

As Introduced

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H. B. No. 203

Representative Johnson

**Cosponsors: Representatives Henne, Gonzales, Adams, J., Conditt,
Retherford, Maag, Hottinger, Terhar, Brenner, Beck, Lynch, Sprague, Becker,
Derickson, Wachtmann**

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A B I L L

To amend sections 109.69, 109.85, 109.86, 311.41, 1
2901.09, 2917.11, 2917.31, 2923.11, 2923.125, 2
2923.1210, 2923.1213, 2923.13, and 2923.14 of the 3
Revised Code to authorize the automatic validity 4
in Ohio of a concealed handgun license issued by 5
another state if the other state automatically 6
recognizes as valid in that state an Ohio 7
concealed handgun license without the need for any 8
reciprocity agreement between the states; to 9
eliminate the requirement that a former military 10
member applying for a concealed handgun license 11
acquire a competency certification if more than 12
six years have passed since the member's honorable 13
discharge or retirement; to eliminate the 14
requirement that the training required to obtain a 15
competency certification be conducted for a 16
minimum number of twelve hours; to amend the 17
disqualifiers that prohibit a person from owning a 18
firearm and that prohibit a person from obtaining 19
a concealed handgun license; to permit a person 20
living in any state to apply for a concealed 21

handgun license or a temporary concealed handgun 22
license in Ohio; to permit an active or reserve 23
member of the military or their spouse to renew a 24
concealed handgun license by mail if the member or 25
spouse is outside of the state; to permit 26
investigators employed by the Attorney General to 27
investigate Medicaid fraud to go armed in the same 28
manner as sheriffs and regularly appointed police 29
officers; to require a sheriff to contact the 30
national instant criminal background check system 31
when running a criminal records check upon an 32
applicant for a concealed handgun license or for a 33
renewal of such a license; to expand the locations 34
at which a person has no duty to retreat before 35
using force in self-defense; and to provide that 36
the exercise of a constitutional or statutory 37
right is not, in itself, the offense of disorderly 38
conduct or inducing panic and does not constitute 39
reasonable, articulable suspicion of criminal 40
activity. 41

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

Section 1. That sections 109.69, 109.85, 109.86, 311.41, 42
2901.09, 2917.11, 2917.31, 2923.11, 2923.125, 2923.1210, 43
2923.1213, 2923.13, and 2923.14 of the Revised Code be amended to 44
read as follows: 45

Sec. 109.69. (A) The attorney general shall determine if 46
another state automatically, without written agreement, recognizes 47
a concealed handgun license issued under section 2923.125 of the 48
Revised Code. If the attorney general determines that another 49
state automatically, without written agreement, recognizes a 50

concealed carry license issued under that section, all of the 51
following apply: 52

(1) The attorney general shall publish that determination in 53
the same manner that written agreements entered into under 54
division (B)(1) or (2) of this section are published. 55

(2) That determination shall have the same force and effect 56
as a written agreement entered into under division (B)(1) or (2) 57
of this section. 58

(3) The concealed handgun license issued by the other state 59
shall be accepted and is valid in this state in the same manner as 60
if a written agreement between this state and the other state 61
existed under division (B)(1) or (2) of this section. 62

(B)(1) The attorney general shall negotiate and enter into a 63
reciprocity agreement with any other license-issuing state under 64
which a concealed handgun license that is issued by the other 65
state is recognized in this state if the attorney general 66
determines that ~~both of the following apply:~~ 67

~~(a) The eligibility requirements imposed by that~~ 68
~~license issuing state for that license are substantially~~ 69
~~comparable to the eligibility requirements for a concealed handgun~~ 70
~~license issued under section 2923.125 of the Revised Code.~~ 71

~~(b) That the~~ license-issuing state recognizes a concealed 72
handgun license issued under section 2923.125 of the Revised Code 73
and the license-issuing state requires a reciprocity agreement in 74
order to recognize a license issued under section 2923.125 of the 75
Revised Code. 76

(2) A reciprocity agreement entered into under division 77
~~(A)~~(B)(1) of this section also may provide for the recognition in 78
this state of a concealed handgun license issued on a temporary or 79
emergency basis by the other license-issuing state, if the 80

eligibility requirements imposed by that license-issuing state for 81
the temporary or emergency license are substantially comparable to 82
the eligibility requirements for a concealed handgun license 83
issued under section 2923.125 or 2923.1213 of the Revised Code and 84
if that license-issuing state recognizes a concealed handgun 85
license issued under section 2923.1213 of the Revised Code. 86

~~(3) The attorney general shall not negotiate any agreement 87
with any other license issuing state under which a concealed 88
handgun license issued by the other state is recognized in this 89
state other than as provided in divisions (A)(1) and (2) of this 90
section. 91~~

~~(B)(C)~~ As used in this section: 92

(1) "Handgun" and "concealed handgun license" have the same 93
meanings as in section 2923.11 of the Revised Code. 94

(2) "License-issuing state" means a state other than this 95
state that, pursuant to law, provides for the issuance of a 96
license to carry a concealed handgun. 97

Sec. 109.85. (A) Upon the written request of the governor, 98
the general assembly, the auditor of state, the director of job 99
and family services, the director of health, or the director of 100
budget and management, or upon the attorney general's becoming 101
aware of criminal or improper activity related to Chapter 3721. 102
and the medical assistance program established under section 103
5111.01 of the Revised Code, the attorney general shall 104
investigate any criminal or civil violation of law related to 105
Chapter 3721. of the Revised Code or the medical assistance 106
program. 107

(B) When it appears to the attorney general, as a result of 108
an investigation under division (A) of this section, that there is 109
cause to prosecute for the commission of a crime or to pursue a 110

civil remedy, the attorney general may refer the evidence to the 111
prosecuting attorney having jurisdiction of the matter, or to a 112
regular grand jury drawn and impaneled pursuant to sections 113
2939.01 to 2939.24 of the Revised Code, or to a special grand jury 114
drawn and impaneled pursuant to section 2939.17 of the Revised 115
Code, or the attorney general may initiate and prosecute any 116
necessary criminal or civil actions in any court or tribunal of 117
competent jurisdiction in this state. When proceeding under this 118
section, the attorney general, and any assistant or special 119
counsel designated by the attorney general for that purpose, have 120
all rights, privileges, and powers of prosecuting attorneys. The 121
attorney general shall have exclusive supervision and control of 122
all investigations and prosecutions initiated by the attorney 123
general under this section. The forfeiture provisions of Chapter 124
2981. of the Revised Code apply in relation to any such criminal 125
action initiated and prosecuted by the attorney general. 126

(C) Nothing in this section shall prevent a county 127
prosecuting attorney from investigating and prosecuting criminal 128
activity related to Chapter 3721. of the Revised Code and the 129
medical assistance program established under section 5111.01 of 130
the Revised Code. The forfeiture provisions of Chapter 2981. of 131
the Revised Code apply in relation to any prosecution of criminal 132
activity related to the medical assistance program undertaken by 133
the prosecuting attorney. 134

Investigators conducting an investigation pursuant to this 135
section may be authorized to go armed while conducting an 136
investigation under this section and if so authorized are exempt 137
from section 2923.12 of the Revised Code in the same manner as 138
sheriffs and regularly appointed police officers. 139

Sec. 109.86. (A) The attorney general shall investigate any 140
activity the attorney general has reasonable cause to believe is 141

in violation of section 2903.34 of the Revised Code. Upon written 142
request of the governor, the general assembly, the auditor of 143
state, or the director of health, job and family services, aging, 144
mental health, or developmental disabilities, the attorney general 145
shall investigate any activity these persons believe is in 146
violation of section 2903.34 of the Revised Code. If after an 147
investigation the attorney general has probable cause to prosecute 148
for the commission of a crime, the attorney general shall refer 149
the evidence to the prosecuting attorney, director of law, or 150
other similar chief legal officer having jurisdiction over the 151
matter. If the prosecuting attorney decides to present the 152
evidence to a grand jury, the prosecuting attorney shall notify 153
the attorney general in writing of the decision within thirty days 154
after referral of the matter and shall present the evidence prior 155
to the discharge of the next regular grand jury. If the director 156
of law or other chief legal officer decides to prosecute the case, 157
the director or officer shall notify the attorney general in 158
writing of the decision within thirty days and shall initiate 159
prosecution within sixty days after the matter was referred to the 160
director or officer. 161

(B) If the prosecuting attorney, director of law, or other 162
chief legal officer fails to notify the attorney general or to 163
present evidence or initiate prosecution in accordance with 164
division (A) of this section, the attorney general may present the 165
evidence to a regular grand jury drawn and impaneled pursuant to 166
sections 2939.01 to 2939.24 of the Revised Code, or to a special 167
grand jury drawn and impaneled pursuant to section 2939.17 of the 168
Revised Code, or the attorney general may initiate and prosecute 169
any action in any court or tribunal of competent jurisdiction in 170
this state. The attorney general, and any assistant or special 171
counsel designated by the attorney general, have all the powers of 172
a prosecuting attorney, director of law, or other chief legal 173
officer when proceeding under this section. Nothing in this 174

section shall limit or prevent a prosecuting attorney, director of 175
law, or other chief legal officer from investigating and 176
prosecuting criminal activity committed against a resident or 177
patient of a care facility. 178

Investigators conducting an investigation pursuant to this 179
section may be authorized to go armed while conducting an 180
investigation under this section and if so authorized are exempt 181
from section 2923.12 of the Revised Code in the same manner as 182
sheriffs and regularly appointed police officers. 183

Sec. 311.41. (A)(1) Upon receipt of an application for a 184
concealed handgun license under division (C) of section 2923.125 185
of the Revised Code, an application to renew a concealed handgun 186
license under division (F) of that section, or an application for 187
a concealed handgun license on a temporary emergency basis under 188
section 2923.1213 of the Revised Code, the sheriff shall conduct a 189
criminal records check and an incompetency check of the applicant 190
to determine whether the applicant fails to meet the criteria 191
described in division (D)(1) of section 2923.125 of the Revised 192
Code. As part of the criminal records check required by this 193
division for an application filed under division (C) or (F) of 194
section 2923.125 of the Revised Code, the sheriff shall contact 195
the national instant criminal background check system to determine 196
whether the applicant fails to meet the criteria described in 197
division (D)(1) of section 2923.125 of the Revised Code. The 198
sheriff shall conduct the criminal records check and the 199
incompetency records check required by this division through use 200
of an electronic fingerprint reading device or, if the sheriff 201
does not possess and does not have ready access to the use of an 202
electronic fingerprint reading device, by requesting the bureau of 203
criminal identification and investigation to conduct the checks as 204
described in this division. 205

In order to conduct the criminal records check and the 206
incompetency records check, the sheriff shall obtain the 207
fingerprints of at least four fingers of the applicant by using an 208
electronic fingerprint reading device for the purpose of 209
conducting the criminal records check and the incompetency records 210
check or, if the sheriff does not possess and does not have ready 211
access to the use of an electronic fingerprint reading device, 212
shall obtain from the applicant a completed standard fingerprint 213
impression sheet prescribed pursuant to division (C)(2) of section 214
109.572 of the Revised Code. The fingerprints so obtained, along 215
with the applicant's social security number, shall be used to 216
conduct the criminal records check and the incompetency records 217
check. If the sheriff does not use an electronic fingerprint 218
reading device to obtain the fingerprints and conduct the records 219
checks, the sheriff shall submit the completed standard 220
fingerprint impression sheet of the applicant, along with the 221
applicant's social security number, to the superintendent of the 222
bureau of criminal identification and investigation and shall 223
request the bureau to conduct the criminal records check and the 224
incompetency records check of the applicant and, if necessary, 225
shall request the superintendent of the bureau to obtain 226
information from the federal bureau of investigation as part of 227
the criminal records check for the applicant. If it is not 228
possible to use an electronic fingerprint reading device to 229
conduct an incompetency records check, the sheriff shall submit 230
the completed standard fingerprint impression sheet of the 231
applicant, along with the applicant's social security number, to 232
the superintendent of the bureau of criminal identification and 233
investigation and shall request the bureau to conduct the 234
incompetency records check. The sheriff shall not retain the 235
applicant's fingerprints as part of the application. 236

(2) Except as otherwise provided in this division, if at any 237
time the applicant decides not to continue with the application 238

process, the sheriff immediately shall cease any investigation 239
that is being conducted under division (A)(1) of this section. The 240
sheriff shall not cease that investigation if, at the time of the 241
applicant's decision not to continue with the application process, 242
the sheriff had determined from any of the sheriff's 243
investigations that the applicant then was engaged in activity of 244
a criminal nature. 245

(B) If a criminal records check and an incompetency records 246
check conducted under division (A) of this section do not indicate 247
that the applicant fails to meet the criteria described in 248
division (D)(1) of section 2923.125 of the Revised Code, except as 249
otherwise provided in this division, the sheriff shall destroy or 250
cause a designated employee to destroy all records other than the 251
application for a concealed handgun license, the application to 252
renew a concealed handgun license, or the affidavit submitted 253
regarding an application for a concealed handgun license on a 254
temporary emergency basis that were made in connection with the 255
criminal records check and incompetency records check within 256
twenty days after conducting the criminal records check and 257
incompetency records check. If an applicant appeals a denial of an 258
application as described in division (D)(2) of section 2923.125 of 259
the Revised Code or challenges the results of a criminal records 260
check pursuant to section 2923.127 of the Revised Code, records of 261
fingerprints of the applicant shall not be destroyed during the 262
pendency of the appeal or the challenge and review. When an 263
applicant appeals a denial as described in that division, the 264
twenty-day period described in this division commences regarding 265
the fingerprints upon the determination of the appeal. When 266
required as a result of a challenge and review performed pursuant 267
to section 2923.127 of the Revised Code, the source the sheriff 268
used in conducting the criminal records check shall destroy or the 269
chief operating officer of the source shall cause an employee of 270
the source designated by the chief to destroy all records other 271

than the application for a concealed handgun license, the 272
application to renew a concealed handgun license, or the affidavit 273
submitted regarding an application for a concealed handgun license 274
on a temporary emergency basis that were made in connection with 275
the criminal records check within twenty days after completion of 276
that challenge and review. 277

(C) If division (B) of this section applies to a particular 278
criminal records check or incompetency records check, no sheriff, 279
employee of a sheriff designated by the sheriff to destroy records 280
under that division, source the sheriff used in conducting the 281
criminal records check or incompetency records check, or employee 282
of the source designated by the chief operating officer of the 283
source to destroy records under that division shall fail to 284
destroy or cause to be destroyed within the applicable twenty-day 285
period specified in that division all records other than the 286
application for a concealed handgun license, the application to 287
renew a concealed handgun license, or the affidavit submitted 288
regarding an application for a concealed handgun license on a 289
temporary emergency basis made in connection with the particular 290
criminal records check or incompetency records check. 291

(D) Whoever violates division (C) of this section is guilty 292
of failure to destroy records, a misdemeanor of the second degree. 293

(E) As used in this section, ~~"concealed:~~ 294

(1) "Concealed handgun license" and "handgun" have the same 295
meanings as in section 2923.11 of the Revised Code. 296

(2) "National instant criminal background check system" means 297
the system established by the United States attorney general 298
pursuant to section 103 of the "Brady Handgun Violence Prevention 299
Act," Pub. L. No. 103-159. 300

Sec. 2901.09. ~~(A) As used in this section, "residence" and~~ 301

~~"vehicle" have the same meanings as in section 2901.05 of the Revised Code.~~ 302
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~~(B) For purposes of any section of the Revised Code that sets forth a criminal offense, a person who lawfully is in that person's residence has no duty to retreat before using force in self-defense, defense of another, or defense of that person's residence, and a person who lawfully is an occupant of that person's vehicle or who lawfully is an occupant in a vehicle owned by an immediate family member of the person has no duty to retreat before using force in self-defense or defense of another if that person is in a place that the person lawfully has a right to be.~~ 304
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Sec. 2917.11. (A) No person shall recklessly cause inconvenience, annoyance, or alarm to another by doing any of the following: 313
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(1) Engaging in fighting, in threatening harm to persons or property, or in violent or turbulent behavior; 316
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(2) Making unreasonable noise or an offensively coarse utterance, gesture, or display or communicating unwarranted and grossly abusive language to any person; 318
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(3) Insulting, taunting, or challenging another, under circumstances in which that conduct is likely to provoke a violent response; 321
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(4) Hindering or preventing the movement of persons on a public street, road, highway, or right-of-way, or to, from, within, or upon public or private property, so as to interfere with the rights of others, and by any act that serves no lawful and reasonable purpose of the offender; 324
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(5) Creating a condition that is physically offensive to persons or that presents a risk of physical harm to persons or property, by any act that serves no lawful and reasonable purpose 329
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of the offender. 332

(B) No person, while voluntarily intoxicated, shall do either 333
of the following: 334

(1) In a public place or in the presence of two or more 335
persons, engage in conduct likely to be offensive or to cause 336
inconvenience, annoyance, or alarm to persons of ordinary 337
sensibilities, which conduct the offender, if the offender were 338
not intoxicated, should know is likely to have that effect on 339
others; 340

(2) Engage in conduct or create a condition that presents a 341
risk of physical harm to the offender or another, or to the 342
property of another. 343

(C) Violation of any statute or ordinance of which an element 344
is operating a motor vehicle, locomotive, watercraft, aircraft, or 345
other vehicle while under the influence of alcohol or any drug of 346
abuse, is not a violation of division (B) of this section. 347

(D) If a person appears to an ordinary observer to be 348
intoxicated, it is probable cause to believe that person is 349
voluntarily intoxicated for purposes of division (B) of this 350
section. 351

(E) The exercise of a constitutional or statutory right is 352
not, in itself, a violation of this section and does not 353
constitute reasonable, articulable suspicion of criminal activity. 354

(F)(1) Whoever violates this section is guilty of disorderly 355
conduct. 356

(2) Except as otherwise provided in division ~~(E)~~(F)(3) of 357
this section, disorderly conduct is a minor misdemeanor. 358

(3) Disorderly conduct is a misdemeanor of the fourth degree 359
if any of the following applies: 360

(a) The offender persists in disorderly conduct after 361

reasonable warning or request to desist. 362

(b) The offense is committed in the vicinity of a school or 363
in a school safety zone. 364

(c) The offense is committed in the presence of any law 365
enforcement officer, firefighter, rescuer, medical person, 366
emergency medical services person, or other authorized person who 367
is engaged in the person's duties at the scene of a fire, 368
accident, disaster, riot, or emergency of any kind. 369

(d) The offense is committed in the presence of any emergency 370
facility person who is engaged in the person's duties in an 371
emergency facility. 372

~~(F)~~(G) As used in this section: 373

(1) "Emergency medical services person" is the singular of 374
"emergency medical services personnel" as defined in section 375
2133.21 of the Revised Code. 376

(2) "Emergency facility person" is the singular of "emergency 377
facility personnel" as defined in section 2909.04 of the Revised 378
Code. 379

(3) "Emergency facility" has the same meaning as in section 380
2909.04 of the Revised Code. 381

(4) "Committed in the vicinity of a school" has the same 382
meaning as in section 2925.01 of the Revised Code. 383

Sec. 2917.31. (A) No person shall cause the evacuation of any 384
public place, or otherwise cause serious public inconvenience or 385
alarm, by doing any of the following: 386

(1) Initiating or circulating a report or warning of an 387
alleged or impending fire, explosion, crime, or other catastrophe, 388
knowing that such report or warning is false; 389

(2) Threatening to commit any offense of violence; 390

(3) Committing any offense, with reckless disregard of the
likelihood that its commission will cause serious public
inconvenience or alarm.

(B)(1) Division (A)(1) of this section does not apply to any
person conducting an authorized fire or emergency drill.

(2) The exercise of a constitutional or statutory right is
not, in itself, a violation of this section and does not
constitute reasonable, articulable suspicion of criminal activity.

(C)(1) Whoever violates this section is guilty of inducing
panic.

(2) Except as otherwise provided in division (C)(3), (4),
(5), (6), (7), or (8) of this section, inducing panic is a
misdemeanor of the first degree.

(3) Except as otherwise provided in division (C)(4), (5),
(6), (7), or (8) of this section, if a violation of this section
results in physical harm to any person, inducing panic is a felony
of the fourth degree.

(4) Except as otherwise provided in division (C)(5), (6),
(7), or (8) of this section, if a violation of this section
results in economic harm, the penalty shall be determined as
follows:

(a) If the violation results in economic harm of one thousand
dollars or more but less than seven thousand five hundred dollars
and if division (C)(3) of this section does not apply, inducing
panic is a felony of the fifth degree.

(b) If the violation results in economic harm of seven
thousand five hundred dollars or more but less than one hundred
fifty thousand dollars, inducing panic is a felony of the fourth
degree.

(c) If the violation results in economic harm of one hundred

fifty thousand dollars or more, inducing panic is a felony of the 421
third degree. 422

(5) If the public place involved in a violation of division 423
(A)(1) of this section is a school or an institution of higher 424
education, inducing panic is a felony of the second degree. 425

(6) If the violation pertains to a purported, threatened, or 426
actual use of a weapon of mass destruction, and except as 427
otherwise provided in division (C)(5), (7), or (8) of this 428
section, inducing panic is a felony of the fourth degree. 429

(7) If the violation pertains to a purported, threatened, or 430
actual use of a weapon of mass destruction, and except as 431
otherwise provided in division (C)(5) of this section, if a 432
violation of this section results in physical harm to any person, 433
inducing panic is a felony of the third degree. 434

(8) If the violation pertains to a purported, threatened, or 435
actual use of a weapon of mass destruction, and except as 436
otherwise provided in division (C)(5) of this section, if a 437
violation of this section results in economic harm of one hundred 438
thousand dollars or more, inducing panic is a felony of the third 439
degree. 440

(D)(1) It is not a defense to a charge under this section 441
that pertains to a purported or threatened use of a weapon of mass 442
destruction that the offender did not possess or have the ability 443
to use a weapon of mass destruction or that what was represented 444
to be a weapon of mass destruction was not a weapon of mass 445
destruction. 446

(2) Any act that is a violation of this section and any other 447
section of the Revised Code may be prosecuted under this section, 448
the other section, or both sections. 449

(E) As used in this section: 450

(1) "Economic harm" means any of the following:	451
(a) All direct, incidental, and consequential pecuniary harm suffered by a victim as a result of criminal conduct. "Economic harm" as described in this division includes, but is not limited to, all of the following:	452 453 454 455
(i) All wages, salaries, or other compensation lost as a result of the criminal conduct;	456 457
(ii) The cost of all wages, salaries, or other compensation paid to employees for time those employees are prevented from working as a result of the criminal conduct;	458 459 460
(iii) The overhead costs incurred for the time that a business is shut down as a result of the criminal conduct;	461 462
(iv) The loss of value to tangible or intangible property that was damaged as a result of the criminal conduct.	463 464
(b) All costs incurred by the state or any political subdivision as a result of, or in making any response to, the criminal conduct that constituted the violation of this section or section 2917.32 of the Revised Code, including, but not limited to, all costs so incurred by any law enforcement officers, firefighters, rescue personnel, or emergency medical services personnel of the state or the political subdivision.	465 466 467 468 469 470 471
(2) "School" means any school operated by a board of education or any school for which the state board of education prescribes minimum standards under section 3301.07 of the Revised Code, whether or not any instruction, extracurricular activities, or training provided by the school is being conducted at the time a violation of this section is committed.	472 473 474 475 476 477
(3) "Weapon of mass destruction" means any of the following:	478
(a) Any weapon that is designed or intended to cause death or serious physical harm through the release, dissemination, or	479 480

impact of toxic or poisonous chemicals, or their precursors;	481
(b) Any weapon involving a disease organism or biological agent;	482 483
(c) Any weapon that is designed to release radiation or radioactivity at a level dangerous to human life;	484 485
(d) Any of the following, except to the extent that the item or device in question is expressly excepted from the definition of "destructive device" pursuant to 18 U.S.C. 921(a)(4) and regulations issued under that section:	486 487 488 489
(i) Any explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or similar device;	490 491 492 493
(ii) Any combination of parts either designed or intended for use in converting any item or device into any item or device described in division (E)(3)(d)(i) of this section and from which an item or device described in that division may be readily assembled.	494 495 496 497 498
(4) "Biological agent" has the same meaning as in section 2917.33 of the Revised Code.	499 500
(5) "Emergency medical services personnel" has the same meaning as in section 2133.21 of the Revised Code.	501 502
(6) "Institution of higher education" means any of the following:	503 504
(a) A state university or college as defined in division (A)(1) of section 3345.12 of the Revised Code, community college, state community college, university branch, or technical college;	505 506 507
(b) A private, nonprofit college, university or other post-secondary institution located in this state that possesses a certificate of authorization issued by the Ohio board of regents	508 509 510

pursuant to Chapter 1713. of the Revised Code; 511

(c) A post-secondary institution with a certificate of 512
registration issued by the state board of career colleges and 513
schools under Chapter 3332. of the Revised Code. 514

Sec. 2923.11. As used in sections 2923.11 to 2923.24 of the 515
Revised Code: 516

(A) "Deadly weapon" means any instrument, device, or thing 517
capable of inflicting death, and designed or specially adapted for 518
use as a weapon, or possessed, carried, or used as a weapon. 519

(B)(1) "Firearm" means any deadly weapon capable of expelling 520
or propelling one or more projectiles by the action of an 521
explosive or combustible propellant. "Firearm" includes an 522
unloaded firearm, and any firearm that is inoperable but that can 523
readily be rendered operable. 524

(2) When determining whether a firearm is capable of 525
expelling or propelling one or more projectiles by the action of 526
an explosive or combustible propellant, the trier of fact may rely 527
upon circumstantial evidence, including, but not limited to, the 528
representations and actions of the individual exercising control 529
over the firearm. 530

(C) "Handgun" means any of the following: 531

(1) Any firearm that has a short stock and is designed to be 532
held and fired by the use of a single hand; 533

(2) Any combination of parts from which a firearm of a type 534
described in division (C)(1) of this section can be assembled. 535

(D) "Semi-automatic firearm" means any firearm designed or 536
specially adapted to fire a single cartridge and automatically 537
chamber a succeeding cartridge ready to fire, with a single 538
function of the trigger. 539

(E) "Automatic firearm" means any firearm designed or 540
specially adapted to fire a succession of cartridges with a single 541
function of the trigger. "Automatic firearm" also means any 542
semi-automatic firearm designed or specially adapted to fire more 543
than thirty-one cartridges without reloading, other than a firearm 544
chambering only .22 caliber short, long, or long-rifle cartridges. 545

(F) "Sawed-off firearm" means a shotgun with a barrel less 546
than eighteen inches long, or a rifle with a barrel less than 547
sixteen inches long, or a shotgun or rifle less than twenty-six 548
inches long overall. 549

(G) "Zip-gun" means any of the following: 550

(1) Any firearm of crude and extemporized manufacture; 551

(2) Any device, including without limitation a starter's 552
pistol, that is not designed as a firearm, but that is specially 553
adapted for use as a firearm; 554

(3) Any industrial tool, signalling device, or safety device, 555
that is not designed as a firearm, but that as designed is capable 556
of use as such, when possessed, carried, or used as a firearm. 557

(H) "Explosive device" means any device designed or specially 558
adapted to cause physical harm to persons or property by means of 559
an explosion, and consisting of an explosive substance or agency 560
and a means to detonate it. "Explosive device" includes without 561
limitation any bomb, any explosive demolition device, any blasting 562
cap or detonator containing an explosive charge, and any pressure 563
vessel that has been knowingly tampered with or arranged so as to 564
explode. 565

(I) "Incendiary device" means any firebomb, and any device 566
designed or specially adapted to cause physical harm to persons or 567
property by means of fire, and consisting of an incendiary 568
substance or agency and a means to ignite it. 569

(J) "Ballistic knife" means a knife with a detachable blade	570
that is propelled by a spring-operated mechanism.	571
(K) "Dangerous ordnance" means any of the following, except	572
as provided in division (L) of this section:	573
(1) Any automatic or sawed-off firearm, zip-gun, or ballistic	574
knife;	575
(2) Any explosive device or incendiary device;	576
(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN,	577
cyclonite, TNT, picric acid, and other high explosives; amatol,	578
tritonite, tetrytol, pentolite, pecretol, cyclitol, and other high	579
explosive compositions; plastic explosives; dynamite, blasting	580
gelatin, gelatin dynamite, sensitized ammonium nitrate,	581
liquid-oxygen blasting explosives, blasting powder, and other	582
blasting agents; and any other explosive substance having	583
sufficient brisance or power to be particularly suitable for use	584
as a military explosive, or for use in mining, quarrying,	585
excavating, or demolitions;	586
(4) Any firearm, rocket launcher, mortar, artillery piece,	587
grenade, mine, bomb, torpedo, or similar weapon, designed and	588
manufactured for military purposes, and the ammunition for that	589
weapon;	590
(5) Any firearm muffler or silencer;	591
(6) Any combination of parts that is intended by the owner	592
for use in converting any firearm or other device into a dangerous	593
ordnance.	594
(L) "Dangerous ordnance" does not include any of the	595
following:	596
(1) Any firearm, including a military weapon and the	597
ammunition for that weapon, and regardless of its actual age, that	598
employs a percussion cap or other obsolete ignition system, or	599

that is designed and safe for use only with black powder; 600

(2) Any pistol, rifle, or shotgun, designed or suitable for 601
sporting purposes, including a military weapon as issued or as 602
modified, and the ammunition for that weapon, unless the firearm 603
is an automatic or sawed-off firearm; 604

(3) Any cannon or other artillery piece that, regardless of 605
its actual age, is of a type in accepted use prior to 1887, has no 606
mechanical, hydraulic, pneumatic, or other system for absorbing 607
recoil and returning the tube into battery without displacing the 608
carriage, and is designed and safe for use only with black powder; 609

(4) Black powder, priming quills, and percussion caps 610
possessed and lawfully used to fire a cannon of a type defined in 611
division (L)(3) of this section during displays, celebrations, 612
organized matches or shoots, and target practice, and smokeless 613
and black powder, primers, and percussion caps possessed and 614
lawfully used as a propellant or ignition device in small-arms or 615
small-arms ammunition; 616

(5) Dangerous ordnance that is inoperable or inert and cannot 617
readily be rendered operable or activated, and that is kept as a 618
trophy, souvenir, curio, or museum piece. 619

(6) Any device that is expressly excepted from the definition 620
of a destructive device pursuant to the "Gun Control Act of 1968," 621
82 Stat. 1213, 18 U.S.C. 921(a)(4), as amended, and regulations 622
issued under that act. 623

(M) "Explosive" means any chemical compound, mixture, or 624
device, the primary or common purpose of which is to function by 625
explosion. "Explosive" includes all materials that have been 626
classified as division 1.1, division 1.2, division 1.3, or 627
division 1.4 explosives by the United States department of 628
transportation in its regulations and includes, but is not limited 629
to, dynamite, black powder, pellet powders, initiating explosives, 630

blasting caps, electric blasting caps, safety fuses, fuse 631
igniters, squibs, cordeau detonant fuses, instantaneous fuses, and 632
igniter cords and igniters. "Explosive" does not include 633
"fireworks," as defined in section 3743.01 of the Revised Code, or 634
any substance or material otherwise meeting the definition of 635
explosive set forth in this section that is manufactured, sold, 636
possessed, transported, stored, or used in any activity described 637
in section 3743.80 of the Revised Code, provided the activity is 638
conducted in accordance with all applicable laws, rules, and 639
regulations, including, but not limited to, the provisions of 640
section 3743.80 of the Revised Code and the rules of the fire 641
marshal adopted pursuant to section 3737.82 of the Revised Code. 642

(N)(1) "Concealed handgun license" or "license to carry a 643
concealed handgun" means, subject to division (N)(2) of this 644
section, a license or temporary emergency license to carry a 645
concealed handgun issued under section 2923.125 or 2923.1213 of 646
the Revised Code or a license to carry a concealed handgun issued 647
by another state with which the attorney general has entered into 648
a reciprocity agreement under section 109.69 of the Revised Code. 649

(2) A reference in any provision of the Revised Code to a 650
concealed handgun license issued under section 2923.125 of the 651
Revised Code or a license to carry a concealed handgun issued 652
under section 2923.125 of the Revised Code means only a license of 653
the type that is specified in that section. A reference in any 654
provision of the Revised Code to a concealed handgun license 655
issued under section 2923.1213 of the Revised Code, a license to 656
carry a concealed handgun issued under section 2923.1213 of the 657
Revised Code, or a license to carry a concealed handgun on a 658
temporary emergency basis means only a license of the type that is 659
specified in section 2923.1213 of the Revised Code. A reference in 660
any provision of the Revised Code to a concealed handgun license 661
issued by another state or a license to carry a concealed handgun 662

issued by another state means only a license issued by another 663
state with which the attorney general has entered into a 664
reciprocity agreement under section 109.69 of the Revised Code. 665

(O) "Valid concealed handgun license" or "valid license to 666
carry a concealed handgun" means a concealed handgun license that 667
is currently valid, that is not under a suspension under division 668
(A)(1) of section 2923.128 of the Revised Code, under section 669
2923.1213 of the Revised Code, or under a suspension provision of 670
the state other than this state in which the license was issued, 671
and that has not been revoked under division (B)(1) of section 672
2923.128 of the Revised Code, under section 2923.1213 of the 673
Revised Code, or under a revocation provision of the state other 674
than this state in which the license was issued. 675

(P) "Crime punishable by imprisonment for a term exceeding 676
one year" does not include any of the following: 677

(1) Any federal or state offense pertaining to antitrust 678
violations, unfair trade practices, restraints of trade, or other 679
similar offenses relating to the regulation of business practices; 680

(2) Any misdemeanor offense punishable by a term of 681
imprisonment of two years or less. 682

(O) "Intimate partner" means, with respect to a person, the 683
spouse of the person, a former spouse of the person, an individual 684
who is a parent of a child of the person, and an individual who 685
cohabitates or has cohabited with the person. 686

(R) "Alien registration number" means the number issued by 687
the United States citizenship and immigration services agency that 688
is located on the alien's permanent resident card and may also be 689
commonly referred to as the "USCIS number" or the "alien number." 690

Sec. 2923.125. (A) This section applies with respect to the 691
application for and issuance by this state of concealed handgun 692

licenses other than concealed handgun licenses on a temporary 693
emergency basis that are issued under section 2923.1213 of the 694
Revised Code. Upon the request of a person who wishes to obtain a 695
concealed handgun license with respect to which this section 696
applies or to renew a concealed handgun license with respect to 697
which this section applies, a sheriff, as provided in division (I) 698
of this section, shall provide to the person free of charge an 699
application form and the web site address at which a printable 700
version of the application form that can be downloaded and the 701
pamphlet described in division (B) of section 109.731 of the 702
Revised Code may be found. A sheriff shall accept a completed 703
application form and the fee, items, materials, and information 704
specified in divisions (B)(1) to (5) of this section at the times 705
and in the manners described in division (I) of this section. 706

(B) An applicant for a concealed handgun license with respect 707
to which this section applies shall submit a completed application 708
form and all of the following to the sheriff of the county in 709
which the applicant resides ~~or~~, to the sheriff of any county 710
adjacent to the county in which the applicant resides, or in the 711
case of an applicant who resides in another state, to any sheriff 712
of any Ohio county: 713

(1)(a) A nonrefundable license fee as described in either of 714
the following: 715

(i) For an applicant who has been a resident of this state 716
for five or more years, a fee of sixty-seven dollars; 717

(ii) For an applicant who has been a resident of this state 718
for less than five years or who is not a resident of this state, a 719
fee of sixty-seven dollars plus the actual cost of having a 720
background check performed by the federal bureau of investigation. 721

(b) No sheriff shall require an applicant to pay for the cost 722
of a background check performed by the bureau of criminal 723

identification and investigation. 724

(c) A sheriff shall waive the payment of the license fee 725
described in division (B)(1)(a) of this section in connection with 726
an initial or renewal application for a license that is submitted 727
by an applicant who is a retired peace officer, a retired person 728
described in division (B)(1)(b) of section 109.77 of the Revised 729
Code, or a retired federal law enforcement officer who, prior to 730
retirement, was authorized under federal law to carry a firearm in 731
the course of duty, unless the retired peace officer, person, or 732
federal law enforcement officer retired as the result of a mental 733
disability. 734

(d) The sheriff shall deposit all fees paid by an applicant 735
under division (B)(1)(a) of this section into the sheriff's 736
concealed handgun license issuance fund established pursuant to 737
section 311.42 of the Revised Code. The county shall distribute 738
the fees in accordance with section 311.42 of the Revised Code. 739

(2) A color photograph of the applicant that was taken within 740
thirty days prior to the date of the application; 741

(3) One or more of the following competency certifications, 742
each of which shall reflect that, regarding a certification 743
described in division (B)(3)(a), (b), (c), (e), or (f) of this 744
section, within the three years immediately preceding the 745
application the applicant has performed that to which the 746
competency certification relates and that, regarding a 747
certification described in division (B)(3)(d) of this section, the 748
applicant currently is an active or reserve member of the armed 749
forces of the United States or ~~within the six years immediately~~ 750
~~preceding the application the~~ is a former member of the armed 751
forces of the United States and has retired from the armed forces 752
or has received an honorable discharge or retirement to which the 753
~~competency certification relates occurred:~~ 754

(a) An original or photocopy of a certificate of completion 755
of a firearms safety, training, or requalification or firearms 756
safety instructor course, class, or program that was offered by or 757
under the auspices of the national rifle association and that 758
complies with the requirements set forth in division (G) of this 759
section; 760

(b) An original or photocopy of a certificate of completion 761
of a firearms safety, training, or requalification or firearms 762
safety instructor course, class, or program that satisfies all of 763
the following criteria: 764

(i) It was open to members of the general public. 765

(ii) It utilized qualified instructors who were certified by 766
the national rifle association, the executive director of the Ohio 767
peace officer training commission pursuant to section 109.75 or 768
109.78 of the Revised Code, or a governmental official or entity 769
of another state. 770

(iii) It was offered by or under the auspices of a law 771
enforcement agency of this or another state or the United States, 772
a public or private college, university, or other similar 773
postsecondary educational institution located in this or another 774
state, a firearms training school located in this or another 775
state, or another type of public or private entity or organization 776
located in this or another state. 777

(iv) It complies with the requirements set forth in division 778
(G) of this section. 779

(c) An original or photocopy of a certificate of completion 780
of a state, county, municipal, or department of natural resources 781
peace officer training school that is approved by the executive 782
director of the Ohio peace officer training commission pursuant to 783
section 109.75 of the Revised Code and that complies with the 784
requirements set forth in division (G) of this section, or the 785

applicant has satisfactorily completed and been issued a 786
certificate of completion of a basic firearms training program, a 787
firearms requalification training program, or another basic 788
training program described in section 109.78 or 109.801 of the 789
Revised Code that complies with the requirements set forth in 790
division (G) of this section; 791

(d) A document that evidences both of the following: 792

(i) That the applicant is an active or reserve member of the 793
armed forces of the United States, was honorably discharged from 794
military service in the active or reserve armed forces of the 795
United States, is a retired trooper of the state highway patrol, 796
or is a retired peace officer or federal law enforcement officer 797
described in division (B)(1) of this section or a retired person 798
described in division (B)(1)(b) of section 109.77 of the Revised 799
Code and division (B)(1) of this section; 800

(ii) That, through participation in the military service or 801
through the former employment described in division (B)(3)(d)(i) 802
of this section, the applicant acquired experience with handling 803
handguns or other firearms, and the experience so acquired was 804
equivalent to training that the applicant could have acquired in a 805
course, class, or program described in division (B)(3)(a), (b), or 806
(c) of this section. 807

(e) A certificate or another similar document that evidences 808
satisfactory completion of a firearms training, safety, or 809
requalification or firearms safety instructor course, class, or 810
program that is not otherwise described in division (B)(3)(a), 811
(b), (c), or (d) of this section, that was conducted by an 812
instructor who was certified by an official or entity of the 813
government of this or another state or the United States or by the 814
national rifle association, and that complies with the 815
requirements set forth in division (G) of this section; 816

(f) An affidavit that attests to the applicant's satisfactory 817
completion of a course, class, or program described in division 818
(B)(3)(a), (b), (c), or (e) of this section and that is subscribed 819
by the applicant's instructor or an authorized representative of 820
the entity that offered the course, class, or program or under 821
whose auspices the course, class, or program was offered. 822

(4) A certification by the applicant that the applicant has 823
read the pamphlet prepared by the Ohio peace officer training 824
commission pursuant to section 109.731 of the Revised Code that 825
reviews firearms, dispute resolution, and use of deadly force 826
matters. 827

(5) A set of fingerprints of the applicant provided as 828
described in section 311.41 of the Revised Code through use of an 829
electronic fingerprint reading device or, if the sheriff to whom 830
the application is submitted does not possess and does not have 831
ready access to the use of such a reading device, on a standard 832
impression sheet prescribed pursuant to division (C)(2) of section 833
109.572 of the Revised Code. 834

(6) If the applicant is not a citizen of the United States, 835
the name of the applicant's country of citizenship and the 836
applicant's alien registration number issued by the United States 837
citizenship and immigration services agency. 838

(C) Upon receipt of the completed application form, 839
supporting documentation, and, if not waived, license fee of an 840
applicant under this section, a sheriff, in the manner specified 841
in section 311.41 of the Revised Code, shall conduct or cause to 842
be conducted the criminal records check and the incompetency 843
records check described in section 311.41 of the Revised Code. 844

(D)(1) Except as provided in division (D)(3) ~~or (4)~~ of this 845
section, within forty-five days after a sheriff's receipt of an 846
applicant's completed application form for a concealed handgun 847

license under this section, the supporting documentation, and, if 848
not waived, the license fee, the sheriff shall make available 849
through the law enforcement automated data system in accordance 850
with division (H) of this section the information described in 851
that division and, upon making the information available through 852
the system, shall issue to the applicant a concealed handgun 853
license that shall expire as described in division (D)(2)(a) of 854
this section if all of the following apply: 855

(a) The applicant is legally living in the United States, ~~has~~ 856
~~been a resident of this state for at least forty five days, and~~ 857
~~has been a resident of the county in which the person seeks the~~ 858
~~license or a county adjacent to the county in which the person~~ 859
~~seeks the license for at least thirty days.~~ For purposes of 860
division (D)(1)(a) of this section: 861

~~(i) If, if~~ a person is absent from the United States, ~~from~~ 862
~~this state, or from a particular county in this state in~~ 863
compliance with military or naval orders as an active or reserve 864
member of the armed forces of the United States and if prior to 865
leaving ~~this state in compliance with those orders~~ the United 866
States the person was legally living in the United States ~~and was~~ 867
~~a resident of this state,~~ the person, solely by reason of that 868
absence, shall not be considered to have lost the person's status 869
as living in the United States ~~or the person's residence in this~~ 870
~~state or in the county in which the person was a resident prior to~~ 871
~~leaving this state in compliance with those orders, without regard~~ 872
~~to whether or not the person intends to return to this state or to~~ 873
~~that county, shall not be considered to have acquired a residence~~ 874
~~in any other state, and shall not be considered to have become a~~ 875
~~resident of any other state.~~ 876

~~(ii) If a person is present in this state in compliance with~~ 877
~~military or naval orders as an active or reserve member of the~~ 878
~~armed forces of the United States for at least forty five days,~~ 879

~~the person shall be considered to have been a resident of this state for that period of at least forty five days, and, if a person is present in a county of this state in compliance with military or naval orders as an active or reserve member of the armed forces of the United States for at least thirty days, the person shall be considered to have been a resident of that county for that period of at least thirty days.~~

(b) The applicant is at least twenty-one years of age. 887

(c) The applicant is not a fugitive from justice. 888

(d) The applicant is not under indictment for or otherwise charged with a ~~felony; an offense under Chapter 2925., 3719., or 4729. of the Revised Code that involves the illegal possession, use, sale, administration, or distribution of or trafficking in a drug of abuse;~~ crime punishable by imprisonment for a term exceeding one year, a misdemeanor offense of violence, or a violation of section 2903.14 or 2923.1211 of the Revised Code or a similar violation in another state.

(e) Except as otherwise provided in division (D)~~(5)~~(4) of this section, the applicant has not been convicted of or pleaded guilty to a ~~felony or an offense under Chapter 2925., 3719., or 4729. of the Revised Code that involves the illegal possession, use, sale, administration, or distribution of or trafficking in a drug of abuse~~ crime punishable by imprisonment for a term exceeding one year; has not been adjudicated a delinquent child for committing an act that if committed by an adult would be a ~~felony or would be an offense under Chapter 2925., 3719., or 4729. of the Revised Code that involves the illegal possession, use, sale, administration, or distribution of or trafficking in a drug of abuse~~ crime punishable by imprisonment for a term exceeding one year; and has not been convicted of, pleaded guilty to, or adjudicated a delinquent child for committing a violation of section 2903.13 of the Revised Code when the victim of the

violation is a peace officer, regardless of whether the applicant 912
was sentenced under division (C)(3) of that section, or a similar 913
violation in another state. 914

(f) Except as otherwise provided in division (D)~~(5)~~(4) of 915
this section, the applicant, within three years of the date of the 916
application, has not been convicted of or pleaded guilty to a 917
misdemeanor offense of violence other than a misdemeanor violation 918
of section 2921.33 of the Revised Code or a violation of section 919
2903.13 of the Revised Code when the victim of the violation is a 920
peace officer, ~~or~~ a misdemeanor violation of section 2923.1211 of 921
the Revised Code, or any similar violation in another state; and 922
has not been adjudicated a delinquent child for committing an act 923
that if committed by an adult would be a misdemeanor offense of 924
violence other than a misdemeanor violation of section 2921.33 of 925
the Revised Code or a violation of section 2903.13 of the Revised 926
Code when the victim of the violation is a peace officer or for 927
committing an act that if committed by an adult would be a 928
misdemeanor violation of section 2923.1211 of the Revised Code or 929
any similar violation in another state. 930

(g) Except as otherwise provided in division (D)(1)(e) of 931
this section, the applicant, within five years of the date of the 932
application, has not been convicted of, pleaded guilty to, or 933
adjudicated a delinquent child for committing two or more 934
violations of section 2903.13 or 2903.14 of the Revised Code or of 935
any similar violation in another state. 936

(h) Except as otherwise provided in division (D)~~(5)~~(4) of 937
this section, the applicant, within ten years of the date of the 938
application, has not been convicted of, pleaded guilty to, or 939
adjudicated a delinquent child for committing a violation of 940
section 2921.33 of the Revised Code or a similar violation in 941
another state. 942

(i) The applicant has not been adjudicated as a mental 943

defective, has not been committed to any mental institution, is 944
not under adjudication of mental incompetence, has not been found 945
by a court to be a mentally ill person subject to hospitalization 946
by court order, and is not an involuntary patient other than one 947
who is a patient only for purposes of observation. As used in this 948
division, "mentally ill person subject to hospitalization by court 949
order" and "patient" have the same meanings as in section 5122.01 950
of the Revised Code. 951

(j) The applicant is not currently subject to a civil 952
protection order, a temporary protection order, or a protection 953
order issued by a court of another state that was issued after a 954
hearing of which the applicant received actual notice and at which 955
the applicant had an opportunity to participate and that restrains 956
the applicant from harassing, stalking, or threatening an intimate 957
partner of the applicant or child of an intimate partner of the 958
applicant, or engaging in other conduct that would place an 959
intimate partner in reasonable fear of bodily injury to the 960
intimate partner or the child of the intimate partner and that 961
includes a finding that the applicant represents a credible threat 962
to the physical safety of the applicant's intimate partner or 963
child or by its terms includes an explicit prohibition against the 964
use, attempted use, or threatened use of physical force against an 965
intimate partner of the applicant or a child of an intimate 966
partner of the applicant that would reasonably be expected to 967
cause bodily injury. 968

(k) The applicant certifies that the applicant desires a 969
legal means to carry a concealed handgun for defense of the 970
applicant or a member of the applicant's family while engaged in 971
lawful activity. 972

(l) The applicant submits a competency certification of the 973
type described in division (B)(3) of this section and submits a 974
certification of the type described in division (B)(4) of this 975

section regarding the applicant's reading of the pamphlet prepared 976
by the Ohio peace officer training commission pursuant to section 977
109.731 of the Revised Code. 978

(m) The applicant currently is not subject to a suspension 979
imposed under division (A)(2) of section 2923.128 of the Revised 980
Code of a concealed handgun license that previously was issued to 981
the applicant under this section or section 2923.1213 of the 982
Revised Code or a similar suspension imposed by another state 983
regarding a concealed handgun license issued by that state. 984

(n) The applicant certifies that the applicant is not an 985
unlawful user of or addicted to any controlled substance as 986
defined in 21 U.S.C. 802. 987

(o) If the applicant is not a United States citizen, the 988
applicant is an alien and has not been admitted to the United 989
States under a nonimmigrant visa, as defined in the "Immigration 990
and Nationality Act," 8 U.S.C. 1101(a)(26). 991

(p) The applicant has not been discharged from the armed 992
forces of the United States under dishonorable conditions. 993

(q) The applicant certifies that the applicant has not 994
renounced the applicant's United States citizenship. 995

(r) The applicant has not been convicted of, pleaded guilty 996
to, or adjudicated a delinquent child for committing a violation 997
of section 2919.25 of the Revised Code or a similar violation in 998
another state. 999

(2)(a) A concealed handgun license that a sheriff issues 1000
under division (D)(1) of this section shall expire five years 1001
after the date of issuance. 1002

If a sheriff issues a license under this section, the sheriff 1003
shall place on the license a unique combination of letters and 1004
numbers identifying the license in accordance with the procedure 1005

prescribed by the Ohio peace officer training commission pursuant 1006
to section 109.731 of the Revised Code. 1007

(b) If a sheriff denies an application under this section 1008
because the applicant does not satisfy the criteria described in 1009
division (D)(1) of this section, the sheriff shall specify the 1010
grounds for the denial in a written notice to the applicant. The 1011
applicant may appeal the denial pursuant to section 119.12 of the 1012
Revised Code in the county served by the sheriff who denied the 1013
application. If the denial was as a result of the criminal records 1014
check conducted pursuant to section 311.41 of the Revised Code and 1015
if, pursuant to section 2923.127 of the Revised Code, the 1016
applicant challenges the criminal records check results using the 1017
appropriate challenge and review procedure specified in that 1018
section, the time for filing the appeal pursuant to section 119.12 1019
of the Revised Code and this division is tolled during the 1020
pendency of the request or the challenge and review. If the court 1021
in an appeal under section 119.12 of the Revised Code and this 1022
division enters a judgment sustaining the sheriff's refusal to 1023
grant to the applicant a concealed handgun license, the applicant 1024
may file a new application beginning one year after the judgment 1025
is entered. If the court enters a judgment in favor of the 1026
applicant, that judgment shall not restrict the authority of a 1027
sheriff to suspend or revoke the license pursuant to section 1028
2923.128 or 2923.1213 of the Revised Code or to refuse to renew 1029
the license for any proper cause that may occur after the date the 1030
judgment is entered. In the appeal, the court shall have full 1031
power to dispose of all costs. 1032

(3) If the sheriff with whom an application for a concealed 1033
handgun license was filed under this section becomes aware that 1034
the applicant has been arrested for or otherwise charged with an 1035
offense that would disqualify the applicant from holding the 1036
license, the sheriff shall suspend the processing of the 1037

application until the disposition of the case arising from the 1038
arrest or charge. 1039

~~(4) If the sheriff determines that the applicant is legally 1040
living in the United States and is a resident of the county in 1041
which the applicant seeks the license or of an adjacent county but 1042
does not yet meet the residency requirements described in division 1043
(D)(1)(a) of this section, the sheriff shall not deny the license 1044
because of the residency requirements but shall not issue the 1045
license until the applicant meets those residency requirements. 1046~~

~~(5) If an applicant has been convicted of or pleaded guilty 1047
to an offense identified in division (D)(1)(e), (f), or (h) of 1048
this section or has been adjudicated a delinquent child for 1049
committing an act or violation identified in any of those 1050
divisions, and if a court has ordered the sealing or expungement 1051
of the records of that conviction, guilty plea, or adjudication 1052
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 1053
2953.36, or section 2953.37 of the Revised Code or a court in 1054
another state has ordered the sealing or expungement of the 1055
records of the conviction, guilty plea, or adjudication of a 1056
similar violation in another state pursuant to the laws of that 1057
state or a court has granted the applicant relief pursuant to 1058
section 2923.14 of the Revised Code or a similar statute in 1059
another state from the disability imposed pursuant to section 1060
2923.13 of the Revised Code or a disability imposed by a court in 1061
another state relative to that conviction, guilty plea, or 1062
adjudication, the sheriff with whom the application was submitted 1063
shall not consider the conviction, guilty plea, or adjudication in 1064
making a determination under division (D)(1) or (F) of this 1065
section or, in relation to an application for a concealed handgun 1066
license on a temporary emergency basis submitted under section 1067
2923.1213 of the Revised Code, in making a determination under 1068
division (B)(2) of that section. 1069~~

(E) If a concealed handgun license issued under this section 1070
is lost or is destroyed, the licensee may obtain from the sheriff 1071
who issued that license a duplicate license upon the payment of a 1072
fee of fifteen dollars and the submission of an affidavit 1073
attesting to the loss or destruction of the license. The sheriff, 1074
in accordance with the procedures prescribed in section 109.731 of 1075
the Revised Code, shall place on the replacement license a 1076
combination of identifying numbers different from the combination 1077
on the license that is being replaced. 1078

(F)(1) A (a) Except as provided in division (F)(1)(b) of this 1079
section, a licensee who wishes to renew a concealed handgun 1080
license issued under this section shall do so not earlier than 1081
ninety days before the expiration date of the license or at any 1082
time after the expiration date of the license by filing with the 1083
sheriff of the county in which the applicant resides or with the 1084
sheriff of an adjacent county an application for renewal of the 1085
license obtained pursuant to division (D) of this section, a 1086
certification by the applicant that, subsequent to the issuance of 1087
the license, the applicant has reread the pamphlet prepared by the 1088
Ohio peace officer training commission pursuant to section 109.731 1089
of the Revised Code that reviews firearms, dispute resolution, and 1090
use of deadly force matters, and a nonrefundable license renewal 1091
fee in an amount determined pursuant to division (F)(4) of this 1092
section unless the fee is waived. 1093

(b) A licensee who is absent from the United States, from 1094
this state, or from a particular county in this state in 1095
compliance with military, gubernatorial, or naval orders as an 1096
active or reserve member of the armed forces of the United States 1097
or who is so absent because they are the spouse of a person acting 1098
in compliance with orders of that type and who wishes to renew a 1099
concealed handgun license issued under this section may renew the 1100
license by mailing a completed renewal application, the license 1101

renewal fee, a copy of the licensee's military, gubernatorial, or 1102
naval orders calling the licensee to active duty or of any orders 1103
further extending active duty, and the information specified in 1104
division (F)(1)(a) of this section to the sheriff of the county in 1105
which the applicant most recently resided, to the sheriff of an 1106
adjacent county, or in the case of a licensee who resides in 1107
another state to the sheriff of any county not earlier than ninety 1108
days before the expiration date of the license or at any time 1109
after the expiration date of the license. 1110

(2) A sheriff shall accept a completed renewal application, 1111
the license renewal fee, and the information specified in division 1112
(F)(1) of this section at the times and in the manners described 1113
in division (I) of this section. Upon receipt of a completed 1114
renewal application, of certification that the applicant has 1115
reread the specified pamphlet prepared by the Ohio peace officer 1116
training commission, and of a license renewal fee unless the fee 1117
is waived, a sheriff, in the manner specified in section 311.41 of 1118
the Revised Code shall conduct or cause to be conducted the 1119
criminal records check and the incompetency records check 1120
described in section 311.41 of the Revised Code. The sheriff shall 1121
renew the license if the sheriff determines that the applicant 1122
continues to satisfy the requirements described in division (D)(1) 1123
of this section, except that the applicant is not required to meet 1124
the requirements of division (D)(1)(1) of this section. A renewed 1125
license shall expire five years after the date of issuance. A 1126
renewed license is subject to division (E) of this section and 1127
sections 2923.126 and 2923.128 of the Revised Code. A sheriff 1128
shall comply with divisions (D)(2) ~~to (4)~~ and (3) of this section 1129
when the circumstances described in those divisions apply to a 1130
requested license renewal. If a sheriff denies the renewal of a 1131
concealed handgun license, the applicant may appeal the denial, or 1132
challenge the criminal record check results that were the basis of 1133
the denial if applicable, in the same manner as specified in 1134

division (D)(2)(b) of this section and in section 2923.127 of the Revised Code, regarding the denial of a license under this section.

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

(4) An applicant for a renewal concealed handgun license under this section shall submit to the sheriff of the county in which the applicant resides ~~or~~, to the sheriff of any county adjacent to the county in which the applicant resides, or in the case of an applicant from another state, to the sheriff of the county that issued the applicant's previous concealed handgun license a nonrefundable license fee as described in either of the following:

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

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

(G)(1) Each course, class, or program described in division (B)(3)(a), (b), (c), or (e) of this section shall provide to each person who takes the course, class, or program the web site

address at which the pamphlet prepared by the Ohio peace officer 1166
training commission pursuant to section 109.731 of the Revised 1167
Code that reviews firearms, dispute resolution, and use of deadly 1168
force matters may be found. Each such course, class, or program 1169
described in one of those divisions shall include ~~at least twelve~~ 1170
~~hours of~~ training in the safe handling and use of a firearm that 1171
shall include training on all of the following matters: 1172

~~(a) At least ten hours of training on the following matters:~~ 1173

~~(i)~~ The ability to name, explain, and demonstrate the rules 1174
for safe handling of a handgun and proper storage practices for 1175
handguns and ammunition; 1176

~~(ii)~~(b) The ability to demonstrate and explain how to handle 1177
ammunition in a safe manner; 1178

~~(iii)~~(c) The ability to demonstrate the knowledge, skills, 1179
and attitude necessary to shoot a handgun in a safe manner; 1180

~~(iv)~~(d) Gun handling training; 1181

~~(b) At least two hours of training;~~ 1182

(e) Training that consists of range time and live-fire 1183
training; 1184

(f) The locations where carrying a concealed handgun with a 1185
valid license are prohibited. 1186

(2) To satisfactorily complete the course, class, or program 1187
described in division (B)(3)(a), (b), (c), or (e) of this section, 1188
the applicant shall pass a competency examination that shall 1189
include both of the following: 1190

(a) A written section on the ability to name and explain the 1191
rules for the safe handling of a handgun and proper storage 1192
practices for handguns and ammunition; 1193

(b) A physical demonstration of competence in the use of a 1194
handgun and in the rules for safe handling and storage of a 1195

handgun and a physical demonstration of the attitude necessary to 1196
shoot a handgun in a safe manner. 1197

(3) The competency certification described in division 1198
(B)(3)(a), (b), (c), or (e) of this section shall be dated and 1199
shall attest that the course, class, or program the applicant 1200
successfully completed met the requirements described in division 1201
(G)(1) of this section and that the applicant passed the 1202
competency examination described in division (G)(2) of this 1203
section. 1204

(H) Upon deciding to issue a concealed handgun license, 1205
deciding to issue a replacement concealed handgun license, or 1206
deciding to renew a concealed handgun license pursuant to this 1207
section, and before actually issuing or renewing the license, the 1208
sheriff shall make available through the law enforcement automated 1209
data system all information contained on the license. If the 1210
license subsequently is suspended under division (A)(1) or (2) of 1211
section 2923.128 of the Revised Code, revoked pursuant to division 1212
(B)(1) of section 2923.128 of the Revised Code, or lost or 1213
destroyed, the sheriff also shall make available through the law 1214
enforcement automated data system a notation of that fact. The 1215
superintendent of the state highway patrol shall ensure that the 1216
law enforcement automated data system is so configured as to 1217
permit the transmission through the system of the information 1218
specified in this division. 1219

(I) A sheriff shall accept a completed application form or 1220
renewal application, and the fee, items, materials, and 1221
information specified in divisions (B)(1) to (5) or division (F) 1222
of this section, whichever is applicable, and shall provide an 1223
application form or renewal application to any person during at 1224
least fifteen hours a week and shall provide the web site address 1225
at which a printable version of the application form that can be 1226
downloaded and the pamphlet described in division (B) of section 1227

.....	1247
Mailing Address (If Different From Above):	1248
Street City State Zip	1249
..... 	1250
Date of Birth Place of Birth Sex Race Residence	1251
...../...../..... (.....).....	1252
Telephone	
<u>Country of Citizenship (If Not a United States Citizen):</u>	1253
.....	1254
<u>Alien Registration Number (If Not a United States Citizen):</u>	1255
.....	1256
SECTION III. THE FOLLOWING QUESTIONS ARE TO BE ANSWERED YES OR NO	1257
(1)(a) Are you legally living in the United States?	.... YES NO 1258
(b) Have you been a resident of Ohio for at least forty five days and have you been a resident for thirty days of the county with whose sheriff you are filing this application or of a county adjacent to that county?	.... YES NO 1259
(2) Are you at least twenty-one years of age?	.... YES NO 1260
(3) Are you a fugitive from justice?	.... YES NO 1261
(4) Are you under indictment for a felony <u>crime punishable by imprisonment for a term exceeding one year</u> , or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code <u>or pursuant to a similar statute in another state</u> , have you ever been convicted of or pleaded guilty to a felony	.... YES NO 1262

crime punishable by imprisonment for a term exceeding one year, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code or pursuant to a similar statute in another state, have you ever been adjudicated a delinquent child for committing an act that would be a ~~felony~~ crime punishable by imprisonment for a term exceeding one year if committed by an adult?

(5) Are you under indictment for or otherwise ~~charged with, or, except for a conviction or guilty plea~~ the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been convicted of or pleaded guilty to, an offense under Chapter 2925., 3719., or 4729. of the Ohio Revised Code that involves the illegal possession, use, sale, administration, or distribution of or trafficking in a drug of abuse, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been adjudicated a delinquent child for committing an act that would be an offense of that nature if committed by an adult? ~~.....~~ YES ~~.....~~ NO 1263

~~charged with, or, except for a conviction or guilty plea~~ the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been convicted of or pleaded guilty to, an offense under Chapter 2925., 3719., or 4729. of the Ohio Revised Code that involves the illegal possession, use, sale, administration, or distribution of or trafficking in a drug of abuse, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been adjudicated a delinquent child for committing an act that would be an offense of that nature if committed by an adult?

(6) Are you under indictment for or otherwise ~~charged with, or, except for a conviction or guilty plea~~ the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been convicted of or pleaded guilty to, an offense under Chapter 2925., 3719., or 4729. of the Ohio Revised Code that involves the illegal possession, use, sale, administration, or distribution of or trafficking in a drug of abuse, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been adjudicated a delinquent child for committing an act that would be an offense of that nature if committed by an adult? ~~.....~~ YES ~~.....~~ NO 1264

charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code or pursuant to a similar statute in another state, have you been convicted of or pleaded guilty to within three years of the date of this application, a misdemeanor that is an offense of violence or the offense of possessing a revoked or suspended concealed handgun license, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code or pursuant to a similar statute in another state, have you been adjudicated a delinquent child within three years of the date of this application for committing an act that would be a misdemeanor of that nature if committed by an adult?

(7)(6) Are you under indictment for or otherwise charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code or pursuant to a similar statute in another state, have you been convicted of or pleaded guilty to within ten years of the date of this application, resisting arrest, or, except for a delinquent

.... YES NO 1265

child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code or pursuant to a similar statute in another state, have you been adjudicated a delinquent child for committing, within ten years of the date of this application an act that if committed by an adult would be the offense of resisting arrest?

~~(8)~~(7)(a) Are you under indictment for or otherwise charged with assault or negligent assault? YES NO 1266

(b) Have you been convicted of, pleaded guilty to, or adjudicated a delinquent child two or more times for committing assault or negligent assault within five years of the date of this application? YES NO 1267

(c) Except for a conviction, guilty plea, or delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code or pursuant to a similar statute in another state, have you ever been convicted of, pleaded guilty to, or adjudicated a delinquent child for assaulting a peace officer? YES NO 1268

~~(9)~~(8)(a) Have you ever been adjudicated as a mental defective? YES NO 1269

(b) Have you ever been committed to a mental institution? YES NO 1270

~~(10)~~(9) Are you currently subject to a civil YES NO 1271
protection order, a temporary protection
order, or a protection order issued by a court
of another state that was issued after a
hearing of which you received actual notice
and at which you had an opportunity to
participate and that restrains you from
harassing, stalking, or threatening an
intimate partner, a child of an intimate
partner, or your own child, or engaging in
other conduct that would place an intimate
partner in reasonable fear of bodily injury to
the intimate partner or the child of the
intimate partner and that includes a finding
that you represent a credible threat to the
physical safety of your intimate partner or
child or by its terms includes an explicit
prohibition against the use, attempted use, or
threatened use of physical force against your
intimate partner or a child of your intimate
partner that would reasonably be expected to
cause bodily injury?

~~(11)~~(10) Are you currently subject to a YES NO 1272
suspension imposed under division (A)(2) of
section 2923.128 of the Revised Code of a
concealed handgun license that previously was
issued to you or to a similar suspension
imposed by a court in another state regarding
a concealed handgun license issued by that
state?

(11) Do you certify that you are not an YES NO 1273
unlawful user of or addicted to any controlled
substance as defined in 21 U.S.C. 802?

- (12) If you are not a United States citizen and you are an alien, have you been admitted to the United States under a nonimmigrant visa, as defined in the "Immigration and Nationality Act," 8 U.S.C. 1101(a)(26)? YES NO 1274
- (13) Have you been discharged from the armed forces of the United States under dishonorable conditions? YES NO 1275
- (14) Do you certify that you have not renounced your United States citizenship? YES NO 1276
- (15) Have you been convicted of, pleaded guilty to, or adjudicated a delinquent child for committing domestic violence? YES NO 1277

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

Residence 1: 1287

Street	City	State	County	Zip	1288
.....	.....	.....	.....	.....	1289
Dates of residence at this address					1290

Residence 2: 1291

Street	City	State	County	Zip	1292
.....	.....	.....	.....	.....	1293
Dates of residence at this address					1294

Residence 3: 1295

Street	City	State	County	Zip	1296
--------	------	-------	--------	-----	------

.....	.....	.....	.....	.....	1297
Dates of residence at this address	.....	.....	.....	.....	1298
Residence 4:					1299
Street	City	State	County	Zip	1300
.....	.....	.....	.....	.....	1301
Dates of residence at this address	.....	.....	.....	.....	1302
SECTION V.					1303
YOU MUST COMPLETE THIS SECTION OF THE APPLICATION BY ANSWERING THE					1304
QUESTION POSED IN PART (1) AND, IF THE ANSWER TO THE QUESTION IS					1305
"YES," BY PROVIDING IN PART (2) THE INFORMATION SPECIFIED. IF YOU					1306
NEED MORE SPACE, COMPLETE AN ADDITIONAL SHEET WITH THE RELEVANT					1307
INFORMATION, ATTACH IT TO THE APPLICATION, AND NOTE THE ATTACHMENT					1308
AT THE END OF THIS SECTION.					1309
(1) Have you previously applied in any county YES NO					1310
in Ohio or in any other state for a concealed					
handgun license?					
(2) If your answer to the question in part (1) of this section of					1311
the application is "yes," you must complete this part by listing					1312
each county in Ohio, and each other state, in which you previously					1313
applied for a license and, to the best of your knowledge, the date					1314
on which you made the application.					1315
Previous application made in (insert name of Ohio					1316
county or other state) on (insert date of					1317
application.)					1318
Previous application made in (insert name of Ohio					1319
county or other state) on (insert date of					1320
application.)					1321
Previous application made in (insert name of Ohio					1322
county or other state) on (insert date of					1323
application.)					1324
Previous application made in (insert name of Ohio					1325

county or other state) on (insert date of application.) 1326
1327

SECTION VI. 1328

AN APPLICANT WHO KNOWINGLY GIVES A FALSE ANSWER TO ANY QUESTION OR 1329
SUBMITS FALSE INFORMATION ON, OR A FALSE DOCUMENT WITH THE 1330
APPLICATION MAY BE PROSECUTED FOR FALSIFICATION TO OBTAIN A 1331
CONCEALED HANDGUN LICENSE, A FELONY OF THE FOURTH DEGREE, IN 1332
VIOLATION OF SECTION 2921.13 OF THE OHIO REVISED CODE. 1333

(1) I have read the pamphlet that explains the Ohio firearms laws, 1334
that provides instruction in dispute resolution and explains 1335
the Ohio laws related to that matter, and that provides 1336
information regarding all aspects of the use of deadly force 1337
with a firearm, and I am knowledgeable of the provisions of 1338
those laws and of the information on those matters. 1339

(2) I desire a legal means to carry a concealed handgun for 1340
defense of myself or a member of my family while engaged in 1341
lawful activity. 1342

(3) I have never been convicted of or pleaded guilty to a crime of 1343
violence in the state of Ohio or elsewhere (if you have been 1344
convicted of or pleaded guilty to such a crime, but the 1345
records of that conviction or guilty plea have been sealed or 1346
expunged by court order or a court has granted relief 1347
pursuant to section 2923.14 of the Revised Code or pursuant 1348
to a similar statute in another state from the disability 1349
imposed pursuant to section 2923.13 of the Revised Code or a 1350
disability imposed by a court in another state relative to 1351
that conviction or guilty plea, you may treat the conviction 1352
or guilty plea for purposes of this paragraph as if it never 1353
had occurred). I am of sound mind. I hereby certify that the 1354
statements contained herein are true and correct to the best 1355
of my knowledge and belief. I understand that if I knowingly 1356

make any false statements herein I am subject to penalties 1357

prescribed by law. I authorize the sheriff or the sheriff's 1358

designee to inspect only those records or documents relevant 1359

to information required for this application. 1360

(4) The information contained in this application and all attached 1361

documents are true and correct to the best of my knowledge. 1362

..... 1363

Signature of Applicant" 1364

"Ohio Peace APPLICATION TO RENEW A LICENSE 1365

Officer TO CARRY A CONCEALED HANDGUN

Training

Commission

Please Type or Print in Ink 1366

SECTION I. 1367

This application will not be processed unless 1368

all applicable questions have been answered and

until all required supporting documents as

described in division (B) or (F) of section

2923.125 of the Ohio Revised Code and, unless

waived, a cashier's check, certified check, or

money order in the amount of the applicable

license fee or license renewal fee have been

submitted. FEES ARE NONREFUNDABLE.

SECTION II. 1369

Name: 1370

Last First Middle 1371

..... 1372

Social Security Number: 1373

Current Residence: 1374

Street City State County Zip 1375

..... 1376

Mailing Address (If Different From Above):	1377
Street City State Zip	1378
..... 	1379
Date of Birth Place of Birth Sex Race Residence	1380
...../...../..... (.....).....	1381
<u>Country of Citizenship (If Not a United States Citizen):</u>	1382
.....	1383
<u>Alien Registration Number (If Not a United States Citizen):</u>	1384
.....	1385
SECTION III. THE FOLLOWING QUESTIONS ARE TO BE ANSWERED YES OR NO	1386
(1)(a) Are you legally living in the United States?	.... YES NO 1387
(b) Have you been a resident of Ohio for at least forty five days and have you been a resident for thirty days of the county with whose sheriff you are filing this application or of a county adjacent to that county?	..... YES NO 1388
(2) Are you at least twenty-one years of age?	.... YES NO 1389
(3) Are you a fugitive from justice?	.... YES NO 1390
(4) Are you under indictment for a felony <u>crime punishable by imprisonment for a term exceeding one year</u> , or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code <u>or pursuant to a similar statute in another state</u> , have you ever been convicted of or pleaded guilty to a felony <u>crime punishable by imprisonment for a term</u>	.... YES NO 1391

exceeding one year, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code or pursuant to a similar statute in another state, have you ever been adjudicated a delinquent child for committing an act that would be a felony crime punishable by imprisonment for a term exceeding one year if committed by an adult?

(5) Are you under indictment for or otherwise charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been convicted of or pleaded guilty to, an offense under Chapter 2925., 3719., or 4729. of the Ohio Revised Code that involves the illegal possession, use, sale, administration, or distribution of or trafficking in a drug of abuse, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been adjudicated a delinquent child for committing an act that would be an offense of that nature if committed by an adult? YES NO 1392

~~(5) Are you under indictment for or otherwise charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been convicted of or pleaded guilty to, an offense under Chapter 2925., 3719., or 4729. of the Ohio Revised Code that involves the illegal possession, use, sale, administration, or distribution of or trafficking in a drug of abuse, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been adjudicated a delinquent child for committing an act that would be an offense of that nature if committed by an adult?~~

~~(6) Are you under indictment for or otherwise charged with, or, except for a conviction or~~ YES NO 1393

guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code or pursuant to a similar statute in another state, have you been convicted of or pleaded guilty to within three years of the date of this application, a misdemeanor that is an offense of violence or the offense of possessing a revoked or suspended concealed handgun license, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code or pursuant to a similar statute in another state, have you been adjudicated a delinquent child within three years of the date of this application for committing an act that would be a misdemeanor of that nature if committed by an adult?

(7)(6) Are you under indictment for or otherwise charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code or pursuant to a similar statute in another state, have you been convicted of or pleaded guilty to within ten years of the date of this application, resisting arrest, or, except for a delinquent child adjudication the records of which a

.... YES NO

1394

court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code or pursuant to a similar statute in another state, have you been adjudicated a delinquent child for committing, within ten years of the date of this application an act that if committed by an adult would be the offense of resisting arrest?

~~(8)~~(7)(a) Are you under indictment for or otherwise charged with assault or negligent assault? YES NO 1395

(b) Have you been convicted of, pleaded guilty to, or adjudicated a delinquent child two or more times for committing assault or negligent assault within five years of the date of this application? YES NO 1396

(c) Except for a conviction, guilty plea, or delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code or pursuant to a similar statute in another state, have you ever been convicted of, pleaded guilty to, or adjudicated a delinquent child for assaulting a peace officer? YES NO 1397

~~(9)~~(8)(a) Have you ever been adjudicated as a mental defective? YES NO 1398

(b) Have you ever been committed to a mental institution? YES NO 1399

~~(10)~~(9) Are you currently subject to a civil YES NO 1400

protection order, a temporary protection order, or a protection order issued by a court of another state that was issued after a hearing of which you received actual notice and at which you had an opportunity to participate and that restrains you from harassing, stalking, or threatening an intimate partner, a child of an intimate partner, or your own child, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the intimate partner or the child of the intimate partner and that includes a finding that you represent a credible threat to the physical safety of your intimate partner or child or by its terms includes an explicit prohibition against the use, attempted use, or threatened use of physical force against your intimate partner or a child of your intimate partner that would reasonably be expected to cause bodily injury?

~~(11)~~(10) Are you currently subject to a suspension imposed under division (A)(2) of section 2923.128 of the Revised Code or to a similar suspension imposed by a court in another state of a concealed handgun license that previously was issued to you? YES NO 1401

(11) Do you certify that you are not an unlawful user of or addicted to any controlled substance as defined in 21 U.S.C. 802? YES NO 1402

(12) If you are not a United States citizen and you are an alien, have you been admitted to the United States under a nonimmigrant

visa, as defined in the "Immigration and Nationality Act," 8 U.S.C. 1101(a)(26)?

(13) Have you been discharged from the armed forces of the United States under dishonorable conditions? YES NO 1404

(14) Do you certify that you have not renounced your United States citizenship? YES NO 1405

(15) Have you been convicted of, pleaded guilty to, or adjudicated a delinquent child for committing domestic violence? YES NO 1406

SECTION IV. YOU MUST COMPLETE THIS SECTION OF THE APPLICATION BY PROVIDING, TO THE BEST OF YOUR KNOWLEDGE, THE ADDRESS OF EACH PLACE OF RESIDENCE AT WHICH YOU RESIDED AT ANY TIME AFTER YOU LAST APPLIED FOR AN OHIO CONCEALED HANDGUN LICENSE THROUGH THE TIME YOU COMMENCED YOUR RESIDENCE AT THE LOCATION IDENTIFIED IN SECTION II OF THIS FORM, AND THE DATES OF RESIDENCE AT EACH OF THOSE ADDRESSES. IF YOU NEED MORE SPACE, COMPLETE AN ADDITIONAL SHEET WITH THE RELEVANT INFORMATION, ATTACH IT TO THE APPLICATION, AND NOTE THE ATTACHMENT AT THE END OF THIS SECTION.

Residence 1: 1416

Street City State County Zip 1417

..... 1418

Dates of residence at this address 1419

Residence 2: 1420

Street City State County Zip 1421

..... 1422

Dates of residence at this address 1423

Residence 3: 1424

Street City State County Zip 1425

..... 1426

Dates of residence at this address 1427

Residence 4: 1428

Street	City	State	County	Zip	1429
.....	.....	.....	.....	.....	1430
Dates of residence at this address					1431
SECTION V.					1432
YOU MUST COMPLETE THIS SECTION OF THE APPLICATION BY ANSWERING THE					1433
QUESTION POSED IN PART (1) AND, IF THE ANSWER TO THE QUESTION IS					1434
"YES," BY PROVIDING IN PART (2) THE INFORMATION SPECIFIED. IF YOU					1435
NEED MORE SPACE, COMPLETE AN ADDITIONAL SHEET WITH THE RELEVANT					1436
INFORMATION, ATTACH IT TO THE APPLICATION, AND NOTE THE ATTACHMENT					1437
AT THE END OF THIS SECTION.					1438
(1) Have you previously applied in any county YES NO					1439
in Ohio or in any other state for a concealed					
handgun license?					
(2) If your answer to the question in part (1) of this section of					1440
the application is "yes," you must complete this part by listing					1441
each county in Ohio, and each other state, in which you previously					1442
applied for a license and, to the best of your knowledge, the date					1443
on which you made the application.					1444
Previous application made in (insert name of Ohio					1445
county or other state) on (insert date of					1446
application.)					1447
Previous application made in (insert name of Ohio					1448
county or other state) on (insert date of					1449
application.)					1450
Previous application made in (insert name of Ohio					1451
county or other state) on (insert date of					1452
application.)					1453
Previous application made in (insert name of Ohio					1454
county or other state) on (insert date of					1455
application.)					1456
SECTION VI.					1457

AN APPLICANT WHO KNOWINGLY GIVES A FALSE ANSWER TO ANY QUESTION OR 1458
SUBMITS FALSE INFORMATION ON, OR A FALSE DOCUMENT WITH THE 1459
APPLICATION MAY BE PROSECUTED FOR FALSIFICATION TO OBTAIN A 1460
CONCEALED HANDGUN LICENSE, A FELONY OF THE FOURTH DEGREE, IN 1461
VIOLATION OF SECTION 2921.13 OF THE OHIO REVISED CODE. 1462

(1) I have read the pamphlet that explains the Ohio firearms laws, 1463
that provides instruction in dispute resolution and explains 1464
the Ohio laws related to that matter, and that provides 1465
information regarding all aspects of the use of deadly force 1466
with a firearm, and I am knowledgeable of the provisions of 1467
those laws and of the information on those matters. 1468

(2) I desire a legal means to carry a concealed handgun for 1469
defense of myself or a member of my family while engaged in 1470
lawful activity. 1471

(3) I have never been convicted of or pleaded guilty to a crime of 1472
violence in the state of Ohio or elsewhere (if you have been 1473
convicted of or pleaded guilty to such a crime, but the 1474
records of that conviction or guilty plea have been sealed or 1475
expunged by court order or a court has granted relief 1476
pursuant to section 2923.14 of the Revised Code or a similar 1477
statute in another state from the disability imposed pursuant 1478
to section 2923.13 of the Revised Code or from a disability 1479
imposed by a court in another state relative to that 1480
conviction or guilty plea, you may treat the conviction or 1481
guilty plea for purposes of this paragraph as if it never had 1482
occurred). I am of sound mind. I hereby certify that the 1483
statements contained herein are true and correct to the best 1484
of my knowledge and belief. I understand that if I knowingly 1485
make any false statements herein I am subject to penalties 1486
prescribed by law. I authorize the sheriff or the sheriff's 1487
designee to inspect only those records or documents relevant 1488
to information required for this application. 1489

(4) The information contained in this application and all attached documents are true and correct to the best of my knowledge.
.....
Signature of Applicant"

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

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

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

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

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

(B)(1) A person seeking a concealed handgun license on a temporary emergency basis shall submit to the sheriff of the county in which the person resides or in the case of a person who usually resides in another state, to the sheriff of the county in which the person is temporarily staying all of the following:

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

(b) A sworn affidavit that contains all of the information 1520
required to be on the license and attesting that the person is 1521
legally living in the United States; is at least twenty-one years 1522
of age; is not a fugitive from justice; is not under indictment 1523
for or otherwise charged with an offense identified in division 1524
(D)(1)(d) of section 2923.125 of the Revised Code; has not been 1525
convicted of or pleaded guilty to an offense, and has not been 1526
adjudicated a delinquent child for committing an act, identified 1527
in division (D)(1)(e) of that section and to which division (B)(3) 1528
of this section does not apply; within three years of the date of 1529
the submission, has not been convicted of or pleaded guilty to an 1530
offense, and has not been adjudicated a delinquent child for 1531
committing an act, identified in division (D)(1)(f) of that 1532
section and to which division (B)(3) of this section does not 1533
apply; within five years of the date of the submission, has not 1534
been convicted of, pleaded guilty, or adjudicated a delinquent 1535
child for committing two or more violations identified in division 1536
(D)(1)(g) of that section; within ten years of the date of the 1537
submission, has not been convicted of, pleaded guilty, or 1538
adjudicated a delinquent child for committing a violation 1539
identified in division (D)(1)(h) of that section and to which 1540
division (B)(3) of this section does not apply; has not been 1541
adjudicated as a mental defective, has not been committed to any 1542
mental institution, is not under adjudication of mental 1543
incompetence, has not been found by a court to be a mentally ill 1544
person subject to hospitalization by court order, and is not an 1545
involuntary patient other than one who is a patient only for 1546
purposes of observation, as described in division (D)(1)(i) of 1547
that section; is not currently subject to a civil protection 1548
order, a temporary protection order, or a protection order issued 1549
by a court of another state, as described in division (D)(1)(j) of 1550
that section; ~~and~~ is not currently subject to a suspension imposed 1551
under division (A)(2) of section 2923.128 of the Revised Code of a 1552

concealed handgun license that previously was issued to the person 1553
or a similar suspension imposed by another state regarding a 1554
concealed handgun license issued by that state; is not an unlawful 1555
user of or addicted to any controlled substance as defined in 21 1556
U.S.C. 802; is an alien and has not been admitted to the United 1557
States under a nonimmigrant visa, as defined in the "Immigration 1558
and Nationality Act," 8 U.S.C. 1101(a)(26); has not been 1559
discharged from the armed forces of the United States under 1560
dishonorable conditions; has not renounced the applicant's United 1561
States citizenship; and has not been convicted of, pleaded guilty 1562
to, or been adjudicated a delinquent child for committing a 1563
violation identified in division (D)(1)(r) of section 2923.125 of 1564
the Revised Code; 1565

(c) A nonrefundable temporary emergency license fee as 1566
described in either of the following: 1567

(i) For an applicant who has been a resident of this state 1568
for five or more years, a fee of fifteen dollars plus the actual 1569
cost of having a background check performed by the bureau of 1570
criminal identification and investigation pursuant to section 1571
311.41 of the Revised Code; 1572

(ii) For an applicant who has been a resident of this state 1573
for less than five years or who is not a resident of this state, a 1574
fee of fifteen dollars plus the actual cost of having background 1575
checks performed by the federal bureau of investigation and the 1576
bureau of criminal identification and investigation pursuant to 1577
section 311.41 of the Revised Code. 1578

(d) A set of fingerprints of the applicant provided as 1579
described in section 311.41 of the Revised Code through use of an 1580
electronic fingerprint reading device or, if the sheriff to whom 1581
the application is submitted does not possess and does not have 1582
ready access to the use of an electronic fingerprint reading 1583
device, on a standard impression sheet prescribed pursuant to 1584

division (C)(2) of section 109.572 of the Revised Code. If the 1585
fingerprints are provided on a standard impression sheet, the 1586
person also shall provide the person's social security number to 1587
the sheriff. 1588

(2) A sheriff shall accept the evidence of imminent danger, 1589
the sworn affidavit, the fee, and the set of fingerprints required 1590
under division (B)(1) of this section at the times and in the 1591
manners described in division (I) of this section. Upon receipt of 1592
the evidence of imminent danger, the sworn affidavit, the fee, and 1593
the set of fingerprints required under division (B)(1) of this 1594
section, the sheriff, in the manner specified in section 311.41 of 1595
the Revised Code, immediately shall conduct or cause to be 1596
conducted the criminal records check and the incompetency records 1597
check described in section 311.41 of the Revised Code. Immediately 1598
upon receipt of the results of the records checks, the sheriff 1599
shall review the information and shall determine whether the 1600
criteria set forth in divisions (D)(1)(a) to (j) and (m) to (r) of 1601
section 2923.125 of the Revised Code apply regarding the person. 1602
If the sheriff determines that all of criteria set forth in 1603
divisions (D)(1)(a) to (j) and (m) to (r) of section 2923.125 of 1604
the Revised Code apply regarding the person, the sheriff shall 1605
immediately make available through the law enforcement automated 1606
data system all information that will be contained on the 1607
temporary emergency license for the person if one is issued, and 1608
the superintendent of the state highway patrol shall ensure that 1609
the system is so configured as to permit the transmission through 1610
the system of that information. Upon making that information 1611
available through the law enforcement automated data system, the 1612
sheriff shall immediately issue to the person a concealed handgun 1613
license on a temporary emergency basis. 1614

If the sheriff denies the issuance of a license on a 1615
temporary emergency basis to the person, the sheriff shall specify 1616

the grounds for the denial in a written notice to the person. The 1617
person may appeal the denial, or challenge criminal records check 1618
results that were the basis of the denial if applicable, in the 1619
same manners specified in division (D)(2) of section 2923.125 and 1620
in section 2923.127 of the Revised Code, regarding the denial of 1621
an application for a concealed handgun license under that section. 1622

The license on a temporary emergency basis issued under this 1623
division shall be in the form, and shall include all of the 1624
information, described in divisions (A)(2) and (5) of section 1625
109.731 of the Revised Code, and also shall include a unique 1626
combination of identifying letters and numbers in accordance with 1627
division (A)(4) of that section. 1628

The license on a temporary emergency basis issued under this 1629
division is valid for ninety days and may not be renewed. A person 1630
who has been issued a license on a temporary emergency basis under 1631
this division shall not be issued another license on a temporary 1632
emergency basis unless at least four years has expired since the 1633
issuance of the prior license on a temporary emergency basis. 1634

(3) If a person seeking a concealed handgun license on a 1635
temporary emergency basis has been convicted of or pleaded guilty 1636
to an offense identified in division (D)(1)(e), (f), or (h) of 1637
section 2923.125 of the Revised Code or has been adjudicated a 1638
delinquent child for committing an act or violation identified in 1639
any of those divisions, and if a court has ordered the sealing or 1640
expungement of the records of that conviction, guilty plea, or 1641
adjudication pursuant to sections 2151.355 to 2151.358 or sections 1642
2953.31 to 2953.36 of the Revised Code or a court in another state 1643
has ordered the sealing or expungement of the records of that 1644
conviction, guilty plea, or adjudication of a similar violation in 1645
another state pursuant to the laws of that state or a court has 1646
granted the applicant relief pursuant to section 2923.14 of the 1647
Revised Code or pursuant to a similar statute in another state 1648

from the disability imposed pursuant to section 2923.13 of the Revised Code or from a disability imposed by a court in another state relative to that conviction, guilty plea, or adjudication, the conviction, guilty plea, or adjudication shall not be relevant for purposes of the sworn affidavit described in division (B)(1)(b) of this section, and the person may complete, and swear to the truth of, the affidavit as if the conviction, guilty plea, or adjudication never had occurred.

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

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

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

in that section. 1681

(D) A sheriff who issues a concealed handgun license on a 1682
temporary emergency basis under this section shall not require a 1683
person seeking to carry a concealed handgun in accordance with 1684
this section to submit a competency certificate as a prerequisite 1685
for issuing the license and shall comply with division (H) of 1686
section 2923.125 of the Revised Code in regards to the license. 1687
The sheriff shall suspend or revoke the license in accordance with 1688
section 2923.128 of the Revised Code. In addition to the 1689
suspension or revocation procedures set forth in section 2923.128 1690
of the Revised Code, the sheriff may revoke the license upon 1691
receiving information, verifiable by public documents, that the 1692
person is not eligible to possess a firearm under either the laws 1693
of this state or of the United States or that the person committed 1694
perjury in obtaining the license; if the sheriff revokes a license 1695
under this additional authority, the sheriff shall notify the 1696
person, by certified mail, return receipt requested, at the 1697
person's last known residence address that the license has been 1698
revoked and that the person is required to surrender the license 1699
at the sheriff's office within ten days of the date on which the 1700
notice was mailed. Division (H) of section 2923.125 of the Revised 1701
Code applies regarding any suspension or revocation of a concealed 1702
handgun license on a temporary emergency basis. 1703

(E) A sheriff who issues a concealed handgun license on a 1704
temporary emergency basis under this section shall retain, for the 1705
entire period during which the license is in effect, the evidence 1706
of imminent danger that the person submitted to the sheriff and 1707
that was the basis for the license, or a copy of that evidence, as 1708
appropriate. 1709

(F) If a concealed handgun license on a temporary emergency 1710
basis issued under this section is lost or is destroyed, the 1711
licensee may obtain from the sheriff who issued that license a 1712

duplicate license upon the payment of a fee of fifteen dollars and 1713
the submission of an affidavit attesting to the loss or 1714
destruction of the license. The sheriff, in accordance with the 1715
procedures prescribed in section 109.731 of the Revised Code, 1716
shall place on the replacement license a combination of 1717
identifying numbers different from the combination on the license 1718
that is being replaced. 1719

(G) The Ohio peace officer training commission shall 1720
prescribe, and shall make available to sheriffs, a standard form 1721
to be used under division (B) of this section by a person who 1722
applies for a concealed handgun license on a temporary emergency 1723
basis on the basis of imminent danger of a type described in 1724
division (A)(1)(a) of this section. 1725

(H) A sheriff who receives any fees paid by a person under 1726
this section shall deposit all fees so paid into the sheriff's 1727
concealed handgun license issuance expense fund established under 1728
section 311.42 of the Revised Code. 1729

(I) A sheriff shall accept evidence of imminent danger, a 1730
sworn affidavit, the fee, and the set of fingerprints specified in 1731
division (B)(1) of this section at any time during normal business 1732
hours. In no case shall a sheriff require an appointment, or 1733
designate a specific period of time, for the submission or 1734
acceptance of evidence of imminent danger, a sworn affidavit, the 1735
fee, and the set of fingerprints specified in division (B)(1) of 1736
this section, or for the provision to any person of a standard 1737
form to be used for a person to apply for a concealed handgun 1738
license on a temporary emergency basis. 1739

Sec. 2923.13. (A) Unless relieved from disability as provided 1740
in section 2923.14 of the Revised Code, no person shall knowingly 1741
acquire, have, carry, or use any firearm or dangerous ordnance, if 1742
any of the following apply: 1743

- (1) The person is a fugitive from justice. 1744
- (2) The person is under indictment for or has been convicted 1745
of ~~any felony offense of violence~~ a crime punishable by 1746
imprisonment for a term exceeding one year or has been adjudicated 1747
a delinquent child for the commission of an offense that, if 1748
committed by an adult, would have been a ~~felony offense of~~ 1749
~~violence~~ a crime punishable by imprisonment for a term exceeding 1750
one year. 1751
- (3) ~~The person is under indictment for or has been convicted~~ 1752
~~of any felony offense involving the illegal possession, use, sale,~~ 1753
~~administration, distribution, or trafficking in any drug of abuse~~ 1754
~~or has been adjudicated a delinquent child for the commission of~~ 1755
~~an offense that, if committed by an adult, would have been a~~ 1756
~~felony offense involving the illegal possession, use, sale,~~ 1757
~~administration, distribution, or trafficking in any drug of abuse.~~ 1758
- ~~(4)~~ The person is drug dependent, in danger of drug 1759
dependence, or a chronic alcoholic. 1760
- ~~(5)~~(4) The person is under adjudication of mental 1761
incompetence, has been adjudicated as a mental defective, has been 1762
committed to a mental institution, has been found by a court to be 1763
a mentally ill person subject to hospitalization by court order, 1764
or is an involuntary patient other than one who is a patient only 1765
for purposes of observation. As used in this division, "mentally 1766
ill person subject to hospitalization by court order" and 1767
"patient" have the same meanings as in section 5122.01 of the 1768
Revised Code. 1769
- (5) It would be unlawful under 18 U.S.C. 922(q) or any other 1770
federal law for the person to possess a firearm or dangerous 1771
ordnance. 1772
- (B) Whoever violates this section is guilty of having weapons 1773
while under disability, a felony of the third degree. 1774

Sec. 2923.14. (A) Any person who is prohibited from 1775
acquiring, having, carrying, or using firearms may apply to the 1776
court of common pleas in the county in which the person resides 1777
for relief from such prohibition. 1778

(B) The application shall recite the following: 1779

(1) All indictments, convictions, or adjudications upon which 1780
the applicant's disability is based, the sentence imposed and 1781
served, and any release granted under a community control 1782
sanction, post-release control sanction, or parole, any partial or 1783
conditional pardon granted, or other disposition of each case, or, 1784
if the disability is based upon a factor other than an indictment, 1785
a conviction, or an adjudication, the factor upon which the 1786
disability is based and all details related to that factor; 1787

(2) Facts showing the applicant to be a fit subject for 1788
relief under this section. 1789

(C) A copy of the application shall be served on the county 1790
prosecutor. The county prosecutor shall cause the matter to be 1791
investigated and shall raise before the court any objections to 1792
granting relief that the investigation reveals. 1793

(D) Upon hearing, the court may grant the applicant relief 1794
pursuant to this section, if all of the following apply: 1795

(1) One of the following applies: 1796

(a) If the disability is based upon an indictment, a 1797
conviction, or an adjudication, the applicant has been fully 1798
discharged from imprisonment, community control, post-release 1799
control, and parole, or, if the applicant is under indictment, has 1800
been released on bail or recognizance. 1801

(b) If the disability is based upon a factor other than an 1802
indictment, a conviction, or an adjudication, that factor no 1803
longer is applicable to the applicant. 1804

(2) The applicant has led a law-abiding life since discharge 1805
or release, and appears likely to continue to do so. 1806

(3) The applicant is not otherwise prohibited by law from 1807
acquiring, having, or using firearms. 1808

(E) Costs of the proceeding shall be charged as in other 1809
civil cases, and taxed to the applicant. 1810

(F) Relief from disability granted pursuant to this section 1811
restores the applicant to all civil firearm rights to the full 1812
extent enjoyed by any citizen, and is subject to the following 1813
conditions: 1814

(1) Applies only with respect to indictments, convictions, or 1815
adjudications, or to the other factor, recited in the application 1816
as the basis for the applicant's disability; 1817

(2) Applies only with respect to firearms lawfully acquired, 1818
possessed, carried, or used by the applicant; 1819

(3) May be revoked by the court at any time for good cause 1820
shown and upon notice to the applicant; 1821

(4) Is automatically void upon commission by the applicant of 1822
any offense set forth in division (A)(2) ~~or (3)~~ of section 2923.13 1823
of the Revised Code, or upon the applicant's becoming one of the 1824
class of persons named in division (A)(1), ~~(4)(3)~~, or ~~(5)(4)~~ of 1825
that section. 1826

(G) As used in this section: 1827

(1) "Community control sanction" has the same meaning as in 1828
section 2929.01 of the Revised Code. 1829

(2) "Post-release control" and "post-release control 1830
sanction" have the same meanings as in section 2967.01 of the 1831
Revised Code. 1832

Section 2. That existing sections 109.69, 109.85, 109.86, 1833
311.41, 2901.09, 2917.11, 2917.31, 2923.11, 2923.125, 2923.1210, 1834

2923.1213, 2923.13, and 2923.14 of the Revised Code are hereby
repealed.

1835

1836