years after the date of issuance. A 1031  
license to carry a concealed handgun that a sheriff issued under 1032  
division (D)(1) of this section prior to March 14, 2007, shall 1033  
expire four years after the date of issuance. 1034

If a sheriff issues a license under this section, the sheriff 1035  
shall place on the license a unique combination of letters and 1036  
numbers identifying the license in accordance with the procedure 1037  
prescribed by the Ohio peace officer training commission pursuant 1038  
to section 109.731 of the Revised Code. 1039

(b) If a sheriff denies an application under this section 1040  
because the applicant does not satisfy the criteria described in 1041  
division (D)(1) of this section, the sheriff shall specify the 1042

grounds for the denial in a written notice to the applicant. The 1043  
applicant may appeal the denial pursuant to section 119.12 of the 1044  
Revised Code in the county served by the sheriff who denied the 1045  
application. If the denial was as a result of the criminal records 1046  
check conducted pursuant to section 311.41 of the Revised Code and 1047  
if, pursuant to section 2923.127 of the Revised Code, the 1048  
applicant challenges the criminal records check results using the 1049  
appropriate challenge and review procedure specified in that 1050  
section, the time for filing the appeal pursuant to section 119.12 1051  
of the Revised Code and this division is tolled during the 1052  
pendency of the request or the challenge and review. If the court 1053  
in an appeal under section 119.12 of the Revised Code and this 1054  
division enters a judgment sustaining the sheriff's refusal to 1055  
grant to the applicant a license to carry a concealed handgun, the 1056  
applicant may file a new application beginning one year after the 1057  
judgment is entered. If the court enters a judgment in favor of 1058  
the applicant, that judgment shall not restrict the authority of a 1059  
sheriff to suspend or revoke the license pursuant to section 1060  
2923.128 or 2923.1213 of the Revised Code or to refuse to renew 1061  
the license for any proper cause that may occur after the date the 1062  
judgment is entered. In the appeal, the court shall have full 1063  
power to dispose of all costs. 1064

(3) If the sheriff with whom an application for a license to 1065  
carry a concealed handgun was filed under this section becomes 1066  
aware that the applicant has been arrested for or otherwise 1067  
charged with an offense that would disqualify the applicant from 1068  
holding the license, the sheriff shall suspend the processing of 1069  
the application until the disposition of the case arising from the 1070  
arrest or charge. 1071

(4) If the sheriff determines that the applicant is legally 1072  
living in the United States and is a resident of the county in 1073  
which the applicant seeks the license or of an adjacent county but 1074

does not yet meet the residency requirements described in division 1075  
(D)(1)(a) of this section, the sheriff shall not deny the license 1076  
because of the residency requirements but shall not issue the 1077  
license until the applicant meets those residency requirements. 1078

(5) If an applicant has been convicted of or pleaded guilty 1079  
to an offense identified in division (D)(1)(e), (f), or (h) of 1080  
this section or has been adjudicated a delinquent child for 1081  
committing an act or violation identified in any of those 1082  
divisions, and if a court has ordered the sealing or expungement 1083  
of the records of that conviction, guilty plea, or adjudication 1084  
pursuant to sections 2151.355 to 2151.358 or sections 2953.31 to 1085  
2953.36 of the Revised Code or a court has granted the applicant 1086  
relief pursuant to section 2923.14 of the Revised Code from the 1087  
disability imposed pursuant to section 2923.13 of the Revised Code 1088  
relative to that conviction, guilty plea, or adjudication, the 1089  
sheriff with whom the application was submitted shall not consider 1090  
the conviction, guilty plea, or adjudication in making a 1091  
determination under division (D)(1) or (F) of this section or, in 1092  
relation to an application for a temporary emergency license to 1093  
carry a concealed handgun submitted under section 2923.1213 of the 1094  
Revised Code, in making a determination under division (B)(2) of 1095  
that section. 1096

(E) If a license to carry a concealed handgun issued under 1097  
this section is lost or is destroyed, the licensee may obtain from 1098  
the sheriff who issued that license a duplicate license upon the 1099  
payment of a fee of fifteen dollars and the submission of an 1100  
affidavit attesting to the loss or destruction of the license. The 1101  
sheriff, in accordance with the procedures prescribed in section 1102  
109.731 of the Revised Code, shall place on the replacement 1103  
license a combination of identifying numbers different from the 1104  
combination on the license that is being replaced. 1105

(F)(1) A licensee who wishes to renew a license to carry a 1106

concealed handgun issued under this section shall do so not 1107  
earlier than ninety days before the expiration date of the license 1108  
or at any time after the expiration date of the license by filing 1109  
with the sheriff of the county in which the applicant resides or 1110  
with the sheriff of an adjacent county an application for renewal 1111  
of the license obtained pursuant to division (D) of this section, 1112  
a certification by the applicant that, subsequent to the issuance 1113  
of the license, the applicant has reread the pamphlet prepared by 1114  
the Ohio peace officer training commission pursuant to section 1115  
109.731 of the Revised Code that reviews firearms, dispute 1116  
resolution, and use of deadly force matters, and a nonrefundable 1117  
license renewal fee in an amount determined pursuant to division 1118  
(F)(4) of this section unless the fee is waived, ~~and one of the~~ 1119  
~~following:~~ 1120

~~(a) If the licensee previously has not renewed a license to 1121  
carry a concealed handgun issued under this section, proof that 1122  
the licensee at one time had a competency certification of the 1123  
type described in division (B)(3) of this section. A valid 1124  
license, expired license, or any other previously issued license 1125  
that has not been revoked is prima facie evidence that the 1126  
licensee at one time had a competency certification of the type 1127  
described in division (B)(3) of this section. 1128~~

~~(b) If the licensee previously has renewed a license to carry 1129  
a concealed handgun issued under this section, a renewed 1130  
competency certification of the type described in division (G)(4) 1131  
of this section. 1132~~

(2) A sheriff shall accept a completed renewal application, 1133  
the license renewal fee, and information specified in division 1134  
(F)(1) of this section at the times and in the manners described 1135  
in division (I) of this section. Upon receipt of a completed 1136  
renewal application, of certification that the applicant has 1137  
reread the specified pamphlet prepared by the Ohio peace officer 1138

~~training commission, of proof of a prior competency certification~~ 1139  
~~for an initial renewal or of a renewed competency certification~~ 1140  
~~for a second or subsequent renewal,~~ and of a license renewal fee 1141  
unless the fee is waived, a sheriff, in the manner specified in 1142  
section 311.41 of the Revised Code shall conduct or cause to be 1143  
conducted the criminal records check and the incompetency records 1144  
check described in section 311.41 of the Revised Code. The sheriff 1145  
shall renew the license if the sheriff determines that the 1146  
applicant continues to satisfy the requirements described in 1147  
division (D)(1) of this section, except that the applicant is not 1148  
required to meet the requirements of division (D)(1)(1) of this 1149  
section. A renewed license that is renewed on or after March 14, 1150  
2007, shall expire five years after the date of issuance, and a 1151  
renewed license that is renewed prior to March 14, 2007, shall 1152  
expire four years after the date of issuance. A renewed license is 1153  
subject to division (E) of this section and sections 2923.126 and 1154  
2923.128 of the Revised Code. A sheriff shall comply with 1155  
divisions (D)(2) to (4) of this section when the circumstances 1156  
described in those divisions apply to a requested license renewal. 1157  
If a sheriff denies the renewal of a license to carry a concealed 1158  
handgun, the applicant may appeal the denial, or challenge the 1159  
criminal record check results that were the basis of the denial if 1160  
applicable, in the same manner as specified in division (D)(2)(b) 1161  
of this section and in section 2923.127 of the Revised Code, 1162  
regarding the denial of a license under this section. 1163

(3) A renewal application submitted pursuant to division (F) 1164  
of this section shall only require the licensee to list on the 1165  
application form information and matters occurring since the date 1166  
of the licensee's last application for a license pursuant to 1167  
division (B) or (F) of this section. A sheriff conducting the 1168  
criminal records check and the incompetency records check 1169  
described in section 311.41 of the Revised Code shall conduct the 1170  
check only from the date of the licensee's last application for a 1171

license pursuant to division (B) or (F) of this section through 1172  
the date of the renewal application submitted pursuant to division 1173  
(F) of this section. 1174

(4) An applicant for a renewal license to carry a concealed 1175  
handgun shall submit to the sheriff of the county in which the 1176  
applicant resides or to the sheriff of any county adjacent to the 1177  
county in which the applicant resides a nonrefundable license fee 1178  
as described in either of the following: 1179

(a) For an applicant who has been a resident of this state 1180  
for five or more years, a fee of fifty dollars; 1181

(b) For an applicant who has been a resident of this state 1182  
for less than five years, a fee of fifty dollars plus the actual 1183  
cost of having a background check performed by the federal bureau 1184  
of investigation. 1185

(G)(1) Each course, class, or program described in division 1186  
(B)(3)(a), (b), (c), or (e) of this section shall provide to each 1187  
person who takes the course, class, or program the web site 1188  
address at which the pamphlet prepared by the Ohio peace officer 1189  
training commission pursuant to section 109.731 of the Revised 1190  
Code that reviews firearms, dispute resolution, and use of deadly 1191  
force matters may be found. Each such course, class, or program 1192  
described in one of those divisions shall include at least twelve 1193  
hours of training in the safe handling and use of a firearm that 1194  
shall include all of the following: 1195

(a) At least ten hours of training on the following matters: 1196

(i) The ability to name, explain, and demonstrate the rules 1197  
for safe handling of a handgun and proper storage practices for 1198  
handguns and ammunition; 1199

(ii) The ability to demonstrate and explain how to handle 1200  
ammunition in a safe manner; 1201

(iii) The ability to demonstrate the knowledge, skills, and attitude necessary to shoot a handgun in a safe manner; 1202  
1203

(iv) Gun handling training. 1204

(b) At least two hours of training that consists of range time and live-fire training. 1205  
1206

(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: 1207  
1208  
1209  
1210

(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; 1211  
1212  
1213

(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. 1214  
1215  
1216  
1217

(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. 1218  
1219  
1220  
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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 1225  
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course, class, or program described in division (B)(3)(a), (b), 1233  
(c), or (e) of this section by passing a test that demonstrates 1234  
that the person is range competent. In these circumstances, the 1235  
person is not required to attend the course, class, or program or 1236  
to take the competency examination described in division (G)(2) of 1237  
this section for the renewed competency certification in order to 1238  
be eligible to receive a renewed competency certification. A 1239  
renewed competency certification issued under this division shall 1240  
be dated and shall attest that the person has demonstrated range 1241  
competency. 1242

(H) Upon deciding to issue a license, deciding to issue a 1243  
replacement license, or deciding to renew a license to carry a 1244  
concealed handgun pursuant to this section, and before actually 1245  
issuing or renewing the license, the sheriff shall make available 1246  
through the law enforcement automated data system all information 1247  
contained on the license. If the license subsequently is suspended 1248  
under division (A)(1) ~~or (2)~~ of section 2923.128 of the Revised 1249  
Code, revoked pursuant to division (B)(1) of section 2923.128 of 1250  
the Revised Code, or lost or destroyed, the sheriff also shall 1251  
make available through the law enforcement automated data system a 1252  
notation of that fact. The superintendent of the state highway 1253  
patrol shall ensure that the law enforcement automated data system 1254  
is so configured as to permit the transmission through the system 1255  
of the information specified in this division. 1256

(I) A sheriff shall accept a completed application form or 1257  
renewal application, and the fee, items, materials, and 1258  
information specified in divisions (B)(1) to (5) or division (F) 1259  
of this section, whichever is applicable, and shall provide an 1260  
application form or renewal application to any person during at 1261  
least fifteen hours a week and shall provide the web site address 1262  
at which the pamphlet described in division (B) of section 109.731 1263  
of the Revised Code may be found at any time, upon request. The 1264

sheriff shall post notice of the hours during which the sheriff is 1265  
available to accept or provide the information described in this 1266  
division. 1267

(J) When a sheriff issues a renewed license, the sheriff 1268  
shall offer to return the expired license to the licensee. If the 1269  
licensee does not take the expired license, the sheriff shall 1270  
destroy it. 1271

**Sec. 2923.126.** (A) A license to carry a concealed handgun 1272  
that is issued under section 2923.125 of the Revised Code on or 1273  
after March 14, 2007, shall expire five years after the date of 1274  
issuance, and a license that is so issued prior to March 14, 2007, 1275  
shall expire four years after the date of issuance. A licensee who 1276  
has been issued a license under that section shall be granted a 1277  
grace period of thirty days after the licensee's license expires 1278  
during which the licensee's license remains valid. Except as 1279  
provided in divisions (B) and (C) of this section, a licensee who 1280  
has been issued a license under section 2923.125 or 2923.1213 of 1281  
the Revised Code may carry a concealed handgun anywhere in this 1282  
state if the licensee also carries ~~a valid license and~~ valid 1283  
identification when the licensee is in actual possession of a 1284  
concealed handgun. The licensee shall give notice of any change in 1285  
the licensee's residence address to the sheriff who issued the 1286  
license within forty-five days after that change. 1287

~~If a licensee is the driver or an occupant of a motor vehicle 1288  
that is stopped as the result of a traffic stop or a stop for 1289  
another law enforcement purpose and if the licensee is 1290  
transporting or has a loaded handgun in the motor vehicle at that 1291  
time, the licensee shall promptly inform any law enforcement 1292  
officer who approaches the vehicle while stopped that the licensee 1293  
has been issued a license or temporary emergency license to carry 1294  
a concealed handgun and that the licensee currently possesses or 1295~~

~~has a loaded handgun; the licensee shall not knowingly disregard 1296  
or fail to comply with lawful orders of a law enforcement officer 1297  
given while the motor vehicle is stopped, knowingly fail to remain 1298  
in the motor vehicle while stopped, or knowingly fail to keep the 1299  
licensee's hands in plain sight after any law enforcement officer 1300  
begins approaching the licensee while stopped and before the 1301  
officer leaves, unless directed otherwise by a law enforcement 1302  
officer; and the licensee shall not knowingly remove, attempt to 1303  
remove, grasp, or hold the loaded handgun or knowingly have 1304  
contact with the loaded handgun by touching it with the licensee's 1305  
hands or fingers, in any manner in violation of division (E) of 1306  
section 2923.16 of the Revised Code, after any law enforcement 1307  
officer begins approaching the licensee while stopped and before 1308  
the officer leaves. Additionally, if a licensee is the driver or 1309  
an occupant of a commercial motor vehicle that is stopped by an 1310  
employee of the motor carrier enforcement unit for the purposes 1311  
defined in section 5503.04 of the Revised Code and if the licensee 1312  
is transporting or has a loaded handgun in the commercial motor 1313  
vehicle at that time, the licensee shall promptly inform the 1314  
employee of the unit who approaches the vehicle while stopped that 1315  
the licensee has been issued a license or temporary emergency 1316  
license to carry a concealed handgun and that the licensee 1317  
currently possesses or has a loaded handgun. 1318~~

~~If a licensee is stopped for a law enforcement purpose and if 1319  
the licensee is carrying a concealed handgun at the time the 1320  
officer approaches, the licensee shall promptly inform any law 1321  
enforcement officer who approaches the licensee while stopped that 1322  
the licensee has been issued a license or temporary emergency 1323  
license to carry a concealed handgun and that the licensee 1324  
currently is carrying a concealed handgun; the licensee shall not 1325  
knowingly disregard or fail to comply with lawful orders of a law 1326  
enforcement officer given while the licensee is stopped or 1327  
knowingly fail to keep the licensee's hands in plain sight after 1328~~

~~any law enforcement officer begins approaching the licensee while 1329  
stopped and before the officer leaves, unless directed otherwise 1330  
by a law enforcement officer; and the licensee shall not knowingly 1331  
remove, attempt to remove, grasp, or hold the loaded handgun or 1332  
knowingly have contact with the loaded handgun by touching it with 1333  
the licensee's hands or fingers, in any manner in violation of 1334  
division (B) of section 2923.12 of the Revised Code, after any law 1335  
enforcement officer begins approaching the licensee while stopped 1336  
and before the officer leaves. 1337~~

(B) A competency certification described in or valid license 1338  
issued under section 2923.125 or 2923.1213 of the Revised Code 1339  
does not authorize the licensee holder of the certification or 1340  
license to carry a concealed handgun ~~in any manner prohibited 1341~~  
~~under division (B) of section 2923.12 of the Revised Code or in 1342~~  
any manner prohibited under section 2923.16 of the Revised Code. A 1343  
competency certification or valid license does not authorize the 1344  
licensee holder of the certification or license to carry a 1345  
concealed handgun into any of the following places: 1346

(1) A police station, sheriff's office, or state highway 1347  
patrol station, premises controlled by the bureau of criminal 1348  
identification and investigation, a state correctional 1349  
institution, jail, workhouse, or other detention facility, an 1350  
airport passenger terminal, or an institution that is maintained, 1351  
operated, managed, and governed pursuant to division (A) of 1352  
section 5119.02 of the Revised Code or division (A)(1) of section 1353  
5123.03 of the Revised Code; 1354

(2) A school safety zone if the licensee's holder's carrying 1355  
the concealed handgun is in violation of section 2923.122 of the 1356  
Revised Code; 1357

(3) A courthouse or another building or structure in which a 1358  
courtroom is located, in violation of section 2923.123 of the 1359  
Revised Code; 1360

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

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

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

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

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

~~(9) Any building that is a government facility of this state  
or a political subdivision of this state and that is not a  
building that is used primarily as a shelter, restroom, parking  
facility for motor vehicles, or rest facility and is not a  
courthouse or other building or structure in which a courtroom is~~

~~located that is subject to division (B)(3) of this section;~~ 1392

~~(10)(6)~~ A place in which federal law prohibits the carrying 1393  
of handguns. 1394

(C)(1) Nothing in this section shall negate or restrict a 1395  
rule, policy, or practice of a private employer that is not a 1396  
private college, university, or other institution of higher 1397  
education concerning or prohibiting the presence of firearms on 1398  
the private employer's premises or property, including motor 1399  
vehicles owned by the private employer. Nothing in this section 1400  
shall require a private employer of that nature to adopt a rule, 1401  
policy, or practice concerning or prohibiting the presence of 1402  
firearms on the private employer's premises or property, including 1403  
motor vehicles owned by the private employer. 1404

(2)(a) A private employer shall be immune from liability in a 1405  
civil action for any injury, death, or loss to person or property 1406  
that allegedly was caused by or related to a person who qualifies 1407  
for a license or who is a licensee bringing a handgun onto the 1408  
premises or property of the private employer, including motor 1409  
vehicles owned by the private employer, unless the private 1410  
employer acted with malicious purpose. A private employer is 1411  
immune from liability in a civil action for any injury, death, or 1412  
loss to person or property that allegedly was caused by or related 1413  
to the private employer's decision to permit a person who 1414  
qualifies for a license or who is a licensee to bring, or prohibit 1415  
a licensee from bringing, a handgun onto the premises or property 1416  
of the private employer. As used in this division, "private 1417  
employer" includes a private college, university, or other 1418  
institution of higher education. 1419

(b) A political subdivision shall be immune from liability in 1420  
a civil action, to the extent and in the manner provided in 1421  
Chapter 2744. of the Revised Code, for any injury, death, or loss 1422  
to person or property that allegedly was caused by or related to a 1423

person who qualifies for a license or who is a licensee bringing a 1424  
handgun onto any premises or property owned, leased, or otherwise 1425  
under the control of the political subdivision. As used in this 1426  
division, "political subdivision" has the same meaning as in 1427  
section 2744.01 of the Revised Code. 1428

(3)(a) Except as provided in division (C)(3)(b) of this 1429  
section, the owner or person in control of private land or 1430  
premises, and a private person or entity leasing land or premises 1431  
owned by the state, the United States, or a political subdivision 1432  
of the state or the United States, may post a sign in a 1433  
conspicuous location on that land or on those premises prohibiting 1434  
persons from carrying firearms or concealed firearms on or onto 1435  
that land or those premises. Except as otherwise provided in this 1436  
division, a person who knowingly violates a posted prohibition of 1437  
that nature is guilty of criminal trespass in violation of 1438  
division (A)(4) of section 2911.21 of the Revised Code and is 1439  
guilty of a misdemeanor of the fourth degree. If a person 1440  
knowingly violates a posted prohibition of that nature and the 1441  
posted land or premises primarily was a parking lot or other 1442  
parking facility, the person is not guilty of criminal trespass in 1443  
violation of division (A)(4) of section 2911.21 of the Revised 1444  
Code and instead is subject only to a civil cause of action for 1445  
trespass based on the violation. 1446

(b) A landlord may not prohibit or restrict a tenant who is a 1447  
licensee and who on or after ~~the effective date of this amendment~~ 1448  
September 9, 2008, enters into a rental agreement with the 1449  
landlord for the use of residential premises, and the tenant's 1450  
guest while the tenant is present, from lawfully carrying or 1451  
possessing a handgun on those residential premises. 1452

(c) As used in division (C)(3) of this section: 1453

(i) "Residential premises" has the same meaning as in section 1454  
5321.01 of the Revised Code, except "residential premises" does 1455

not include a dwelling unit that is owned or operated by a college 1456  
or university. 1457

(ii) "Landlord," "tenant," and "rental agreement" have the 1458  
same meanings as in section 5321.01 of the Revised Code. 1459

(D) A person who holds a license to carry a concealed handgun 1460  
that was issued pursuant to the law of another state that is 1461  
recognized by the attorney general pursuant to a reciprocity 1462  
agreement entered into pursuant to section 109.69 of the Revised 1463  
Code has the same right to carry a concealed handgun in this state 1464  
as a person who was issued a license to carry a concealed handgun 1465  
under section 2923.125 of the Revised Code and is subject to the 1466  
same restrictions that apply to a person who carries a license 1467  
issued under that section. 1468

(E) A peace officer has the same right to carry a concealed 1469  
handgun in this state as a person who was issued a license to 1470  
carry a concealed handgun under section 2923.125 of the Revised 1471  
Code. For purposes of reciprocity with other states, a peace 1472  
officer shall be considered to be a licensee in this state. 1473

(F)(1) A qualified retired peace officer who possesses a 1474  
retired peace officer identification card issued pursuant to 1475  
division (F)(2) of this section and a valid firearms 1476  
requalification certification issued pursuant to division (F)(3) 1477  
of this section has the same right to carry a concealed handgun in 1478  
this state as a person who was issued a license to carry a 1479  
concealed handgun under section 2923.125 of the Revised Code and 1480  
is subject to the same restrictions that apply to a person who 1481  
carries a license issued under that section. For purposes of 1482  
reciprocity with other states, a qualified retired peace officer 1483  
who possesses a retired peace officer identification card issued 1484  
pursuant to division (F)(2) of this section and a valid firearms 1485  
requalification certification issued pursuant to division (F)(3) 1486  
of this section shall be considered to be a licensee in this 1487



state. 1488

(2)(a) Each public agency of this state or of a political 1489  
subdivision of this state that is served by one or more peace 1490  
officers shall issue a retired peace officer identification card 1491  
to any person who retired from service as a peace officer with 1492  
that agency, if the issuance is in accordance with the agency's 1493  
policies and procedures and if the person, with respect to the 1494  
person's service with that agency, satisfies all of the following: 1495

(i) The person retired in good standing from service as a 1496  
peace officer with the public agency, and the retirement was not 1497  
for reasons of mental instability. 1498

(ii) Before retiring from service as a peace officer with 1499  
that agency, the person was authorized to engage in or supervise 1500  
the prevention, detection, investigation, or prosecution of, or 1501  
the incarceration of any person for, any violation of law and the 1502  
person had statutory powers of arrest. 1503

(iii) At the time of the person's retirement as a peace 1504  
officer with that agency, the person was trained and qualified to 1505  
carry firearms in the performance of the peace officer's duties. 1506

(iv) Before retiring from service as a peace officer with 1507  
that agency, the person was regularly employed as a peace officer 1508  
for an aggregate of fifteen years or more, or, in the alternative, 1509  
the person retired from service as a peace officer with that 1510  
agency, after completing any applicable probationary period of 1511  
that service, due to a service-connected disability, as determined 1512  
by the agency. 1513

(b) A retired peace officer identification card issued to a 1514  
person under division (F)(2)(a) of this section shall identify the 1515  
person by name, contain a photograph of the person, identify the 1516  
public agency of this state or of the political subdivision of 1517  
this state from which the person retired as a peace officer and 1518

that is issuing the identification card, and specify that the 1519  
person retired in good standing from service as a peace officer 1520  
with the issuing public agency and satisfies the criteria set 1521  
forth in divisions (F)(2)(a)(i) to (iv) of this section. In 1522  
addition to the required content specified in this division, a 1523  
retired peace officer identification card issued to a person under 1524  
division (F)(2)(a) of this section may include the firearms 1525  
requalification certification described in division (F)(3) of this 1526  
section, and if the identification card includes that 1527  
certification, the identification card shall serve as the firearms 1528  
requalification certification for the retired peace officer. If 1529  
the issuing public agency issues credentials to active law 1530  
enforcement officers who serve the agency, the agency may comply 1531  
with division (F)(2)(a) of this section by issuing the same 1532  
credentials to persons who retired from service as a peace officer 1533  
with the agency and who satisfy the criteria set forth in 1534  
divisions (F)(2)(a)(i) to (iv) of this section, provided that the 1535  
credentials so issued to retired peace officers are stamped with 1536  
the word "RETIRED." 1537

(c) A public agency of this state or of a political 1538  
subdivision of this state may charge persons who retired from 1539  
service as a peace officer with the agency a reasonable fee for 1540  
issuing to the person a retired peace officer identification card 1541  
pursuant to division (F)(2)(a) of this section. 1542

(3) If a person retired from service as a peace officer with 1543  
a public agency of this state or of a political subdivision of 1544  
this state and the person satisfies the criteria set forth in 1545  
divisions (F)(2)(a)(i) to (iv) of this section, the public agency 1546  
may provide the retired peace officer with the opportunity to 1547  
attend a firearms requalification program that is approved for 1548  
purposes of firearms requalification required under section 1549  
109.801 of the Revised Code. The retired peace officer may be 1550

required to pay the cost of the course. 1551

If a retired peace officer who satisfies the criteria set 1552  
forth in divisions (F)(2)(a)(i) to (iv) of this section attends a 1553  
firearms requalification program that is approved for purposes of 1554  
firearms requalification required under section 109.801 of the 1555  
Revised Code, the retired peace officer's successful completion of 1556  
the firearms requalification program requalifies the retired peace 1557  
officer for purposes of division (F) of this section for five 1558  
years from the date on which the program was successfully 1559  
completed, and the requalification is valid during that five-year 1560  
period. If a retired peace officer who satisfies the criteria set 1561  
forth in divisions (F)(2)(a)(i) to (iv) of this section 1562  
satisfactorily completes such a firearms requalification program, 1563  
the retired peace officer shall be issued a firearms 1564  
requalification certification that identifies the retired peace 1565  
officer by name, identifies the entity that taught the program, 1566  
specifies that the retired peace officer successfully completed 1567  
the program, specifies the date on which the course was 1568  
successfully completed, and specifies that the requalification is 1569  
valid for five years from that date of successful completion. The 1570  
firearms requalification certification for a retired peace officer 1571  
may be included in the retired peace officer identification card 1572  
issued to the retired peace officer under division (F)(2) of this 1573  
section. 1574

A retired peace officer who attends a firearms 1575  
requalification program that is approved for purposes of firearms 1576  
requalification required under section 109.801 of the Revised Code 1577  
may be required to pay the cost of the program. 1578

(G) As used in this section: 1579

(1) "Qualified retired peace officer" means a person who 1580  
satisfies all of the following: 1581

(a) The person satisfies the criteria set forth in divisions	1582
(F)(2)(a)(i) to (v) of this section.	1583
(b) The person is not under the influence of alcohol or	1584
another intoxicating or hallucinatory drug or substance.	1585
(c) The person is not prohibited by federal law from	1586
receiving firearms.	1587
(2) "Retired peace officer identification card" means an	1588
identification card that is issued pursuant to division (F)(2) of	1589
this section to a person who is a retired peace officer.	1590
(3) "Government facility of this state or a political	1591
subdivision of this state" means any of the following:	1592
(a) A building or part of a building that is owned or leased	1593
by the government of this state or a political subdivision of this	1594
state and where employees of the government of this state or the	1595
political subdivision regularly are present for the purpose of	1596
performing their official duties as employees of the state or	1597
political subdivision;	1598
(b) The office of a deputy registrar serving pursuant to	1599
Chapter 4503. of the Revised Code that is used to perform deputy	1600
registrar functions.	1601
<b>Sec. 2923.128.</b> (A)(1)(a) If a licensee holding a valid	1602
license issued under section 2923.125 or 2923.1213 of the Revised	1603
Code is arrested for or otherwise charged with an offense	1604
described in division (D)(1)(d) of section 2923.125 of the Revised	1605
Code or with a violation of section 2923.15 of the Revised Code or	1606
becomes subject to a temporary protection order or to a protection	1607
order issued by a court of another state that is substantially	1608
equivalent to a temporary protection order, the sheriff who issued	1609
the license or temporary emergency license shall suspend it and	1610
shall comply with division (A) <del>(3)</del> <u>(2)</u> of this section upon becoming	1611

aware of the arrest, charge, or protection order. Upon suspending 1612  
the license or temporary emergency license, the sheriff also shall 1613  
comply with division (H) of section 2923.125 of the Revised Code. 1614

(b) A suspension under division (A)(1)(a) of this section 1615  
shall be considered as beginning on the date that the licensee is 1616  
arrested for or otherwise charged with an offense described in 1617  
that division or on the date the appropriate court issued the 1618  
protection order described in that division, irrespective of when 1619  
the sheriff notifies the licensee under division (A)(3) of this 1620  
section. The suspension shall end on the date on which the charges 1621  
are dismissed or the licensee is found not guilty of the offense 1622  
described in division (A)(1)(a) of this section or, subject to 1623  
division (B) of this section, on the date the appropriate court 1624  
terminates the protection order described in that division. If the 1625  
suspension so ends, the sheriff shall return the license or 1626  
temporary emergency license to the licensee. 1627

~~(2)(a) If a licensee holding a valid license issued under 1628  
section 2923.125 or 2923.1213 of the Revised Code is convicted of 1629  
or pleads guilty to a misdemeanor violation of division (B)(1), 1630  
(2), or (4) of section 2923.12 of the Revised Code or of division 1631  
(E)(3), (4), or (6) of section 2923.16 of the Revised Code, except 1632  
as provided in division (A)(2)(c) of this section and subject to 1633  
division (C) of this section, the sheriff who issued the license 1634  
or temporary emergency license shall suspend it and shall comply 1635  
with division (A)(3) of this section upon becoming aware of the 1636  
conviction or guilty plea. Upon suspending the license or 1637  
temporary emergency license, the sheriff also shall comply with 1638  
division (H) of section 2923.125 of the Revised Code. 1639~~

~~(b) A suspension under division (A)(2)(a) of this section 1640  
shall be considered as beginning on the date that the licensee is 1641  
convicted of or pleads guilty to the offense described in that 1642  
division, irrespective of when the sheriff notifies the licensee 1643~~

~~under division (A)(3) of this section. If the suspension is 1644  
imposed for a misdemeanor violation of division (B)(1) or (2) of 1645  
section 2923.12 of the Revised Code or of division (E)(3) or (4) 1646  
of section 2923.16 of the Revised Code, it shall end on the date 1647  
that is one year after the date that the licensee is convicted of 1648  
or pleads guilty to that violation. If the suspension is imposed 1649  
for a misdemeanor violation of division (B)(4) of section 2923.12 1650  
of the Revised Code or of division (E)(6) of section 2923.16 of 1651  
the Revised Code, it shall end on the date that is two years after 1652  
the date that the licensee is convicted of or pleads guilty to 1653  
that violation. If the licensee's license was issued under section 1654  
2923.125 of the Revised Code and the license remains valid after 1655  
the suspension ends as described in this division, when the 1656  
suspension ends, the sheriff shall return the license to the 1657  
licensee. If the licensee's license was issued under section 1658  
2923.125 of the Revised Code and the license expires before the 1659  
suspension ends as described in this division, or if the 1660  
licensee's license was issued under section 2923.1213 of the 1661  
Revised Code, the licensee is not eligible to apply for a new 1662  
license under section 2923.125 or 2923.1213 of the Revised Code or 1663  
to renew the license under section 2923.125 of the Revised Code 1664  
until after the suspension ends as described in this division. 1665~~

~~(c) The license of a licensee who is convicted of or pleads 1666  
guilty to a violation of division (B)(1) of section 2923.12 or 1667  
division (E)(3) of section 2923.16 of the Revised Code shall not 1668  
be suspended pursuant to division (A)(2)(a) of this section if, at 1669  
the time of the stop of the licensee for a law enforcement 1670  
purpose, for a traffic stop, or for a purpose defined in section 1671  
5503.34 of the Revised Code that was the basis of the violation, 1672  
any law enforcement officer involved with the stop or the employee 1673  
of the motor carrier enforcement unit who made the stop had actual 1674  
knowledge of the licensee's status as a licensee. 1675~~

~~(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 1708  
violation of section 2923.15 of the Revised Code or an offense 1709  
described in division (D)(1)(e), (f), (g), or (h) of section 1710  
2923.125 of the Revised Code. 1711

(d) On or after the date on which the license or temporary 1712  
emergency license was issued, the licensee becomes subject to a 1713  
civil protection order or to a protection order issued by a court 1714  
of another state that is substantially equivalent to a civil 1715  
protection order. 1716

(e) The licensee knowingly carries a concealed handgun into a 1717  
place that the licensee knows is an unauthorized place specified 1718  
in division (B) of section 2923.126 of the Revised Code. 1719

(f) On or after the date on which the license or temporary 1720  
emergency license was issued, the licensee is adjudicated as a 1721  
mental defective or is committed to a mental institution. 1722

(g) At the time of the issuance of the license or temporary 1723  
emergency license, the licensee did not meet the residency 1724  
requirements described in division (D)(1) of section 2923.125 of 1725  
the Revised Code and currently does not meet the residency 1726  
requirements described in that division. 1727

(h) Regarding a license issued under section 2923.125 of the 1728  
Revised Code, the competency certificate the licensee submitted 1729  
was forged or otherwise was fraudulent. 1730

(2) Upon becoming aware of any circumstance listed in 1731  
division (B)(1) of this section that applies to a particular 1732  
licensee who was issued a license under section 2923.125 or 1733  
2923.1213 of the Revised Code, subject to division (C) of this 1734  
section, the sheriff who issued the license or temporary emergency 1735  
license to carry a concealed handgun to the licensee shall notify 1736  
the licensee, by certified mail, return receipt requested, at the 1737  
licensee's last known residence address that the license or 1738



temporary emergency license is subject to revocation and that the 1739  
licensee may come to the sheriff's office and contest the 1740  
sheriff's proposed revocation within fourteen days of the date on 1741  
which the notice was mailed. After the fourteen-day period and 1742  
after consideration of any information that the licensee provides 1743  
during that period, if the sheriff determines on the basis of the 1744  
information of which the sheriff is aware that the licensee is 1745  
described in division (B)(1) of this section and no longer 1746  
satisfies the requirements described in division (D)(1) of section 1747  
2923.125 of the Revised Code that are applicable to the licensee's 1748  
type of license, the sheriff shall revoke the license or temporary 1749  
emergency license, notify the licensee of that fact, and require 1750  
the licensee to surrender the license or temporary emergency 1751  
license. Upon revoking the license or temporary emergency license, 1752  
the sheriff also shall comply with division (H) of section 1753  
2923.125 of the Revised Code. 1754

(C) If a sheriff who issues a license or temporary emergency 1755  
license to carry a concealed handgun to a licensee under section 1756  
2923.125 or 2923.1213 of the Revised Code becomes aware that at 1757  
the time of the issuance of the license or temporary emergency 1758  
license the licensee had been convicted of or pleaded guilty to an 1759  
offense identified in division (D)(1)(e), (f), or (h) of section 1760  
2923.125 of the Revised Code or had been adjudicated a delinquent 1761  
child for committing an act or violation identified in any of 1762  
those divisions or becomes aware that on or after the date on 1763  
which the license or temporary emergency license was issued the 1764  
licensee has been convicted of or pleaded guilty to an offense 1765  
identified in division ~~(A)(2)(a)~~ or (B)(1)(c) of this section, the 1766  
sheriff shall not consider that conviction, guilty plea, or 1767  
adjudication as having occurred for purposes of divisions ~~(A)(2)~~, 1768  
(A)(3), (B)(1), and (B)(2) of this section if a court has ordered 1769  
the sealing or expungement of the records of that conviction, 1770  
guilty plea, or adjudication pursuant to sections 2151.355 to 1771

2151.358 or sections 2953.31 to 2953.36 of the Revised Code or a 1772  
court has granted the licensee relief pursuant to section 2923.14 1773  
of the Revised Code from the disability imposed pursuant to 1774  
section 2923.13 of the Revised Code relative to that conviction, 1775  
guilty plea, or adjudication. 1776

~~(D) As used in this section, "motor carrier enforcement unit" 1777  
has the same meaning as in section 2923.16 of the Revised Code. 1778~~

**Sec. 2923.1212.** (A) The following persons, boards, and 1779  
entities, or designees, shall post in the following locations a 1780  
sign that contains a statement in substantially the following 1781  
form: "Unless otherwise authorized by law, pursuant to the Ohio 1782  
Revised Code, no person shall knowingly possess, have under the 1783  
person's control, convey, or attempt to convey a deadly weapon or 1784  
dangerous ordnance onto these premises.": 1785

(1) The director of public safety or the person or board 1786  
charged with the erection, maintenance, or repair of police 1787  
stations, municipal jails, and the municipal courthouse and 1788  
courtrooms in a conspicuous location at all police stations, 1789  
municipal jails, and municipal courthouses and courtrooms; 1790

(2) The sheriff or sheriff's designee who has charge of the 1791  
sheriff's office in a conspicuous location in that office; 1792

(3) The superintendent of the state highway patrol or the 1793  
superintendent's designee in a conspicuous location at all state 1794  
highway patrol stations; 1795

(4) Each sheriff, chief of police, or person in charge of 1796  
every county, multicounty, municipal, municipal-county, or 1797  
multicounty-municipal jail or workhouse, community-based 1798  
correctional facility, halfway house, alternative residential 1799  
facility, or other local or state correctional institution or 1800  
detention facility within the state, or that person's designee, in 1801

a conspicuous location at that facility under that person's 1802  
charge; 1803

(5) The board of trustees of a regional airport authority, 1804  
chief administrative officer of an airport facility, or other 1805  
person in charge of an airport facility in a conspicuous location 1806  
at each airport facility under that person's control; 1807

(6) The officer or officer's designee who has charge of a 1808  
courthouse or the building or structure in which a courtroom is 1809  
located in a conspicuous location in that building or structure; 1810

(7) The superintendent of the bureau of criminal 1811  
identification and investigation or the superintendent's designee 1812  
in a conspicuous location in all premises controlled by that 1813  
bureau; 1814

~~(8) The owner, administrator, or operator of a child day care 1815  
center, a type A family day care home, a type B family day care 1816  
home, or a type C family day care home; 1817~~

~~(9) The officer of this state or of a political subdivision 1818  
of this state, or the officer's designee, who has charge of a 1819  
building that is a government facility of this state or the 1820  
political subdivision of this state, as defined in section 1821  
2923.126 of the Revised Code, and that is not a building that is 1822  
used primarily as a shelter, restroom, parking facility for motor 1823  
vehicles, or rest facility and is not a courthouse or other 1824  
building or structure in which a courtroom is located that is 1825  
subject to division (B)(3) of that section. 1826~~

(B) The following boards, bodies, and persons, or designees, 1827  
shall post in the following locations a sign that contains a 1828  
statement in substantially the following form: "Unless otherwise 1829  
authorized by law, pursuant to Ohio Revised Code section 2923.122, 1830  
no person shall knowingly possess, have under the person's 1831  
control, convey, or attempt to convey a deadly weapon or dangerous 1832

ordnance into a school safety zone." : 1833

(1) A board of education of a city, local, exempted village, 1834  
or joint vocational school district or that board's designee in a 1835  
conspicuous location in each building and on each parcel of real 1836  
property owned or controlled by the board; 1837

(2) A governing body of a school for which the state board of 1838  
education prescribes minimum standards under section 3301.07 of 1839  
the Revised Code or that body's designee in a conspicuous location 1840  
in each building and on each parcel of real property owned or 1841  
controlled by the school; 1842

(3) The principal or chief administrative officer of a 1843  
nonpublic school in a conspicuous location on property owned or 1844  
controlled by that nonpublic school. 1845

**Sec. 2923.1213.** (A) As used in this section: 1846

(1) "Evidence of imminent danger" means any of the following: 1847

(a) A statement sworn by the person seeking to carry a 1848  
concealed handgun that is made under threat of perjury and that 1849  
states that the person has reasonable cause to fear a criminal 1850  
attack upon the person or a member of the person's family, such as 1851  
would justify a prudent person in going armed; 1852

(b) A written document prepared by a governmental entity or 1853  
public official describing the facts that give the person seeking 1854  
to carry a concealed handgun reasonable cause to fear a criminal 1855  
attack upon the person or a member of the person's family, such as 1856  
would justify a prudent person in going armed. Written documents 1857  
of this nature include, but are not limited to, any temporary 1858  
protection order, civil protection order, protection order issued 1859  
by another state, or other court order, any court report, and any 1860  
report filed with or made by a law enforcement agency or 1861  
prosecutor. 1862

(2) "Prosecutor" has the same meaning as in section 2935.01 1863  
of the Revised Code. 1864

(B)(1) A person seeking a temporary emergency license to 1865  
carry a concealed handgun shall submit to the sheriff of the 1866  
county in which the person resides all of the following: 1867

(a) Evidence of imminent danger to the person or a member of 1868  
the person's family; 1869

(b) A sworn affidavit that contains all of the information 1870  
required to be on the license and attesting that the person is 1871  
legally living in the United States; is at least twenty-one years 1872  
of age; is not a fugitive from justice; is not under indictment 1873  
for or otherwise charged with an offense identified in division 1874  
(D)(1)(d) of section 2923.125 of the Revised Code; has not been 1875  
convicted of or pleaded guilty to an offense, and has not been 1876  
adjudicated a delinquent child for committing an act, identified 1877  
in division (D)(1)(e) of that section and to which division (B)(3) 1878  
of this section does not apply; within three years of the date of 1879  
the submission, has not been convicted of or pleaded guilty to an 1880  
offense, and has not been adjudicated a delinquent child for 1881  
committing an act, identified in division (D)(1)(f) of that 1882  
section and to which division (B)(3) of this section does not 1883  
apply; within five years of the date of the submission, has not 1884  
been convicted of, pleaded guilty, or adjudicated a delinquent 1885  
child for committing two or more violations identified in division 1886  
(D)(1)(g) of that section; within ten years of the date of the 1887  
submission, has not been convicted of, pleaded guilty, or 1888  
adjudicated a delinquent child for committing a violation 1889  
identified in division (D)(1)(h) of that section and to which 1890  
division (B)(3) of this section does not apply; has not been 1891  
adjudicated as a mental defective, has not been committed to any 1892  
mental institution, is not under adjudication of mental 1893  
incompetence, has not been found by a court to be a mentally ill 1894

person subject to hospitalization by court order, and is not an 1895  
involuntary patient other than one who is a patient only for 1896  
purposes of observation, as described in division (D)(1)(i) of 1897  
that section; and is not currently subject to a civil protection 1898  
order, a temporary protection order, or a protection order issued 1899  
by a court of another state, as described in division (D)(1)(j) of 1900  
that section; ~~and is not currently subject to a suspension imposed~~ 1901  
~~under division (A)(2) of section 2923.128 of the Revised Code of a~~ 1902  
~~license to carry a concealed handgun, or a temporary emergency~~ 1903  
~~license to carry a concealed handgun, that previously was issued~~ 1904  
~~to the person;~~ 1905

(c) A nonrefundable temporary emergency license fee as 1906  
described in either of the following: 1907

(i) For an applicant who has been a resident of this state 1908  
for five or more years, a fee of fifteen dollars plus the actual 1909  
cost of having a background check performed by the bureau of 1910  
criminal identification and investigation pursuant to section 1911  
311.41 of the Revised Code; 1912

(ii) For an applicant who has been a resident of this state 1913  
for less than five years, a fee of fifteen dollars plus the actual 1914  
cost of having background checks performed by the federal bureau 1915  
of investigation and the bureau of criminal identification and 1916  
investigation pursuant to section 311.41 of the Revised Code. 1917

(d) A set of fingerprints of the applicant provided as 1918  
described in section 311.41 of the Revised Code through use of an 1919  
electronic fingerprint reading device or, if the sheriff to whom 1920  
the application is submitted does not possess and does not have 1921  
ready access to the use of an electronic fingerprint reading 1922  
device, on a standard impression sheet prescribed pursuant to 1923  
division (C)(2) of section 109.572 of the Revised Code. If the 1924  
fingerprints are provided on a standard impression sheet, the 1925  
person also shall provide the person's social security number to 1926

the sheriff. 1927

(2) A sheriff shall accept the evidence of imminent danger, 1928  
the sworn affidavit, the fee, and the set of fingerprints required 1929  
under division (B)(1) of this section at the times and in the 1930  
manners described in division (I) of this section. Upon receipt of 1931  
the evidence of imminent danger, the sworn affidavit, the fee, and 1932  
the set of fingerprints required under division (B)(1) of this 1933  
section, the sheriff, in the manner specified in section 311.41 of 1934  
the Revised Code, immediately shall conduct or cause to be 1935  
conducted the criminal records check and the incompetency records 1936  
check described in section 311.41 of the Revised Code. Immediately 1937  
upon receipt of the results of the records checks, the sheriff 1938  
shall review the information and shall determine whether the 1939  
criteria set forth in divisions (D)(1)(a) to (j) and (m) of 1940  
section 2923.125 of the Revised Code apply regarding the person. 1941  
If the sheriff determines that all of criteria set forth in 1942  
divisions (D)(1)(a) to (j) and (m) of section 2923.125 of the 1943  
Revised Code apply regarding the person, the sheriff shall 1944  
immediately make available through the law enforcement automated 1945  
data system all information that will be contained on the 1946  
temporary emergency license for the person if one is issued, and 1947  
the superintendent of the state highway patrol shall ensure that 1948  
the system is so configured as to permit the transmission through 1949  
the system of that information. Upon making that information 1950  
available through the law enforcement automated data system, the 1951  
sheriff shall immediately issue to the person a temporary 1952  
emergency license to carry a concealed handgun. 1953

If the sheriff denies the issuance of a temporary emergency 1954  
license to the person, the sheriff shall specify the grounds for 1955  
the denial in a written notice to the person. The person may 1956  
appeal the denial, or challenge criminal records check results 1957  
that were the basis of the denial if applicable, in the same 1958

manners specified in division (D)(2) of section 2923.125 and in 1959  
section 2923.127 of the Revised Code, regarding the denial of an 1960  
application for a license to carry a concealed handgun under that 1961  
section. 1962

The temporary emergency license under this division shall be 1963  
in the form, and shall include all of the information, described 1964  
in divisions (A)(2) and (5) of section 109.731 of the Revised 1965  
Code, and also shall include a unique combination of identifying 1966  
letters and numbers in accordance with division (A)(4) of that 1967  
section. 1968

The temporary emergency license issued under this division is 1969  
valid for ninety days and may not be renewed. A person who has 1970  
been issued a temporary emergency license under this division 1971  
shall not be issued another temporary emergency license unless at 1972  
least four years has expired since the issuance of the prior 1973  
temporary emergency license. 1974

(3) If a person seeking a temporary emergency license to 1975  
carry a concealed handgun has been convicted of or pleaded guilty 1976  
to an offense identified in division (D)(1)(e), (f), or (h) of 1977  
section 2923.125 of the Revised Code or has been adjudicated a 1978  
delinquent child for committing an act or violation identified in 1979  
any of those divisions, and if a court has ordered the sealing or 1980  
expungement of the records of that conviction, guilty plea, or 1981  
adjudication pursuant to sections 2151.355 to 2151.358 or sections 1982  
2953.31 to 2953.36 of the Revised Code or a court has granted the 1983  
applicant relief pursuant to section 2923.14 of the Revised Code 1984  
from the disability imposed pursuant to section 2923.13 of the 1985  
Revised Code relative to that conviction, guilty plea, or 1986  
adjudication, the conviction, guilty plea, or adjudication shall 1987  
not be relevant for purposes of the sworn affidavit described in 1988  
division (B)(1)(b) of this section, and the person may complete, 1989  
and swear to the truth of, the affidavit as if the conviction, 1990



guilty plea, or adjudication never had occurred. 1991

(4) The sheriff shall waive the payment pursuant to division 1992  
(B)(1)(c) of this section of the license fee in connection with an 1993  
application that is submitted by an applicant who is a retired 1994  
peace officer, a retired person described in division (B)(1)(b) of 1995  
section 109.77 of the Revised Code, or a retired federal law 1996  
enforcement officer who, prior to retirement, was authorized under 1997  
federal law to carry a firearm in the course of duty, unless the 1998  
retired peace officer, person, or federal law enforcement officer 1999  
retired as the result of a mental disability. 2000

The sheriff shall deposit all fees paid by an applicant under 2001  
division (B)(1)(c) of this section into the sheriff's concealed 2002  
handgun license issuance fund established pursuant to section 2003  
311.42 of the Revised Code. 2004

(C) A person who holds a temporary emergency license to carry 2005  
a concealed handgun has the same right to carry a concealed 2006  
handgun as a person who was issued a license to carry a concealed 2007  
handgun under section 2923.125 of the Revised Code, and any 2008  
exceptions to the prohibitions contained in section 1547.69 and 2009  
sections 2923.12 to 2923.16 of the Revised Code for a licensee 2010  
under section 2923.125 of the Revised Code apply to a licensee 2011  
under this section. The person is subject to the same 2012  
restrictions, and to all other procedures, duties, and sanctions, 2013  
that apply to a person who carries a license issued under section 2014  
2923.125 of the Revised Code, other than the license renewal 2015  
procedures set forth in that section. 2016

(D) A sheriff who issues a temporary emergency license to 2017  
carry a concealed handgun under this section shall not require a 2018  
person seeking to carry a concealed handgun in accordance with 2019  
this section to submit a competency certificate as a prerequisite 2020  
for issuing the license and shall comply with division (H) of 2021  
section 2923.125 of the Revised Code in regards to the license. 2022

The sheriff shall suspend or revoke the license in accordance with section 2923.128 of the Revised Code. In addition to the suspension or revocation procedures set forth in section 2923.128 of the Revised Code, the sheriff may revoke the license upon receiving information, verifiable by public documents, that the person is not eligible to possess a firearm under either the laws of this state or of the United States or that the person committed perjury in obtaining the license; if the sheriff revokes a license under this additional authority, the sheriff shall notify the person, by certified mail, return receipt requested, at the person's last known residence address that the license has been revoked and that the person is required to surrender the license at the sheriff's office within ten days of the date on which the notice was mailed. Division (H) of section 2923.125 of the Revised Code applies regarding any suspension or revocation of a temporary emergency license to carry a concealed handgun.

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

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

(G) The Ohio peace officer training commission shall 2055  
prescribe, and shall make available to sheriffs, a standard form 2056  
to be used under division (B) of this section by a person who 2057  
applies for a temporary emergency license to carry a concealed 2058  
handgun on the basis of imminent danger of a type described in 2059  
division (A)(1)(a) of this section. 2060

(H) A sheriff who receives any fees paid by a person under 2061  
this section shall deposit all fees so paid into the sheriff's 2062  
concealed handgun license issuance expense fund established under 2063  
section 311.42 of the Revised Code. 2064

(I) A sheriff shall accept evidence of imminent danger, a 2065  
sworn affidavit, the fee, and the set of fingerprints specified in 2066  
division (B)(1) of this section at any time during normal business 2067  
hours. In no case shall a sheriff require an appointment, or 2068  
designate a specific period of time, for the submission or 2069  
acceptance of evidence of imminent danger, a sworn affidavit, the 2070  
fee, and the set of fingerprints specified in division (B)(1) of 2071  
this section, or for the provision to any person of a standard 2072  
form to be used for a person to apply for a temporary emergency 2073  
license to carry a concealed handgun. 2074

**Sec. 2923.16.** (A) No person shall knowingly discharge a 2075  
firearm while in or on a motor vehicle. 2076

(B) No person shall knowingly transport or have a loaded 2077  
firearm in a motor vehicle in such a manner that the firearm is 2078  
accessible to the operator or any passenger without leaving the 2079  
vehicle. 2080

(C) No person shall knowingly transport or have a firearm in 2081  
a motor vehicle, unless the person may lawfully possess that 2082  
firearm under applicable law of this state or the United States, 2083  
the firearm is unloaded, and the firearm is carried in one of the 2084  
following ways: 2085

- (1) In a closed package, box, or case; 2086
- (2) In a compartment that can be reached only by leaving the 2087  
vehicle; 2088
- (3) In plain sight and secured in a rack or holder made for 2089  
the purpose; 2090
- (4) If the firearm is at least twenty-four inches in overall 2091  
length as measured from the muzzle to the part of the stock 2092  
furthest from the muzzle and if the barrel is at least eighteen 2093  
inches in length, either in plain sight with the action open or 2094  
the weapon stripped, or, if the firearm is of a type on which the 2095  
action will not stay open or which cannot easily be stripped, in 2096  
plain sight. 2097
- (D) No person shall knowingly transport or have a loaded 2098  
handgun in a motor vehicle if, at the time of that transportation 2099  
or possession, any of the following applies: 2100
- (1) The person is under the influence of alcohol, a drug of 2101  
abuse, or a combination of them. 2102
- (2) The person's whole blood, blood serum or plasma, breath, 2103  
or urine contains a concentration of alcohol, a listed controlled 2104  
substance, or a listed metabolite of a controlled substance 2105  
prohibited for persons operating a vehicle, as specified in 2106  
division (A) of section 4511.19 of the Revised Code, regardless of 2107  
whether the person at the time of the transportation or possession 2108  
as described in this division is the operator of or a passenger in 2109  
the motor vehicle. 2110
- (E) No person who qualifies for a license or has ~~been issued~~ 2111  
a valid license or temporary emergency license to carry a 2112  
concealed handgun under section 2923.125 or 2923.1213 of the 2113  
Revised Code ~~shall do any of the following:~~ 2114
- ~~(1) Knowingly transport or have a loaded handgun in a motor~~ 2115

~~vehicle unless one of the following applies:~~ 2116

~~(a) The loaded handgun is in a holster on the person's person.~~ 2117  
2118

~~(b) The loaded handgun is in a closed case, bag, box, or other container that is in plain sight and that has a lid, a cover, or a closing mechanism with a zipper, snap, or buckle, which lid, cover, or closing mechanism must be opened for a person to gain access to the handgun.~~ 2119  
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~~(c) The loaded handgun is securely encased by being stored in a closed glove compartment or vehicle console or in a case that is locked.~~ 2124  
2125  
2126

~~(2) If the person is transporting or has a loaded handgun in a motor vehicle in a manner authorized under division (E)(1) of this section, knowingly remove or attempt to remove the loaded handgun from the holster, case, bag, box, container, or glove compartment, knowingly grasp or hold the loaded handgun, or knowingly have contact with the loaded handgun by touching it with the person's hands or fingers while the motor vehicle is being operated on a street, highway, or public property unless the person removes, attempts to remove, grasps, holds, or has the contact with the loaded handgun pursuant to and in accordance with directions given by a law enforcement officer;~~ 2127  
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~~(3) If the person is the driver or an occupant of a motor vehicle that is stopped as a result of a traffic stop or a stop for another law enforcement purpose or is the driver or an occupant of a commercial motor vehicle that is stopped by an employee of the motor carrier enforcement unit for the purposes defined in section 5503.34 of the Revised Code, and if the person is transporting or has a loaded handgun in the motor vehicle or commercial motor vehicle in any manner, fail to do any of the following that is applicable:~~ 2138  
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~~(a) If the person is the driver or an occupant of a motor vehicle stopped as a result of a traffic stop or a stop for another law enforcement purpose, fail to promptly inform any law enforcement officer who approaches the vehicle while stopped that the person has been issued a license or temporary emergency license to carry a concealed handgun and that the person then possesses or has a loaded handgun in the motor vehicle;~~

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

~~(4) If the person is the driver or an occupant of a motor vehicle that is stopped as a result of a traffic stop or a stop for another law enforcement purpose and if the person is transporting or has a loaded handgun in the motor vehicle in any manner, knowingly fail to remain in the motor vehicle while stopped or knowingly fail to keep the person's hands in plain sight at any time after any law enforcement officer begins approaching the person while stopped and before the law enforcement officer leaves, unless the failure is pursuant to and in accordance with directions given by a law enforcement officer;~~

~~(5) If the person who is the driver or an occupant of a motor vehicle that is stopped as a result of a traffic stop or a stop for another law enforcement purpose, if the person and who is transporting or has a loaded handgun in the motor vehicle ~~in a manner authorized under division (E)(1) of this section, and if the person is approached by any law enforcement officer while stopped, knowingly remove or attempt to remove the loaded handgun~~~~

~~from the holster, case, bag, box, container, or glove compartment,~~ 2179  
~~knowingly grasp or hold the loaded handgun, or knowingly have~~ 2180  
~~contact with the loaded handgun by touching it with the person's~~ 2181  
~~hands or fingers in the motor vehicle at any time after the law~~ 2182  
~~enforcement officer begins approaching and before the law~~ 2183  
~~enforcement officer leaves shall, while stopped, knowingly~~ 2184  
~~brandish the loaded handgun in a menacing manner while a law~~ 2185  
~~enforcement officer is approaching the vehicle or in a law~~ 2186  
~~enforcement officer's presence, knowingly threaten a law~~ 2187  
~~enforcement officer with the loaded handgun, knowingly point the~~ 2188  
~~loaded handgun at a law enforcement officer, or otherwise~~ 2189  
~~knowingly cause a law enforcement officer to believe that the~~ 2190  
~~person will cause or attempt to cause physical harm to a law~~ 2191  
~~enforcement officer with the handgun,~~ unless the person ~~removes,~~ 2192  
~~attempts to remove, grasps, holds, or has contact with the loaded~~ 2193  
~~handgun engages in the conduct pursuant to and in accordance with~~ 2194  
~~directions given by the law enforcement officer;~~ 2195

~~(6) If the person is the driver or an occupant of a motor~~ 2196  
~~vehicle that is stopped as a result of a traffic stop or a stop~~ 2197  
~~for another law enforcement purpose and if the person is~~ 2198  
~~transporting or has a loaded handgun in the motor vehicle in any~~ 2199  
~~manner, knowingly disregard or fail to comply with any lawful~~ 2200  
~~order of any law enforcement officer given while the motor vehicle~~ 2201  
~~is stopped, including, but not limited to, a specific order to the~~ 2202  
~~person to keep the person's hands in plain sight.~~ 2203

(F)(1) Divisions (A), (B), and (C), ~~and (E)~~ of this section 2204  
do not apply to any of the following: 2205

(a) An officer, agent, or employee of this or any other state 2206  
or the United States, or a law enforcement officer, when 2207  
authorized to carry or have loaded or accessible firearms in motor 2208  
vehicles and acting within the scope of the officer's, agent's, or 2209  
employee's duties; 2210

(b) Any person who is employed in this state, who is 2211  
authorized to carry or have loaded or accessible firearms in motor 2212  
vehicles, and who is subject to and in compliance with the 2213  
requirements of section 109.801 of the Revised Code, unless the 2214  
appointing authority of the person has expressly specified that 2215  
the exemption provided in division (F)(1)(b) of this section does 2216  
not apply to the person. 2217

(2) Division (A) of this section does not apply to a person 2218  
if all of the following circumstances apply: 2219

(a) The person discharges a firearm from a motor vehicle at a 2220  
coyote or groundhog, the discharge is not during the deer gun 2221  
hunting season as set by the chief of the division of wildlife of 2222  
the department of natural resources, and the discharge at the 2223  
coyote or groundhog, but for the operation of this section, is 2224  
lawful. 2225

(b) The motor vehicle from which the person discharges the 2226  
firearm is on real property that is located in an unincorporated 2227  
area of a township and that either is zoned for agriculture or is 2228  
used for agriculture. 2229

(c) The person owns the real property described in division 2230  
(F)(2)(b) of this section, is the spouse or a child of another 2231  
person who owns that real property, is a tenant of another person 2232  
who owns that real property, or is the spouse or a child of a 2233  
tenant of another person who owns that real property. 2234

(d) The person does not discharge the firearm in any of the 2235  
following manners: 2236

(i) While under the influence of alcohol, a drug of abuse, or 2237  
alcohol and a drug of abuse; 2238

(ii) In the direction of a street, highway, or other public 2239  
or private property used by the public for vehicular traffic or 2240  
parking; 2241



(iii) At or into an occupied structure that is a permanent or temporary habitation; 2242  
2243

(iv) In the commission of any violation of law, including, 2244  
but not limited to, a felony that includes, as an essential 2245  
element, purposely or knowingly causing or attempting to cause the 2246  
death of or physical harm to another and that was committed by 2247  
discharging a firearm from a motor vehicle. 2248

(3) Division (A) of this section does not apply to a person 2249  
if all of the following apply: 2250

(a) The person possesses a valid electric-powered all-purpose 2251  
vehicle permit issued under section 1533.103 of the Revised Code 2252  
by the chief of the division of wildlife. 2253

(b) The person discharges a firearm at a wild quadruped or 2254  
game bird as defined in section 1531.01 of the Revised Code during 2255  
the open hunting season for the applicable wild quadruped or game 2256  
bird. 2257

(c) The person discharges a firearm from a stationary 2258  
electric-powered all-purpose vehicle as defined in section 1531.01 2259  
of the Revised Code or a motor vehicle that is parked on a road 2260  
that is owned or administered by the division of wildlife, 2261  
provided that the road is identified by an electric-powered 2262  
all-purpose vehicle sign. 2263

(d) The person does not discharge the firearm in any of the 2264  
following manners: 2265

(i) While under the influence of alcohol, a drug of abuse, or 2266  
alcohol and a drug of abuse; 2267

(ii) In the direction of a street, a highway, or other public 2268  
or private property that is used by the public for vehicular 2269  
traffic or parking; 2270

(iii) At or into an occupied structure that is a permanent or 2271

temporary habitation; 2272

(iv) In the commission of any violation of law, including, 2273  
but not limited to, a felony that includes, as an essential 2274  
element, purposely or knowingly causing or attempting to cause the 2275  
death of or physical harm to another and that was committed by 2276  
discharging a firearm from a motor vehicle. 2277

(4) Division (A) of this section does not apply to a person 2278  
who discharges a firearm in self-defense while in or on a motor 2279  
vehicle. 2280

(5) Divisions (B) and (C) of this section do not apply to a 2281  
person if all of the following circumstances apply: 2282

(a) At the time of the alleged violation of either of those 2283  
divisions, the person is the operator of or a passenger in a motor 2284  
vehicle. 2285

(b) The motor vehicle is on real property that is located in 2286  
an unincorporated area of a township and that either is zoned for 2287  
agriculture or is used for agriculture. 2288

(c) The person owns the real property described in division 2289  
~~(D)~~~~(4)~~(F)(5)(b) of this section, is the spouse or a child of 2290  
another person who owns that real property, is a tenant of another 2291  
person who owns that real property, or is the spouse or a child of 2292  
a tenant of another person who owns that real property. 2293

(d) The person, prior to arriving at the real property 2294  
described in division ~~(D)~~~~(4)~~(F)(5)(b) of this section, did not 2295  
transport or possess a firearm in the motor vehicle in a manner 2296  
prohibited by division (B) or (C) of this section while the motor 2297  
vehicle was being operated on a street, highway, or other public 2298  
or private property used by the public for vehicular traffic or 2299  
parking. 2300

~~(5)~~(6) Divisions (B) and (C) of this section do not apply to 2301

a person who transports or possesses a handgun in a motor vehicle 2302  
if, at the time of that transportation or possession, all both of 2303  
the following apply: 2304

(a) The person transporting or possessing the handgun ~~is~~ 2305  
~~carrying~~ qualifies for a license or has a valid license or 2306  
temporary emergency license to carry a concealed handgun issued to 2307  
the person under section 2923.125 or 2923.1213 of the Revised Code 2308  
or a license to carry a concealed handgun ~~that was~~ issued by 2309  
another state with which the attorney general has entered into a 2310  
reciprocity agreement under section 109.69 of the Revised Code. 2311

(b) The person transporting or possessing the handgun is not 2312  
knowingly in a place described in division (B) of section 2923.126 2313  
of the Revised Code. 2314

~~(c) One of the following applies:~~ 2315

~~(i) The handgun is in a holster on the person's person.~~ 2316

~~(ii) The handgun is in a closed case, bag, box, or other 2317  
container that is in plain sight and that has a lid, a cover, or a 2318  
closing mechanism with a zipper, snap, or buckle, which lid, 2319  
cover, or closing mechanism must be opened for a person to gain 2320  
access to the handgun.~~ 2321

~~(iii) The handgun is securely encased by being stored in a 2322  
closed glove compartment or vehicle console or in a case that is 2323  
locked.~~ 2324

~~(6)(7)~~ Divisions (B) and (C) of this section do not apply to 2325  
a person if all of the following apply: 2326

(a) The person possesses a valid electric-powered all-purpose 2327  
vehicle permit issued under section 1533.103 of the Revised Code 2328  
by the chief of the division of wildlife. 2329

(b) The person is on or in an electric-powered all-purpose 2330  
vehicle as defined in section 1531.01 of the Revised Code or a 2331

motor vehicle during the open hunting season for a wild quadruped 2332  
or game bird. 2333

(c) The person is on or in an electric-powered all-purpose 2334  
vehicle as defined in section 1531.01 of the Revised Code or a 2335  
motor vehicle that is parked on a road that is owned or 2336  
administered by the division of wildlife, provided that the road 2337  
is identified by an electric-powered all-purpose vehicle sign. 2338

(G)(1) The affirmative defenses authorized in ~~divisions~~ 2339  
~~(D)(1) and (2)~~ division (C) of section 2923.12 of the Revised Code 2340  
are affirmative defenses to a charge under division (B) or (C) of 2341  
this section that involves a firearm other than a handgun. 2342

(2) It is an affirmative defense to a charge under division 2343  
(B) or (C) of this section of improperly handling firearms in a 2344  
motor vehicle that the actor transported or had the firearm in the 2345  
motor vehicle for any lawful purpose and while the motor vehicle 2346  
was on the actor's own property, provided that this affirmative 2347  
defense is not available unless the person, immediately prior to 2348  
arriving at the actor's own property, did not transport or possess 2349  
the firearm in a motor vehicle in a manner prohibited by division 2350  
(B) or (C) of this section while the motor vehicle was being 2351  
operated on a street, highway, or other public or private property 2352  
used by the public for vehicular traffic. 2353

(H) No person who is charged with a violation of division 2354  
(B), (C), or (D) of this section shall be required to obtain a 2355  
competency certification or a license or temporary emergency 2356  
license to carry a concealed handgun under section 2923.125 or 2357  
2923.1213 of the Revised Code as a condition for the dismissal of 2358  
the charge. 2359

(I) Whoever violates this section is guilty of improperly 2360  
handling firearms in a motor vehicle. Violation of division (A) of 2361  
this section is a felony of the fourth degree. Violation of 2362

division (C) of this section is a misdemeanor of the fourth 2363  
degree. A violation of division (D) of this section is a felony of 2364  
the fifth degree or, if the loaded handgun is concealed on the 2365  
person's person, a felony of the fourth degree. ~~Except as~~ 2366  
~~otherwise provided in this division, a violation of division~~ 2367  
~~(E)(3) of this section is a misdemeanor of the first degree, and,~~ 2368  
~~in addition to any other penalty or sanction imposed for the~~ 2369  
~~violation, the offender's license or temporary emergency license~~ 2370  
~~to carry a concealed handgun shall be suspended pursuant to~~ 2371  
~~division (A)(2) of section 2923.128 of the Revised Code. If at the~~ 2372  
~~time of the stop of the offender for a traffic stop, for another~~ 2373  
~~law enforcement purpose, or for a purpose defined in section~~ 2374  
~~5503.34 of the Revised Code that was the basis of the violation~~ 2375  
~~any law enforcement officer involved with the stop or the employee~~ 2376  
~~of the motor carrier enforcement unit who made the stop had actual~~ 2377  
~~knowledge of the offender's status as a licensee, a violation of~~ 2378  
~~division (E)(3) of this section is a minor misdemeanor, and the~~ 2379  
~~offender's license or temporary emergency license to carry a~~ 2380  
~~concealed handgun shall not be suspended pursuant to division~~ 2381  
~~(A)(2) of section 2923.128 of the Revised Code. A violation of~~ 2382  
~~division (E)(1), (2), or (5) of this section is a felony of the~~ 2383  
~~fifth degree. A violation of division (E)(4) or (6) of this~~ 2384  
~~section is a misdemeanor of the first degree or, if the offender~~ 2385  
~~previously has been convicted of or pleaded guilty to a violation~~ 2386  
~~of division (E)(4) or (6) of this section, a felony of the fifth~~ 2387  
~~degree. In addition to any other penalty or sanction imposed for a~~ 2388  
~~misdemeanor violation of division (E)(4) or (6) of this section,~~ 2389  
~~the offender's license or temporary emergency license to carry a~~ 2390  
~~concealed handgun shall be suspended pursuant to division (A)(2)~~ 2391  
~~of section 2923.128 of the Revised Code. A violation of division~~ 2392  
~~(B) of this section is whichever of the following is applicable:~~ 2393  
  
~~(1) If, at the time of the transportation or possession in~~ 2394  
~~violation of division (B) of this section, the offender was~~ 2395

~~carrying a valid license or temporary emergency license to carry a  
concealed handgun issued to the offender under section 2923.125 or  
2923.1213 of the Revised Code or a license to carry a concealed  
handgun that was issued by another state with which the attorney  
general has entered into a reciprocity agreement under section  
109.69 of the Revised Code and the offender was not knowingly in a  
place described in division (B) of section 2923.126 of the Revised  
Code, the violation is a misdemeanor of the first degree or, if  
the offender previously has been convicted of or pleaded guilty to  
a violation of division (B) of this section, a felony of the  
fourth degree.~~

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

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

(K) As used in this section:

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

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

(3) "Agriculture" has the same meaning as in section 519.01

of the Revised Code. 2427

(4) "Tenant" has the same meaning as in section 1531.01 of 2428  
the Revised Code. 2429

(5) "Unloaded" means any of the following: 2430

(a) No ammunition is in the firearm in question, and no 2431  
ammunition is loaded into a magazine or speed loader that may be 2432  
used with the firearm in question and that is located anywhere 2433  
within the vehicle in question, without regard to where ammunition 2434  
otherwise is located within the vehicle in question. For the 2435  
purposes of division (K)(5)(a) of this section, ammunition held in 2436  
stripper-clips or in en-bloc clips is not considered ammunition 2437  
that is loaded into a magazine or speed loader. 2438

(b) With respect to a firearm employing a percussion cap, 2439  
flintlock, or other obsolete ignition system, when the weapon is 2440  
uncapped or when the priming charge is removed from the pan. 2441

~~(6) "Commercial motor vehicle" has the same meaning as in 2442  
division (A) of section 4506.25 of the Revised Code. 2443~~

~~(7) "Motor carrier enforcement unit" means the motor carrier 2444  
enforcement unit in the department of public safety, division of 2445  
state highway patrol, that is created by section 5503.34 of the 2446  
Revised Code. 2447~~

**Section 2.** That existing sections 1547.69, 2923.11, 2923.12, 2448  
2923.122, 2923.123, 2923.124, 2923.125, 2923.126, 2923.128, 2449  
2923.1212, 2923.1213, and 2923.16 of the Revised Code are hereby 2450  
repealed. 2451