

As Introduced

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

H. B. No. 595

Representative Patmon

Cosponsor: Representative Celeste

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A B I L L

To amend sections 2911.21, 2923.122, and 2923.126 of 1
the Revised Code to generally prohibit a person 2
from having a firearm on privately owned land or 3
premises unless the person owns, controls, or 4
resides on or in the land or premises, has 5
permission of the owner or person who controls the 6
land or premises and, if the land or premises is 7
rental property, of the tenant when required, or 8
is the tenant with respect to those premises. 9

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

Section 1. That sections 2911.21, 2923.122, and 2923.126 of 10
the Revised Code be amended to read as follows: 11

Sec. 2911.21. (A) No person, without privilege to do so, 12
shall do any of the following: 13

(1) Knowingly enter or remain on the land or premises of 14
another; 15

(2) Knowingly enter or remain on the land or premises of 16
another, the use of which is lawfully restricted to certain 17
persons, purposes, modes, or hours, when the offender knows the 18
offender is in violation of any such restriction or is reckless in 19

that regard; 20

(3) Recklessly enter or remain on the land or premises of 21
another, as to which notice against unauthorized access or 22
presence is given by actual communication to the offender, or in a 23
manner prescribed by law, or by posting in a manner reasonably 24
calculated to come to the attention of potential intruders, or by 25
fencing or other enclosure manifestly designed to restrict access; 26

(4) Being on the land or premises of another, negligently 27
fail or refuse to leave upon being notified by signage posted in a 28
conspicuous place or otherwise being notified to do so by the 29
owner or occupant, or the agent or servant of either; 30

(5) Knowingly carry a firearm on, onto, or into any private 31
land or premises unless any of the following applies: 32

(a) The person is the owner or person in control of the 33
private land or premises. 34

(b) The person resides on or in the private land or premises. 35

(c) The private land or premises is not residential rental 36
premises or commercial rental premises, the owner or person in 37
control of the private land or premises permits another person to 38
carry a firearm on, onto, or into the land or premises either by 39
posting a sign in a conspicuous location on the land or premises 40
that expressly permits other persons to carry a firearm on, onto, 41
or into the land or premises or by granting the other person 42
express permission, orally or in writing, to carry a firearm on, 43
onto, or into the land or premises, and the person's carrying of 44
the firearm on, onto, or into the private land or premises is in 45
accordance with that permission and not in violation of any term 46
or condition imposed pursuant to division (F)(1) of this section 47
upon the carrying of the firearm. 48

(d) The private land or premises is residential rental 49
premises or commercial rental premises, and the person is the 50

tenant with respect to those rental premises. 51

(e) The private land or premises is residential rental 52
premises, the owner or person in control of the private land or 53
premises permits a person who is not the tenant with respect to 54
those rental premises and is not a guest of that tenant to carry a 55
firearm on, onto, or into those rental premises by granting the 56
other person express permission, orally or in writing, to carry a 57
firearm on, onto, or into those rental premises, the person is not 58
the tenant with respect to those rental premises and is not a 59
guest of that tenant, and the person's carrying of the firearm on, 60
onto, or into those rental premises is in accordance with that 61
permission and not in violation of any term or condition imposed 62
pursuant to division (F)(1) of this section upon the carrying of 63
the firearm. 64

(f) The private land or premises is residential rental 65
premises, the owner or person in control of the private land or 66
premises permits any guest of the tenant with respect to those 67
rental premises to carry a firearm on, onto, or into those rental 68
premises by including in the rental agreement for the rental 69
premises a provision that expressly permits guests of that tenant 70
to carry a firearm on, onto, or into those rental premises, the 71
person is the guest of the tenant with respect to those rental 72
premises, the tenant with respect to those rental premises permits 73
the guest to carry a firearm on, onto, or into those rental 74
premises, and the person's carrying of the firearm on, onto, or 75
into those rental premises is in accordance with those permissions 76
and not in violation of any term or condition imposed pursuant to 77
division (F)(1) or (2) of this section upon the carrying of the 78
firearm. 79

(g) The private land or premises is commercial rental 80
premises, the owner or person in control of the private land or 81
premises permits any person who is not the tenant with respect to 82

those rental premises to carry a firearm on, onto, or into those 83
rental premises by including in the rental agreement for the 84
rental premises a provision that expressly permits such a person 85
to carry a firearm on, onto, or into those rental premises, the 86
person is not the tenant with respect to those rental premises, 87
the tenant with respect to those rental premises permits such a 88
person to carry a firearm on, onto, or into those rental premises 89
either by posting a sign in a conspicuous location on the premises 90
that expressly permits other persons to carry a firearm on, onto, 91
or into those rental premises or by granting the other person 92
express permission, orally or in writing, to carry a firearm on, 93
onto, or into those rental premises, and the person's carrying of 94
the firearm on, onto, or into those rental premises is in 95
accordance with those permissions and not in violation of any term 96
or condition imposed pursuant to division (F)(1) or (2) of this 97
section upon the carrying of the firearm. 98

(B) It is no defense to a charge under this section that the 99
land or premises involved was owned, controlled, or in custody of 100
a public agency. 101

(C) It is no defense to a charge under division (A)(1), (2), 102
(3), or (4) of this section that the offender was authorized to 103
enter or remain on the land or premises involved, when such 104
authorization was secured by deception. 105

(D)(1) Whoever violates this section is guilty of criminal 106
trespass, a misdemeanor of the fourth degree. 107

(2) Notwithstanding section 2929.28 of the Revised Code, if 108
the person, in committing the violation of this section, used a 109
snowmobile, off-highway motorcycle, or all-purpose vehicle, the 110
court shall impose a fine of two times the usual amount imposed 111
for the violation. 112

(3) If an offender previously has been convicted of or 113

pleaded guilty to two or more violations of this section or a 114
substantially equivalent municipal ordinance, and the offender, in 115
committing each violation, used a snowmobile, off-highway 116
motorcycle, or all-purpose vehicle, the court, in addition to or 117
independent of all other penalties imposed for the violation, may 118
impound the certificate of registration of that snowmobile or 119
off-highway motorcycle or the certificate of registration and 120
license plate of that all-purpose vehicle for not less than sixty 121
days. In such a case, section 4519.47 of the Revised Code applies. 122

(E) Notwithstanding any provision of the Revised Code, if the 123
offender, in committing the violation of this section, used an 124
all-purpose vehicle, the clerk of the court shall pay the fine 125
imposed pursuant to this section to the state recreational vehicle 126
fund created by section 4519.11 of the Revised Code. 127

(F)(1) An owner or person in control of private land or 128
premises who pursuant to division (A)(5)(c), (e), (f), or (g) of 129
this section permits another person to carry a firearm on, onto, 130
or into the land or premises may impose terms and conditions upon 131
the other person's carrying of a firearm on, onto, or into the 132
land or premises. Any term or condition so imposed shall be 133
specified in the provision of the posted sign or the oral or 134
written grant, the rental agreement, or the oral or written grant 135
referred to in division (A)(5)(c), (e), (f), or (g) of this 136
section, whichever is applicable, that expressly permits the other 137
person to carry a firearm on, onto, or into the land or premises. 138
If an owner or person in control of private land or premises 139
imposes terms and conditions upon another person's carrying of a 140
firearm on, onto, or into the land or premises pursuant to this 141
division, the other person shall not carry a firearm on, onto, or 142
into the land or premises in violation of any of the terms or 143
conditions. 144

(2) A tenant with respect to residential rental premises who 145

pursuant to division (A)(5)(f) of this section permits a guest to 146
carry a firearm on, onto, or into the premises or a tenant with 147
respect to commercial rental premises who pursuant to division 148
(A)(5)(g) of this section permits another person to carry a 149
firearm on, onto, or into the premises may impose terms and 150
conditions upon the guest's or other person's carrying of a 151
firearm on, onto, or into the land or premises. Any term or 152
condition so imposed shall be specified in the provision of the 153
posted sign or the oral or written grant referred to in division 154
(A)(5)(f) or (g) of this section, whichever is applicable, that 155
expressly permits the guest or other person to carry a firearm on, 156
onto, or into the land or premises. If a tenant imposes terms and 157
conditions upon guest's or other person's carrying of a firearm 158
on, onto, or into the land or premises pursuant to this division, 159
the guest or other person shall not carry a firearm on, onto, or 160
into the land or premises in violation of any of the terms or 161
conditions. 162

(3) Division (A)(5) of this section applies to any person, 163
including a concealed handgun licensee. 164

(G) As used in this section: 165

(1) "All-purpose vehicle," "off-highway motorcycle," and 166
"snowmobile" have the same meanings as in section 4519.01 of the 167
Revised Code. 168

(2) "Land or premises" includes any land, building, 169
structure, or place belonging to, controlled by, or in custody of 170
another, and any separate enclosure or room, or portion thereof. 171

(3) "Concealed handgun licensee" means a person who has been 172
issued a license or temporary emergency license to carry a 173
concealed handgun under section 2923.125 or 2923.1213 of the 174
Revised Code or a license to carry a concealed handgun that was 175
issued by another state with which the attorney general has 176

entered into a reciprocity agreement under section 209.69 of the 177
Revised Code. 178

(4) "Owner or person in control of private land or premises" 179
means any of the following: 180

(a) The person who owns the private land or premises; 181

(b) If the private land or premises is land or premises owned 182
by this state or a political subdivision of this state that is 183
leased by a private person or entity, the private person or entity 184
that leases the land or premises; 185

(c) The agent, representative, or employee of a person 186
described in division (H)(4)(a) of this section and who exercises 187
control over the land or premises on behalf of the person who owns 188
the land or premises; 189

(d) The agent, representative, or employee of a person 190
described in division (H)(4)(b) of this section and who exercises 191
control over the land or premises on behalf of the person who 192
leases the land or premises. 193

(5) "Private land or premises" means any land or premises 194
that is privately owned and any land or premises owned by this 195
state or a political subdivision of this state that is leased by a 196
private person or entity. 197

(6) "Residential rental premises" means any residential 198
premises, as defined in section 5321.01 of the Revised Code, 199
except that "residential rental premises" does not include a 200
dwelling unit that is owned or operated by a college or 201
university. 202

(7) "Commercial rental premises" means any rental premises 203
that are not residential rental premises and are not a dwelling 204
unit that is owned or operated by a college or university. 205

Sec. 2923.122. (A) No person shall knowingly convey, or 206

attempt to convey, a deadly weapon or dangerous ordnance into a school safety zone.

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

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

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

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

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

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

(b) Any person who is employed in this state, who is authorized to carry deadly weapons or dangerous ordnance, and who is subject to and in compliance with the requirements of section 109.801 of the Revised Code, unless the appointing authority of the person has expressly specified that the exemption provided in

division (D)(1)(b) of this section does not apply to the person.	237
(2) Division (C) of this section does not apply to premises upon which home schooling is conducted. Division (C) of this section also does not apply to a school administrator, teacher, or employee who possesses an object that is indistinguishable from a firearm for legitimate school purposes during the course of employment, a student who uses an object that is indistinguishable from a firearm under the direction of a school administrator, teacher, or employee, or any other person who with the express prior approval of a school administrator possesses an object that is indistinguishable from a firearm for a legitimate purpose, including the use of the object in a ceremonial activity, a play, reenactment, or other dramatic presentation, or a ROTC activity or another similar use of the object.	238 239 240 241 242 243 244 245 246 247 248 249 250
(3) This section does not apply to a person who conveys or 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:	251 252 253 254 255
(a) The person does not enter into a school building or onto school premises and is not at a school activity.	256 257
(b) The person is carrying 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.	258 259 260 261 262 263
(c) The person is in the school safety zone in accordance with 18 U.S.C. 922(q)(2)(B).	264 265
(d) The person is not knowingly in a place described in division (B)(1) or (B)(3) to (10) <u>(12)</u> of section 2923.126 of the	266 267

Revised Code. 268

(4) This section does not apply to a person who conveys or 269
attempts to convey a handgun into, or possesses a handgun in, a 270
school safety zone if at the time of that conveyance, attempted 271
conveyance, or possession of the handgun all of the following 272
apply: 273

(a) The person is carrying a valid license or temporary 274
emergency license to carry a concealed handgun issued to the 275
person under section 2923.125 or 2923.1213 of the Revised Code or 276
a license to carry a concealed handgun that was issued by another 277
state with which the attorney general has entered into a 278
reciprocity agreement under section 109.69 of the Revised Code. 279

(b) The person is the driver or passenger in a motor vehicle 280
and is in the school safety zone while immediately in the process 281
of picking up or dropping off a child. 282

(c) The person is not in violation of section 2923.16 of the 283
Revised Code. 284

(E)(1) Whoever violates division (A) or (B) of this section 285
is guilty of illegal conveyance or possession of a deadly weapon 286
or dangerous ordnance in a school safety zone. Except as otherwise 287
provided in this division, illegal conveyance or possession of a 288
deadly weapon or dangerous ordnance in a school safety zone is a 289
felony of the fifth degree. If the offender previously has been 290
convicted of a violation of this section, illegal conveyance or 291
possession of a deadly weapon or dangerous ordnance in a school 292
safety zone is a felony of the fourth degree. 293

(2) Whoever violates division (C) of this section is guilty 294
of illegal possession of an object indistinguishable from a 295
firearm in a school safety zone. Except as otherwise provided in 296
this division, illegal possession of an object indistinguishable 297
from a firearm in a school safety zone is a misdemeanor of the 298

first degree. If the offender previously has been convicted of a 299
violation of this section, illegal possession of an object 300
indistinguishable from a firearm in a school safety zone is a 301
felony of the fifth degree. 302

(F)(1) In addition to any other penalty imposed upon a person 303
who is convicted of or pleads guilty to a violation of this 304
section and subject to division (F)(2) of this section, if the 305
offender has not attained nineteen years of age, regardless of 306
whether the offender is attending or is enrolled in a school 307
operated by a board of education or for which the state board of 308
education prescribes minimum standards under section 3301.07 of 309
the Revised Code, the court shall impose upon the offender a class 310
four suspension of the offender's probationary driver's license, 311
restricted license, driver's license, commercial driver's license, 312
temporary instruction permit, or probationary commercial driver's 313
license that then is in effect from the range specified in 314
division (A)(4) of section 4510.02 of the Revised Code and shall 315
deny the offender the issuance of any permit or license of that 316
type during the period of the suspension. 317

If the offender is not a resident of this state, the court 318
shall impose a class four suspension of the nonresident operating 319
privilege of the offender from the range specified in division 320
(A)(4) of section 4510.02 of the Revised Code. 321

(2) If the offender shows good cause why the court should not 322
suspend one of the types of licenses, permits, or privileges 323
specified in division (F)(1) of this section or deny the issuance 324
of one of the temporary instruction permits specified in that 325
division, the court in its discretion may choose not to impose the 326
suspension, revocation, or denial required in that division. 327

(G) As used in this section, "object that is 328
indistinguishable from a firearm" means an object made, 329
constructed, or altered so that, to a reasonable person without 330

specialized training in firearms, the object appears to be a 331
firearm. 332

Sec. 2923.126. (A) A license to carry a concealed handgun 333
that is issued under section 2923.125 of the Revised Code on or 334
after March 14, 2007, shall expire five years after the date of 335
issuance, and a license that is so issued prior to March 14, 2007, 336
shall expire four years after the date of issuance. A licensee who 337
has been issued a license under that section shall be granted a 338
grace period of thirty days after the licensee's license expires 339
during which the licensee's license remains valid. Except as 340
provided in divisions (B) and (C) of this section, a licensee who 341
has been issued a license under section 2923.125 or 2923.1213 of 342
the Revised Code may carry a concealed handgun anywhere in this 343
state if the licensee also carries a valid license and valid 344
identification when the licensee is in actual possession of a 345
concealed handgun. The licensee shall give notice of any change in 346
the licensee's residence address to the sheriff who issued the 347
license within forty-five days after that change. 348

If a licensee is the driver or an occupant of a motor vehicle 349
that is stopped as the result of a traffic stop or a stop for 350
another law enforcement purpose and if the licensee is 351
transporting or has a loaded handgun in the motor vehicle at that 352
time, the licensee shall promptly inform any law enforcement 353
officer who approaches the vehicle while stopped that the licensee 354
has been issued a license or temporary emergency license to carry 355
a concealed handgun and that the licensee currently possesses or 356
has a loaded handgun; the licensee shall not knowingly disregard 357
or fail to comply with lawful orders of a law enforcement officer 358
given while the motor vehicle is stopped, knowingly fail to remain 359
in the motor vehicle while stopped, or knowingly fail to keep the 360
licensee's hands in plain sight after any law enforcement officer 361
begins approaching the licensee while stopped and before the 362

officer leaves, unless directed otherwise by a law enforcement 363
officer; and the licensee shall not knowingly remove, attempt to 364
remove, grasp, or hold the loaded handgun or knowingly have 365
contact with the loaded handgun by touching it with the licensee's 366
hands or fingers, in any manner in violation of division (E) of 367
section 2923.16 of the Revised Code, after any law enforcement 368
officer begins approaching the licensee while stopped and before 369
the officer leaves. Additionally, if a licensee is the driver or 370
an occupant of a commercial motor vehicle that is stopped by an 371
employee of the motor carrier enforcement unit for the purposes 372
defined in section 5503.04 of the Revised Code and if the licensee 373
is transporting or has a loaded handgun in the commercial motor 374
vehicle at that time, the licensee shall promptly inform the 375
employee of the unit who approaches the vehicle while stopped that 376
the licensee has been issued a license or temporary emergency 377
license to carry a concealed handgun and that the licensee 378
currently possesses or has a loaded handgun. 379

If a licensee is stopped for a law enforcement purpose and if 380
the licensee is carrying a concealed handgun at the time the 381
officer approaches, the licensee shall promptly inform any law 382
enforcement officer who approaches the licensee while stopped that 383
the licensee has been issued a license or temporary emergency 384
license to carry a concealed handgun and that the licensee 385
currently is carrying a concealed handgun; the licensee shall not 386
knowingly disregard or fail to comply with lawful orders of a law 387
enforcement officer given while the licensee is stopped or 388
knowingly fail to keep the licensee's hands in plain sight after 389
any law enforcement officer begins approaching the licensee while 390
stopped and before the officer leaves, unless directed otherwise 391
by a law enforcement officer; and the licensee shall not knowingly 392
remove, attempt to remove, grasp, or hold the loaded handgun or 393
knowingly have contact with the loaded handgun by touching it with 394
the licensee's hands or fingers, in any manner in violation of 395

division (B) of section 2923.12 of the Revised Code, after any law enforcement officer begins approaching the licensee while stopped and before the officer leaves.

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

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

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

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

(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 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 427
vehicle; 428

(6) Any church, synagogue, mosque, or other place of worship, 429
unless the church, synagogue, mosque, or other place of worship 430
posts or permits otherwise; 431

(7) A child day-care center, a type A family day-care home, a 432
type B family day-care home, or a type C family day-care home, 433
except that this division does not prohibit a licensee who resides 434
in a type A family day-care home, a type B family day-care home, 435
or a type C family day-care home from carrying a concealed handgun 436
at any time in any part of the home that is not dedicated or used 437
for day-care purposes, or from carrying a concealed handgun in a 438
part of the home that is dedicated or used for day-care purposes 439
at any time during which no children, other than children of that 440
licensee, are in the home; 441

(8) An aircraft that is in, or intended for operation in, 442
foreign air transportation, interstate air transportation, 443
intrastate air transportation, or the transportation of mail by 444
aircraft; 445

(9) Any building that is a government facility of this state 446
or a political subdivision of this state and that is not a 447
building that is used primarily as a shelter, restroom, parking 448
facility for motor vehicles, or rest facility and is not a 449
courthouse or other building or structure in which a courtroom is 450
located that is subject to division (B)(3) of this section; 451

(10) Any private land or premises, including any residential 452
rental premises, other dwelling, or commercial rental premises, 453
that is not any land or premises of a type described in divisions 454
(B)(1) to (9), (11), or (12) of this section, unless pursuant to 455
divisions (A)(5)(a) to (g) of section 2911.21 of the Revised Code, 456
the licensee's carrying of a concealed handgun on, onto, or into 457

the land or premises is permitted. 458

(11) Any land or premises owned by the state or a political 459
subdivision of this state that is leased by a private person or 460
entity, including any residential rental premises, other dwelling, 461
or commercial rental premises, that is not any land or premises of 462
a type described in divisions (B)(1) to (9), (10), or (12) of this 463
section, unless pursuant to divisions (A)(5)(a) to (g) of section 464
2911.21 of the Revised Code, the licensee's carrying of a 465
concealed handgun on, onto, or into the land or premises is 466
permitted. 467

(12) A place in which federal law prohibits the carrying of 468
handguns. 469

(C)(1) Nothing in this section shall negate or restrict a 470
rule, policy, or practice of a private employer that is not a 471
private college, university, or other institution of higher 472
education concerning or prohibiting the presence of firearms on 473
the private employer's premises or property, including motor 474
vehicles owned by the private employer. Nothing in this section 475
shall require a private employer of that nature to adopt a rule, 476
policy, or practice concerning or prohibiting the presence of 477
firearms on the private employer's premises or property, including 478
motor vehicles owned by the private employer. 479

(2)(a) A private employer shall be immune from liability in a 480
civil action for any injury, death, or loss to person or property 481
that allegedly was caused by or related to a licensee bringing a 482
handgun onto the premises or property of the private employer, 483
including motor vehicles owned by the private employer, unless the 484
private employer acted with malicious purpose. A private employer 485
is immune from liability in a civil action for any injury, death, 486
or loss to person or property that allegedly was caused by or 487
related to the private employer's decision to permit a licensee to 488
bring, or prohibit a licensee from bringing, a handgun onto the 489

premises or property of the private employer. As used in this 490
division, "private employer" includes a private college, 491
university, or other institution of higher education. 492

(b) A political subdivision shall be immune from liability in 493
a civil action, to the extent and in the manner provided in 494
Chapter 2744. of the Revised Code, for any injury, death, or loss 495
to person or property that allegedly was caused by or related to a 496
licensee bringing a handgun onto any premises or property owned, 497
leased, or otherwise under the control of the political 498
subdivision. As used in this division, "political subdivision" has 499
the same meaning as in section 2744.01 of the Revised Code. 500

(3)(a) Except as provided in division (C)(3)(b) of this 501
section, ~~the owner or person in control of private land or~~ 502
~~premises, and~~ a private person or entity leasing land or premises 503
owned by the ~~state,~~ the United States, or a political subdivision 504
of the ~~state or the~~ United States, may post a sign in a 505
conspicuous location on that land or on those premises prohibiting 506
persons from carrying firearms or concealed firearms on or onto 507
that land or those premises. Except as otherwise provided in this 508
division, a person who knowingly violates a posted prohibition of 509
that nature is guilty of criminal trespass in violation of 510
division (A)(4) of section 2911.21 of the Revised Code and is 511
guilty of a misdemeanor of the fourth degree. If a person 512
knowingly violates a posted prohibition of that nature and the 513
posted land or premises primarily was a parking lot or other 514
parking facility, the person is not guilty of criminal trespass in 515
violation of division (A)(4) of section 2911.21 of the Revised 516
Code and instead is subject only to a civil cause of action for 517
trespass based on the violation. 518

No posting is needed to prohibit a licensee who has been 519
issued a license under section 2923.125 or 2923.1213 of the 520
Revised Code from carrying a concealed handgun on, onto, or into 521

any land or premises that is within the coverage of division 522
(B)(10) or (11) of this section, and the restrictions specified in 523
those divisions against such a licensee carrying a concealed 524
handgun on, onto, or into any such land or premises automatically 525
apply by operation of law. An owner or person in control of land 526
or premises that is within the coverage of division (B)(10) or 527
(11) of this section may pursuant to divisions (A)(5)(a) to (g) of 528
section 2911.21 of the Revised Code permit a licensee who has been 529
issued a license under section 2923.125 or 2923.1213 of the 530
Revised Code to carry a concealed handgun on, onto, or into the 531
land or premises. 532

(b) A private person or entity leasing land or premises owned 533
by the United States or a political subdivision of the United 534
States who is a landlord may not prohibit or restrict a tenant who 535
is a licensee and who on or after ~~the effective date of this~~ 536
~~amendment~~ September 9, 2008, and prior to the effective date of 537
~~this amendment~~ enters into a rental agreement with the landlord 538
for the use of residential premises, and the tenant's guest while 539
the tenant is present, from lawfully carrying or possessing a 540
handgun on those residential premises. 541

~~(c) As used in division (C)(3) of this section:~~ 542

~~(i) "Residential premises" has the same meaning as in section~~ 543
~~5321.01 of the Revised Code, except "residential premises" does~~ 544
~~not include a dwelling unit that is owned or operated by a college~~ 545
~~or university.~~ 546

~~(ii) "Landlord," "tenant," and "rental agreement" have the~~ 547
~~same meanings as in section 5321.01 of the Revised Code.~~ 548

(D) A person who holds a license to carry a concealed handgun 549
that was issued pursuant to the law of another state that is 550
recognized by the attorney general pursuant to a reciprocity 551
agreement entered into pursuant to section 109.69 of the Revised 552

Code has the same right to carry a concealed handgun in this state 553
as a person who was issued a license to carry a concealed handgun 554
under section 2923.125 of the Revised Code and is subject to the 555
same restrictions that apply to a person who carries a license 556
issued under that section. 557

(E) A peace officer has the same right to carry a concealed 558
handgun in this state as a person who was issued a license to 559
carry a concealed handgun under section 2923.125 of the Revised 560
Code. For purposes of reciprocity with other states, a peace 561
officer shall be considered to be a licensee in this state. 562

(F)(1) A qualified retired peace officer who possesses a 563
retired peace officer identification card issued pursuant to 564
division (F)(2) of this section and a valid firearms 565
requalification certification issued pursuant to division (F)(3) 566
of this section has the same right to carry a concealed handgun in 567
this state as a person who was issued a license to carry a 568
concealed handgun under section 2923.125 of the Revised Code and 569
is subject to the same restrictions that apply to a person who 570
carries a license issued under that section. For purposes of 571
reciprocity with other states, a qualified retired peace officer 572
who possesses a retired peace officer identification card issued 573
pursuant to division (F)(2) of this section and a valid firearms 574
requalification certification issued pursuant to division (F)(3) 575
of this section shall be considered to be a licensee in this 576
state. 577

(2)(a) Each public agency of this state or of a political 578
subdivision of this state that is served by one or more peace 579
officers shall issue a retired peace officer identification card 580
to any person who retired from service as a peace officer with 581
that agency, if the issuance is in accordance with the agency's 582
policies and procedures and if the person, with respect to the 583
person's service with that agency, satisfies all of the following: 584

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

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

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

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

(b) A retired peace officer identification card issued to a person under division (F)(2)(a) of this section shall identify the person by name, contain a photograph of the person, identify the public agency of this state or of the political subdivision of this state from which the person retired as a peace officer and that is issuing the identification card, and specify that the person retired in good standing from service as a peace officer with the issuing public agency and satisfies the criteria set forth in divisions (F)(2)(a)(i) to (iv) of this section. In addition to the required content specified in this division, a retired peace officer identification card issued to a person under division (F)(2)(a) of this section may include the firearms requalification certification described in division (F)(3) of this section, and if the identification card includes that

certification, the identification card shall serve as the firearms 617
requalification certification for the retired peace officer. If 618
the issuing public agency issues credentials to active law 619
enforcement officers who serve the agency, the agency may comply 620
with division (F)(2)(a) of this section by issuing the same 621
credentials to persons who retired from service as a peace officer 622
with the agency and who satisfy the criteria set forth in 623
divisions (F)(2)(a)(i) to (iv) of this section, provided that the 624
credentials so issued to retired peace officers are stamped with 625
the word "RETIRED." 626

(c) A public agency of this state or of a political 627
subdivision of this state may charge persons who retired from 628
service as a peace officer with the agency a reasonable fee for 629
issuing to the person a retired peace officer identification card 630
pursuant to division (F)(2)(a) of this section. 631

(3) If a person retired from service as a peace officer with 632
a public agency of this state or of a political subdivision of 633
this state and the person satisfies the criteria set forth in 634
divisions (F)(2)(a)(i) to (iv) of this section, the public agency 635
may provide the retired peace officer with the opportunity to 636
attend a firearms requalification program that is approved for 637
purposes of firearms requalification required under section 638
109.801 of the Revised Code. The retired peace officer may be 639
required to pay the cost of the course. 640

If a retired peace officer who satisfies the criteria set 641
forth in divisions (F)(2)(a)(i) to (iv) of this section attends a 642
firearms requalification program that is approved for purposes of 643
firearms requalification required under section 109.801 of the 644
Revised Code, the retired peace officer's successful completion of 645
the firearms requalification program requalifies the retired peace 646
officer for purposes of division (F) of this section for five 647
years from the date on which the program was successfully 648

completed, and the requalification is valid during that five-year 649
period. If a retired peace officer who satisfies the criteria set 650
forth in divisions (F)(2)(a)(i) to (iv) of this section 651
satisfactorily completes such a firearms requalification program, 652
the retired peace officer shall be issued a firearms 653
requalification certification that identifies the retired peace 654
officer by name, identifies the entity that taught the program, 655
specifies that the retired peace officer successfully completed 656
the program, specifies the date on which the course was 657
successfully completed, and specifies that the requalification is 658
valid for five years from that date of successful completion. The 659
firearms requalification certification for a retired peace officer 660
may be included in the retired peace officer identification card 661
issued to the retired peace officer under division (F)(2) of this 662
section. 663

A retired peace officer who attends a firearms 664
requalification program that is approved for purposes of firearms 665
requalification required under section 109.801 of the Revised Code 666
may be required to pay the cost of the program. 667

(G) As used in this section: 668

(1) "Qualified retired peace officer" means a person who 669
satisfies all of the following: 670

(a) The person satisfies the criteria set forth in divisions 671
(F)(2)(a)(i) to (v) of this section. 672

(b) The person is not under the influence of alcohol or 673
another intoxicating or hallucinatory drug or substance. 674

(c) The person is not prohibited by federal law from 675
receiving firearms. 676

(2) "Retired peace officer identification card" means an 677
identification card that is issued pursuant to division (F)(2) of 678
this section to a person who is a retired peace officer. 679

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

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

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

(4) "Residential rental premises" means any residential premises, as defined in section 5321.01 of the Revised Code, except that "residential rental premises" does not include a dwelling unit that is owned or operated by a college or university.

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

Section 2. That existing sections 2911.21, 2923.122, and 2923.126 of the Revised Code are hereby repealed.