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Representative Johnson

**Cosponsors: Representatives Henne, Gonzales, Adams, J., Conditt,
Retherford, Maag, Hottinger, Terhar, Brenner, Beck, Lynch, Sprague, Becker,
Derickson, Wachtmann, Buchy, Perales, Amstutz, Blair, Boose, Burkley,
Dovilla, Green, Hall, Hayes, Hood, Landis, McClain, Rosenberger, Ruhl,
Sears, Smith, Young Speaker Batchelder**

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A B I L L

To amend sections 9.68, 109.69, 109.731, 109.85, 1
109.86, 311.41, 311.42, 2901.09, 2917.11, 2917.31, 2
2923.11, 2923.125, 2923.1213, 2923.13, and 2923.14 3
and to repeal sections 2923.1210 and 2923.22 of 4
the Revised Code to modify concealed handgun law; 5
to permit investigators employed by the Attorney 6
General to investigate Medicaid fraud to go armed 7
in the same manner as sheriffs and regularly 8
appointed police officers; to expand the locations 9
at which a person has no duty to retreat before 10
using force in self-defense; and to provide that 11
the exercise of a constitutional or statutory 12
right is not, in itself, the offense of disorderly 13
conduct or inducing panic and does not constitute 14
reasonable, articulable suspicion of criminal 15
activity. 16

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

Section 1. That sections 9.68, 109.69, 109.731, 109.85, 17
109.86, 311.41, 311.42, 2901.09, 2917.11, 2917.31, 2923.11, 18
2923.125, 2923.1213, 2923.13, and 2923.14 of the Revised Code be 19
amended to read as follows: 20

Sec. 9.68. (A) The individual right to keep and bear arms, 21
being a fundamental individual right that predates the United 22
States Constitution and Ohio Constitution, and being a 23
constitutionally protected right in every part of Ohio, the 24
general assembly finds the need to provide uniform laws throughout 25
the state regulating the ownership, possession, purchase, other 26
acquisition, transport, storage, carrying, sale, or other transfer 27
of firearms, their components, and their ammunition. Except as 28
specifically provided by the United States Constitution, Ohio 29
Constitution, state law, or federal law, a person, without further 30
license, permission, restriction, delay, or process, may own, 31
possess, purchase, sell, transfer, transport, store, or keep any 32
firearm, part of a firearm, its components, and its ammunition. 33

(B) If, in an action or proceeding, the validity of a 34
firearms ordinance, rule, or regulation is questioned under 35
division (A) of this section: 36

(1) Voluntary repeal of the ordinance, rule, or regulation 37
during the action or proceeding entitles the person, group, or 38
entity questioning the ordinance, rule, or regulation to judgement 39
in the person's, group's, or entity's favor, and the court shall 40
award to the person, group, or entity a civil forfeiture of one 41
hundred dollars for each day the challenged ordinance, rule, or 42
regulation remained in effect after the action or proceeding 43
commenced. 44

(2) In addition to any other relief provided, the court shall 45
award costs and reasonable attorney fees to any person, group, or 46

entity that prevails in a challenge to ~~an~~ a firearms ordinance, 47
rule, or regulation as being in conflict with ~~this section~~ Ohio 48
law. 49

(C) As used in this section: 50

(1) The possession, transporting, or carrying of firearms, 51
their components, or their ammunition include, but are not limited 52
to, the possession, transporting, or carrying, openly or concealed 53
on a person's person or concealed ready at hand, of firearms, 54
their components, or their ammunition. 55

(2) "Firearm" has the same meaning as in section 2923.11 of 56
the Revised Code. 57

(D) This section does not apply to either of the following: 58

(1) A zoning ordinance that regulates or prohibits the 59
commercial sale of firearms, firearm components, or ammunition for 60
firearms in areas zoned for residential or agricultural uses; 61

(2) A zoning ordinance that specifies the hours of operation 62
or the geographic areas where the commercial sale of firearms, 63
firearm components, or ammunition for firearms may occur, provided 64
that the zoning ordinance is consistent with zoning ordinances for 65
other retail establishments in the same geographic area and does 66
not result in a de facto prohibition of the commercial sale of 67
firearms, firearm components, or ammunition for firearms in areas 68
zoned for commercial, retail, or industrial uses. 69

Sec. 109.69. (A) The attorney general shall determine if 70
another state automatically, without written agreement, recognizes 71
a concealed handgun license issued under section 2923.125 or 72
2923.1213 of the Revised Code. If the attorney general determines 73
that another state automatically, without written agreement, 74
recognizes a concealed carry license issued under either of those 75
sections, all of the following apply: 76

(1) The attorney general shall publish that determination in the same manner that written agreements entered into under division (B)(1) or (2) of this section are published. 77
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(2) That determination shall have the same force and effect as a written agreement entered into under division (B)(1) or (2) of this section. 80
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(3) The concealed handgun license issued by the other state shall be accepted and is valid in this state in the same manner as if a written agreement between this state and the other state existed under division (B)(1) or (2) of this section. 83
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(B)(1) The attorney general shall negotiate and enter into a reciprocity agreement with any other license-issuing state under which a concealed handgun license that is issued by the other state is recognized in this state if the attorney general determines that both of the following apply: 87
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~~(a) The eligibility requirements imposed by that license-issuing state for that license are substantially comparable to the eligibility requirements for a concealed handgun license issued under section 2923.125 of the Revised Code.~~ 92
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~~(b) That the license-issuing state recognizes a concealed handgun license issued under section 2923.125 of the Revised Code and the license-issuing state requires a reciprocity agreement in order to recognize a license issued under section 2923.125 of the Revised Code.~~ 96
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(2) A reciprocity agreement entered into under division ~~(A)~~(B)(1) of this section also may provide for the recognition in this state of a concealed handgun license issued on a temporary or emergency basis by the other license-issuing state, ~~if the eligibility requirements imposed by that license-issuing state for the temporary or emergency license are substantially comparable to the eligibility requirements for a concealed handgun license~~ 101
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~~issued under section 2923.125 or 2923.1213 of the Revised Code and~~ 108
~~if that license-issuing state recognizes a concealed handgun~~ 109
~~license issued under section 2923.1213 of the Revised Code.~~ 110

~~(3) The attorney general shall not negotiate any agreement~~ 111
~~with any other license issuing state under which a concealed~~ 112
~~handgun license issued by the other state is recognized in this~~ 113
~~state other than as provided in divisions (A)(1) and (2) of this~~ 114
~~section.~~ 115

~~(B)~~(C) As used in this section: 116

(1) "Handgun" and "concealed handgun license" have the same 117
meanings as in section 2923.11 of the Revised Code. 118

(2) "License-issuing state" means a state other than this 119
state that, pursuant to law, provides for the issuance of a 120
license to carry a concealed handgun. 121

Sec. 109.731. (A)~~(1)~~ ~~The Ohio peace officer training~~ 122
~~commission~~ attorney general shall prescribe, and shall make 123
available to sheriffs, ~~all of the following:~~ 124

~~(1) An~~ an application form that is to be used under section 125
2923.125 of the Revised Code by a person who applies for a 126
concealed handgun license and an application form that is to be 127
used under section 2923.125 of the Revised Code by a person who 128
applies for the renewal of a license of that nature, ~~both of which~~ 129
~~shall conform substantially to the forms prescribed in section~~ 130
~~2923.1210 of the Revised Code;~~ 131

~~(2) A.~~ The attorney general shall design the form to enable 132
applicants to provide the information that is required by law to 133
be collected, and shall update the form as necessary. Burdens or 134
restrictions to obtaining a concealed handgun license that are not 135
expressly prescribed in law shall not be incorporated into the 136
form. 137

(2) The Ohio peace officer training commission shall 138
prescribe, and shall make available to sheriffs, a form for the 139
concealed handgun license that is to be issued by sheriffs to 140
persons who qualify for a concealed handgun license under section 141
2923.125 of the Revised Code and that conforms to the following 142
requirements: 143

(a) It has space for the licensee's full name, residence 144
address, and date of birth and for a color photograph of the 145
licensee. 146

(b) It has space for the date of issuance of the license, its 147
expiration date, its county of issuance, the name of the sheriff 148
who issues the license, and the unique combination of letters and 149
numbers that identify the county of issuance and the license given 150
to the licensee by the sheriff in accordance with division (A)(4) 151
of this section. 152

(c) It has space for the signature of the licensee and the 153
signature or a facsimile signature of the sheriff who issues the 154
license. 155

(d) It does not require the licensee to include serial 156
numbers of handguns, other identification related to handguns, or 157
similar data that is not pertinent or relevant to obtaining the 158
license and that could be used as a de facto means of registration 159
of handguns owned by the licensee. 160

(3) A series of three-letter county codes that identify each 161
county in this state; 162

(4) A procedure by which a sheriff shall give each concealed 163
handgun license, replacement concealed handgun license, or renewal 164
concealed handgun license and each concealed handgun license on a 165
temporary emergency basis or replacement license on a temporary 166
emergency basis the sheriff issues under section 2923.125 or 167
2923.1213 of the Revised Code a unique combination of letters and 168

numbers that identifies the county in which the license was issued 169
and that uses the county code and a unique number for each license 170
the sheriff of that county issues; 171

(5) A form for a concealed handgun license on a temporary 172
emergency basis that is to be issued by sheriffs to persons who 173
qualify for such a license under section 2923.1213 of the Revised 174
Code, which form shall conform to all the requirements set forth 175
in divisions (A)(2)(a) to (d) of this section and shall 176
additionally conspicuously specify that the license is issued on a 177
temporary emergency basis and the date of its issuance. 178

(B)(1) The Ohio peace officer training commission, in 179
consultation with the attorney general, shall prepare a pamphlet 180
that does all of the following, in everyday language: 181

(a) Explains the firearms laws of this state; 182

(b) Instructs the reader in dispute resolution and explains 183
the laws of this state related to that matter; 184

(c) Provides information to the reader regarding all aspects 185
of the use of deadly force with a firearm, including, but not 186
limited to, the steps that should be taken before contemplating 187
the use of, or using, deadly force with a firearm, possible 188
alternatives to using deadly force with a firearm, and the law 189
governing the use of deadly force with a firearm. 190

(2) The attorney general shall consult with and assist the 191
commission in the preparation of the pamphlet described in 192
division (B)(1) of this section and, as necessary, shall recommend 193
to the commission changes in the pamphlet to reflect changes in 194
the law that are relevant to it. The attorney general shall 195
publish the pamphlet on the web site of the attorney general and 196
shall provide the address of the web site to any person who 197
requests the pamphlet. 198

(C) The Ohio peace officer training commission shall maintain 199

statistics with respect to the issuance, renewal, suspension, 200
revocation, and denial of concealed handgun licenses under section 201
2923.125 of the Revised Code and the suspension of processing of 202
applications for those licenses, and with respect to the issuance, 203
suspension, revocation, and denial of concealed handgun licenses 204
on a temporary emergency basis under section 2923.1213 of the 205
Revised Code, as reported by the sheriffs pursuant to division (C) 206
of section 2923.129 of the Revised Code. Not later than the first 207
day of March in each year, the commission shall submit a 208
statistical report to the governor, the president of the senate, 209
and the speaker of the house of representatives indicating the 210
number of concealed handgun licenses that were issued, renewed, 211
suspended, revoked, and denied under section 2923.125 of the 212
Revised Code in the previous calendar year, the number of 213
applications for those licenses for which processing was suspended 214
in accordance with division (D)(3) of that section in the previous 215
calendar year, and the number of concealed handgun licenses on a 216
temporary emergency basis that were issued, suspended, revoked, or 217
denied under section 2923.1213 of the Revised Code in the previous 218
calendar year. Nothing in the statistics or the statistical report 219
shall identify, or enable the identification of, any individual 220
who was issued or denied a license, for whom a license was 221
renewed, whose license was suspended or revoked, or for whom 222
application processing was suspended. The statistics and the 223
statistical report are public records for the purpose of section 224
149.43 of the Revised Code. 225

(D) As used in this section, "concealed handgun license" and 226
"handgun" have the same meanings as in section 2923.11 of the 227
Revised Code. 228

Sec. 109.85. (A) Upon the written request of the governor, 229
the general assembly, the auditor of state, the medicaid director, 230
the director of health, or the director of budget and management, 231

or upon the attorney general's becoming aware of criminal or 232
improper activity related to Chapter 3721. of the Revised Code and 233
the medicaid program, the attorney general shall investigate any 234
criminal or civil violation of law related to Chapter 3721. of the 235
Revised Code or the medicaid program. 236

(B) When it appears to the attorney general, as a result of 237
an investigation under division (A) of this section, that there is 238
cause to prosecute for the commission of a crime or to pursue a 239
civil remedy, the attorney general may refer the evidence to the 240
prosecuting attorney having jurisdiction of the matter, or to a 241
regular grand jury drawn and impaneled pursuant to sections 242
2939.01 to 2939.24 of the Revised Code, or to a special grand jury 243
drawn and impaneled pursuant to section 2939.17 of the Revised 244
Code, or the attorney general may initiate and prosecute any 245
necessary criminal or civil actions in any court or tribunal of 246
competent jurisdiction in this state. When proceeding under this 247
section, the attorney general, and any assistant or special 248
counsel designated by the attorney general for that purpose, have 249
all rights, privileges, and powers of prosecuting attorneys. The 250
attorney general shall have exclusive supervision and control of 251
all investigations and prosecutions initiated by the attorney 252
general under this section. The forfeiture provisions of Chapter 253
2981. of the Revised Code apply in relation to any such criminal 254
action initiated and prosecuted by the attorney general. 255

(C) Nothing in this section shall prevent a county 256
prosecuting attorney from investigating and prosecuting criminal 257
activity related to Chapter 3721. of the Revised Code and the 258
medicaid program. The forfeiture provisions of Chapter 2981. of 259
the Revised Code apply in relation to any prosecution of criminal 260
activity related to the medicaid program undertaken by the 261
prosecuting attorney. 262

Investigators conducting an investigation pursuant to this 263

section may be authorized to go armed while conducting an 264
investigation under this section and if so authorized are exempt 265
from section 2923.12 of the Revised Code in the same manner as 266
sheriffs and regularly appointed police officers. 267

Sec. 109.86. (A) The attorney general shall investigate any 268
activity the attorney general has reasonable cause to believe is 269
in violation of section 2903.34 of the Revised Code. Upon written 270
request of the governor, the general assembly, the auditor of 271
state, or the director of health, job and family services, aging, 272
mental health and addiction services, or developmental 273
disabilities, the attorney general shall investigate any activity 274
these persons believe is in violation of section 2903.34 of the 275
Revised Code. If after an investigation the attorney general has 276
probable cause to prosecute for the commission of a crime, the 277
attorney general shall refer the evidence to the prosecuting 278
attorney, director of law, or other similar chief legal officer 279
having jurisdiction over the matter. If the prosecuting attorney 280
decides to present the evidence to a grand jury, the prosecuting 281
attorney shall notify the attorney general in writing of the 282
decision within thirty days after referral of the matter and shall 283
present the evidence prior to the discharge of the next regular 284
grand jury. If the director of law or other chief legal officer 285
decides to prosecute the case, the director or officer shall 286
notify the attorney general in writing of the decision within 287
thirty days and shall initiate prosecution within sixty days after 288
the matter was referred to the director or officer. 289

(B) If the prosecuting attorney, director of law, or other 290
chief legal officer fails to notify the attorney general or to 291
present evidence or initiate prosecution in accordance with 292
division (A) of this section, the attorney general may present the 293
evidence to a regular grand jury drawn and impaneled pursuant to 294
sections 2939.01 to 2939.24 of the Revised Code, or to a special 295

grand jury drawn and impaneled pursuant to section 2939.17 of the Revised Code, or the attorney general may initiate and prosecute any action in any court or tribunal of competent jurisdiction in this state. The attorney general, and any assistant or special counsel designated by the attorney general, have all the powers of a prosecuting attorney, director of law, or other chief legal officer when proceeding under this section. Nothing in this section shall limit or prevent a prosecuting attorney, director of law, or other chief legal officer from investigating and prosecuting criminal activity committed against a resident or patient of a care facility.

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

Sec. 311.41. (A)(1) Upon receipt of an application for a concealed handgun license under division (C) of section 2923.125 of the Revised Code, an application to renew a concealed handgun license under division (F) of that section, or an application for a concealed handgun license on a temporary emergency basis under section 2923.1213 of the Revised Code, the sheriff shall conduct a criminal records check and an incompetency check of the applicant to determine whether the applicant fails to meet the criteria described in division (D)(1) of section 2923.125 of the Revised Code. As part of any such criminal records check, the sheriff shall contact the national instant criminal background check system to verify that the applicant is eligible lawfully to receive or possess a firearm in the United States. The sheriff shall conduct the criminal records check and the incompetency records check required by this division through use of an electronic fingerprint reading device or, if the sheriff does not

possess and does not have ready access to the use of an electronic 328
fingerprint reading device, by requesting the bureau of criminal 329
identification and investigation to conduct the checks as 330
described in this division. 331

In order to conduct the criminal records check and the 332
incompetency records check, the sheriff shall obtain the 333
fingerprints of at least four fingers of the applicant by using an 334
electronic fingerprint reading device for the purpose of 335
conducting the criminal records check and the incompetency records 336
check or, if the sheriff does not possess and does not have ready 337
access to the use of an electronic fingerprint reading device, 338
shall obtain from the applicant a completed standard fingerprint 339
impression sheet prescribed pursuant to division (C)(2) of section 340
109.572 of the Revised Code. The fingerprints so obtained, along 341
with the applicant's social security number, shall be used to 342
conduct the criminal records check and the incompetency records 343
check. If the sheriff does not use an electronic fingerprint 344
reading device to obtain the fingerprints and conduct the records 345
checks, the sheriff shall submit the completed standard 346
fingerprint impression sheet of the applicant, along with the 347
applicant's social security number, to the superintendent of the 348
bureau of criminal identification and investigation and shall 349
request the bureau to conduct the criminal records check and the 350
incompetency records check of the applicant and, if necessary, 351
shall request the superintendent of the bureau to obtain 352
information from the federal bureau of investigation as part of 353
the criminal records check for the applicant. If it is not 354
possible to use an electronic fingerprint reading device to 355
conduct an incompetency records check, the sheriff shall submit 356
the completed standard fingerprint impression sheet of the 357
applicant, along with the applicant's social security number, to 358
the superintendent of the bureau of criminal identification and 359
investigation and shall request the bureau to conduct the 360

incompetency records check. The sheriff shall not retain the 361
applicant's fingerprints as part of the application. 362

(2) Except as otherwise provided in this division, if at any 363
time the applicant decides not to continue with the application 364
process, the sheriff immediately shall cease any investigation 365
that is being conducted under division (A)(1) of this section. The 366
sheriff shall not cease that investigation if, at the time of the 367
applicant's decision not to continue with the application process, 368
the sheriff had determined from any of the sheriff's 369
investigations that the applicant then was engaged in activity of 370
a criminal nature. 371

(B) If a criminal records check and an incompetency records 372
check conducted under division (A) of this section do not indicate 373
that the applicant fails to meet the criteria described in 374
division (D)(1) of section 2923.125 of the Revised Code, except as 375
otherwise provided in this division, the sheriff shall destroy or 376
cause a designated employee to destroy all records other than the 377
application for a concealed handgun license, the application to 378
renew a concealed handgun license, or the affidavit submitted 379
regarding an application for a concealed handgun license on a 380
temporary emergency basis that were made in connection with the 381
criminal records check and incompetency records check within 382
twenty days after conducting the criminal records check and 383
incompetency records check. If an applicant appeals a denial of an 384
application as described in division (D)(2) of section 2923.125 of 385
the Revised Code or challenges the results of a criminal records 386
check pursuant to section 2923.127 of the Revised Code, records of 387
fingerprints of the applicant shall not be destroyed during the 388
pendency of the appeal or the challenge and review. When an 389
applicant appeals a denial as described in that division, the 390
twenty-day period described in this division commences regarding 391
the fingerprints upon the determination of the appeal. When 392

required as a result of a challenge and review performed pursuant 393
to section 2923.127 of the Revised Code, the source the sheriff 394
used in conducting the criminal records check shall destroy or the 395
chief operating officer of the source shall cause an employee of 396
the source designated by the chief to destroy all records other 397
than the application for a concealed handgun license, the 398
application to renew a concealed handgun license, or the affidavit 399
submitted regarding an application for a concealed handgun license 400
on a temporary emergency basis that were made in connection with 401
the criminal records check within twenty days after completion of 402
that challenge and review. 403

(C) If division (B) of this section applies to a particular 404
criminal records check or incompetency records check, no sheriff, 405
employee of a sheriff designated by the sheriff to destroy records 406
under that division, source the sheriff used in conducting the 407
criminal records check or incompetency records check, or employee 408
of the source designated by the chief operating officer of the 409
source to destroy records under that division shall fail to 410
destroy or cause to be destroyed within the applicable twenty-day 411
period specified in that division all records other than the 412
application for a concealed handgun license, the application to 413
renew a concealed handgun license, or the affidavit submitted 414
regarding an application for a concealed handgun license on a 415
temporary emergency basis made in connection with the particular 416
criminal records check or incompetency records check. 417

(D) Whoever violates division (C) of this section is guilty 418
of failure to destroy records, a misdemeanor of the second degree. 419

(E) As used in this section, ~~"concealed:~~ 420

(1) "Concealed handgun license" and "handgun" have the same 421
meanings as in section 2923.11 of the Revised Code. 422

(2) "National instant criminal background check system" means 423

the system established by the United States attorney general 424
pursuant to section 103 of the "Brady Handgun Violence Prevention 425
Act," Pub. L. No. 103-159. 426

Sec. 311.42. (A) Each county shall establish in the county 427
treasury a sheriff's concealed handgun license issuance expense 428
fund. The sheriff of that county shall deposit into that fund all 429
fees paid by applicants for the issuance or renewal of a concealed 430
handgun license or duplicate concealed handgun license under 431
section 2923.125 of the Revised Code and all fees paid by the 432
person seeking a concealed handgun license on a temporary 433
emergency basis under section 2923.1213 of the Revised Code. The 434
county shall distribute all fees deposited into the fund except 435
forty dollars of each fee paid by an applicant under division (B) 436
of section 2923.125 of the Revised Code, fifteen dollars of each 437
fee paid under section 2923.1213 of the Revised Code, and 438
thirty-five dollars of each fee paid under division (F) of section 439
2923.125 of the Revised Code to the attorney general to be used to 440
pay the cost of background checks performed by the bureau of 441
criminal identification and investigation and the federal bureau 442
of investigation and to cover administrative costs associated with 443
issuing the license. 444

(B) The sheriff, with the approval of the board of county 445
commissioners, may expend any county portion of the fees deposited 446
into the sheriff's concealed handgun license issuance expense fund 447
for any costs incurred by the sheriff in connection with 448
performing; 449

(1) Performing any administrative functions related to the 450
issuance of concealed handgun licenses under section 2923.125 or 451
2923.1213 of the Revised Code, including, but not limited to, 452
personnel expenses and the costs of any handgun safety education 453
program that the sheriff chooses to fund. Additionally, the 454

sheriff, with the approval of the board of county commissioners, 455
may expend any county portion of the fees deposited into the 456
sheriff's concealed handgun license issuance expense fund for 457
costs of ammunition used in a course, class, or program 458
administered by the sheriff for a concealed handgun license; or 459

(2) Firearm training, education, or qualification programs. 460

A sheriff shall not expend fees for the purposes described in 461
division (B)(2) of this section if, within that sheriff's county, 462
both of the following conditions exist: 463

(a) A person must make an appointment with the sheriff's 464
office to submit an application for a concealed handgun license 465
under section 2923.125 of the Revised Code; and 466

(b) The sheriff's office does not typically have appointments 467
available within thirty days of the day the person requests an 468
appointment. 469

Sec. 2901.09. ~~(A) As used in this section, "residence" and~~ 470
~~"vehicle" have the same meanings as in section 2901.05 of the~~ 471
~~Revised Code.~~ 472

~~(B) For purposes of any section of the Revised Code that sets~~ 473
~~forth a criminal offense, a person who lawfully is in that~~ 474
~~person's residence has no duty to retreat before using force in~~ 475
~~self-defense, defense of another, or defense of that person's~~ 476
~~residence, and a person who lawfully is an occupant of that~~ 477
~~person's vehicle or who lawfully is an occupant in a vehicle owned~~ 478
~~by an immediate family member of the person has no duty to retreat~~ 479
~~before using force in self defense or defense of another if that~~ 480
~~person is in a place that the person lawfully has a right to be.~~ 481

Sec. 2917.11. (A) No person shall recklessly cause 482
inconvenience, annoyance, or alarm to another by doing any of the 483
following: 484

(1) Engaging in fighting, in threatening harm to persons or property, or in violent or turbulent behavior;	485 486
(2) Making unreasonable noise or an offensively coarse utterance, gesture, or display or communicating unwarranted and grossly abusive language to any person;	487 488 489
(3) Insulting, taunting, or challenging another, under circumstances in which that conduct is likely to provoke a violent response;	490 491 492
(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;	493 494 495 496 497
(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 of the offender.	498 499 500 501
(B) No person, while voluntarily intoxicated, shall do either of the following:	502 503
(1) In a public place or in the presence of two or more persons, engage in conduct likely to be offensive or to cause inconvenience, annoyance, or alarm to persons of ordinary sensibilities, which conduct the offender, if the offender were not intoxicated, should know is likely to have that effect on others;	504 505 506 507 508 509
(2) Engage in conduct or create a condition that presents a risk of physical harm to the offender or another, or to the property of another.	510 511 512
(C) Violation of any statute or ordinance of which an element is operating a motor vehicle, locomotive, watercraft, aircraft, or	513 514

other vehicle while under the influence of alcohol or any drug of 515
abuse, is not a violation of division (B) of this section. 516

(D) If a person appears to an ordinary observer to be 517
intoxicated, it is probable cause to believe that person is 518
voluntarily intoxicated for purposes of division (B) of this 519
section. 520

(E) The exercise of a constitutional or statutory right is 521
not, in itself, a violation of this section and does not 522
constitute reasonable, articulable suspicion of criminal activity. 523

(F)(1) Whoever violates this section is guilty of disorderly 524
conduct. 525

(2) Except as otherwise provided in division ~~(E)~~(F)(3) of 526
this section, disorderly conduct is a minor misdemeanor. 527

(3) Disorderly conduct is a misdemeanor of the fourth degree 528
if any of the following applies: 529

(a) The offender persists in disorderly conduct after 530
reasonable warning or request to desist. 531

(b) The offense is committed in the vicinity of a school or 532
in a school safety zone. 533

(c) The offense is committed in the presence of any law 534
enforcement officer, firefighter, rescuer, medical person, 535
emergency medical services person, or other authorized person who 536
is engaged in the person's duties at the scene of a fire, 537
accident, disaster, riot, or emergency of any kind. 538

(d) The offense is committed in the presence of any emergency 539
facility person who is engaged in the person's duties in an 540
emergency facility. 541

~~(F)~~(G) As used in this section: 542

(1) "Emergency medical services person" is the singular of 543
"emergency medical services personnel" as defined in section 544

2133.21 of the Revised Code. 545

(2) "Emergency facility person" is the singular of "emergency
facility personnel" as defined in section 2909.04 of the Revised
Code. 546
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548

(3) "Emergency facility" has the same meaning as in section
2909.04 of the Revised Code. 549
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(4) "Committed in the vicinity of a school" has the same
meaning as in section 2925.01 of the Revised Code. 551
552

Sec. 2917.31. (A) No person shall cause the evacuation of any
public place, or otherwise cause serious public inconvenience or
alarm, by doing any of the following: 553
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555

(1) Initiating or circulating a report or warning of an
alleged or impending fire, explosion, crime, or other catastrophe,
knowing that such report or warning is false; 556
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558

(2) Threatening to commit any offense of violence; 559

(3) Committing any offense, with reckless disregard of the
likelihood that its commission will cause serious public
inconvenience or alarm. 560
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(B)(1) Division (A)(1) of this section does not apply to any
person conducting an authorized fire or emergency drill. 563
564

(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. 565
566
567

(C)(1) Whoever violates this section is guilty of inducing
panic. 568
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(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. 570
571
572

(3) Except as otherwise provided in division (C)(4), (5), 573

(6), (7), or (8) of this section, if a violation of this section 574
results in physical harm to any person, inducing panic is a felony 575
of the fourth degree. 576

(4) Except as otherwise provided in division (C)(5), (6), 577
(7), or (8) of this section, if a violation of this section 578
results in economic harm, the penalty shall be determined as 579
follows: 580

(a) If the violation results in economic harm of one thousand 581
dollars or more but less than seven thousand five hundred dollars 582
and if division (C)(3) of this section does not apply, inducing 583
panic is a felony of the fifth degree. 584

(b) If the violation results in economic harm of seven 585
thousand five hundred dollars or more but less than one hundred 586
fifty thousand dollars, inducing panic is a felony of the fourth 587
degree. 588

(c) If the violation results in economic harm of one hundred 589
fifty thousand dollars or more, inducing panic is a felony of the 590
third degree. 591

(5) If the public place involved in a violation of division 592
(A)(1) of this section is a school or an institution of higher 593
education, inducing panic is a felony of the second degree. 594

(6) If the violation pertains to a purported, threatened, or 595
actual use of a weapon of mass destruction, and except as 596
otherwise provided in division (C)(5), (7), or (8) of this 597
section, inducing panic is a felony of the fourth degree. 598

(7) If the violation pertains to a purported, threatened, or 599
actual use of a weapon of mass destruction, and except as 600
otherwise provided in division (C)(5) of this section, if a 601
violation of this section results in physical harm to any person, 602
inducing panic is a felony of the third degree. 603

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

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

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

(E) As used in this section:

(1) "Economic harm" means any of the following:

(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:

(i) All wages, salaries, or other compensation lost as a result of the criminal conduct;

(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;

(iii) The overhead costs incurred for the time that a business is shut down as a result of the criminal conduct;

(iv) The loss of value to tangible or intangible property that was damaged as a result of the criminal conduct.

(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.

(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.

(3) "Weapon of mass destruction" means any of the following:

(a) Any weapon that is designed or intended to cause death or serious physical harm through the release, dissemination, or impact of toxic or poisonous chemicals, or their precursors;

(b) Any weapon involving a disease organism or biological agent;

(c) Any weapon that is designed to release radiation or radioactivity at a level dangerous to human life;

(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:

(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;

(ii) Any combination of parts either designed or intended for

use in converting any item or device into any item or device 664
described in division (E)(3)(d)(i) of this section and from which 665
an item or device described in that division may be readily 666
assembled. 667

(4) "Biological agent" has the same meaning as in section 668
2917.33 of the Revised Code. 669

(5) "Emergency medical services personnel" has the same 670
meaning as in section 2133.21 of the Revised Code. 671

(6) "Institution of higher education" means any of the 672
following: 673

(a) A state university or college as defined in division 674
(A)(1) of section 3345.12 of the Revised Code, community college, 675
state community college, university branch, or technical college; 676

(b) A private, nonprofit college, university or other 677
post-secondary institution located in this state that possesses a 678
certificate of authorization issued by the Ohio board of regents 679
pursuant to Chapter 1713. of the Revised Code; 680

(c) A post-secondary institution with a certificate of 681
registration issued by the state board of career colleges and 682
schools under Chapter 3332. of the Revised Code. 683

Sec. 2923.11. As used in sections 2923.11 to 2923.24 of the 684
Revised Code: 685

(A) "Deadly weapon" means any instrument, device, or thing 686
capable of inflicting death, and designed or specially adapted for 687
use as a weapon, or possessed, carried, or used as a weapon. 688

(B)(1) "Firearm" means any deadly weapon capable of expelling 689
or propelling one or more projectiles by the action of an 690
explosive or combustible propellant. "Firearm" includes an 691
unloaded firearm, and any firearm that is inoperable but that can 692
readily be rendered operable. 693

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

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

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

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

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

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

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

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

(1) Any firearm of crude and extemporized manufacture;

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

(3) Any industrial tool, signalling device, or safety device, 724
that is not designed as a firearm, but that as designed is capable 725
of use as such, when possessed, carried, or used as a firearm. 726

(H) "Explosive device" means any device designed or specially 727
adapted to cause physical harm to persons or property by means of 728
an explosion, and consisting of an explosive substance or agency 729
and a means to detonate it. "Explosive device" includes without 730
limitation any bomb, any explosive demolition device, any blasting 731
cap or detonator containing an explosive charge, and any pressure 732
vessel that has been knowingly tampered with or arranged so as to 733
explode. 734

(I) "Incendiary device" means any firebomb, and any device 735
designed or specially adapted to cause physical harm to persons or 736
property by means of fire, and consisting of an incendiary 737
substance or agency and a means to ignite it. 738

(J) "Ballistic knife" means a knife with a detachable blade 739
that is propelled by a spring-operated mechanism. 740

(K) "Dangerous ordnance" means any of the following, except 741
as provided in division (L) of this section: 742

(1) Any automatic or sawed-off firearm, zip-gun, or ballistic 743
knife; 744

(2) Any explosive device or incendiary device; 745

(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, 746
cyclonite, TNT, picric acid, and other high explosives; amatol, 747
tritonite, tetrytol, pentolite, pecretol, cyclitol, and other high 748
explosive compositions; plastic explosives; dynamite, blasting 749
gelatin, gelatin dynamite, sensitized ammonium nitrate, 750
liquid-oxygen blasting explosives, blasting powder, and other 751
blasting agents; and any other explosive substance having 752
sufficient brisance or power to be particularly suitable for use 753
as a military explosive, or for use in mining, quarrying, 754

excavating, or demolitions; 755

(4) Any firearm, rocket launcher, mortar, artillery piece, 756
grenade, mine, bomb, torpedo, or similar weapon, designed and 757
manufactured for military purposes, and the ammunition for that 758
weapon; 759

(5) Any firearm muffler or silencer; 760

(6) Any combination of parts that is intended by the owner 761
for use in converting any firearm or other device into a dangerous 762
ordnance. 763

(L) "Dangerous ordnance" does not include any of the 764
following: 765

(1) Any firearm, including a military weapon and the 766
ammunition for that weapon, and regardless of its actual age, that 767
employs a percussion cap or other obsolete ignition system, or 768
that is designed and safe for use only with black powder; 769

(2) Any pistol, rifle, or shotgun, designed or suitable for 770
sporting purposes, including a military weapon as issued or as 771
modified, and the ammunition for that weapon, unless the firearm 772
is an automatic or sawed-off firearm; 773

(3) Any cannon or other artillery piece that, regardless of 774
its actual age, is of a type in accepted use prior to 1887, has no 775
mechanical, hydraulic, pneumatic, or other system for absorbing 776
recoil and returning the tube into battery without displacing the 777
carriage, and is designed and safe for use only with black powder; 778

(4) Black powder, priming quills, and percussion caps 779
possessed and lawfully used to fire a cannon of a type defined in 780
division (L)(3) of this section during displays, celebrations, 781
organized matches or shoots, and target practice, and smokeless 782
and black powder, primers, and percussion caps possessed and 783
lawfully used as a propellant or ignition device in small-arms or 784

small-arms ammunition; 785

(5) Dangerous ordnance that is inoperable or inert and cannot 786
readily be rendered operable or activated, and that is kept as a 787
trophy, souvenir, curio, or museum piece. 788

(6) Any device that is expressly excepted from the definition 789
of a destructive device pursuant to the "Gun Control Act of 1968," 790
82 Stat. 1213, 18 U.S.C. 921(a)(4), as amended, and regulations 791
issued under that act. 792

(M) "Explosive" means any chemical compound, mixture, or 793
device, the primary or common purpose of which is to function by 794
explosion. "Explosive" includes all materials that have been 795
classified as division 1.1, division 1.2, division 1.3, or 796
division 1.4 explosives by the United States department of 797
transportation in its regulations and includes, but is not limited 798
to, dynamite, black powder, pellet powders, initiating explosives, 799
blasting caps, electric blasting caps, safety fuses, fuse 800
igniters, squibs, cordeau detonant fuses, instantaneous fuses, and 801
igniter cords and igniters. "Explosive" does not include 802
"fireworks," as defined in section 3743.01 of the Revised Code, or 803
any substance or material otherwise meeting the definition of 804
explosive set forth in this section that is manufactured, sold, 805
possessed, transported, stored, or used in any activity described 806
in section 3743.80 of the Revised Code, provided the activity is 807
conducted in accordance with all applicable laws, rules, and 808
regulations, including, but not limited to, the provisions of 809
section 3743.80 of the Revised Code and the rules of the fire 810
marshal adopted pursuant to section 3737.82 of the Revised Code. 811

(N)(1) "Concealed handgun license" or "license to carry a 812
concealed handgun" means, subject to division (N)(2) of this 813
section, a license or temporary emergency license to carry a 814
concealed handgun issued under section 2923.125 or 2923.1213 of 815
the Revised Code or a license to carry a concealed handgun issued 816

by another state with which the attorney general has entered into 817
a reciprocity agreement under section 109.69 of the Revised Code. 818

(2) A reference in any provision of the Revised Code to a 819
concealed handgun license issued under section 2923.125 of the 820
Revised Code or a license to carry a concealed handgun issued 821
under section 2923.125 of the Revised Code means only a license of 822
the type that is specified in that section. A reference in any 823
provision of the Revised Code to a concealed handgun license 824
issued under section 2923.1213 of the Revised Code, a license to 825
carry a concealed handgun issued under section 2923.1213 of the 826
Revised Code, or a license to carry a concealed handgun on a 827
temporary emergency basis means only a license of the type that is 828
specified in section 2923.1213 of the Revised Code. A reference in 829
any provision of the Revised Code to a concealed handgun license 830
issued by another state or a license to carry a concealed handgun 831
issued by another state means only a license issued by another 832
state with which the attorney general has entered into a 833
reciprocity agreement under section 109.69 of the Revised Code. 834

(O) "Valid concealed handgun license" or "valid license to 835
carry a concealed handgun" means a concealed handgun license that 836
is currently valid, that is not under a suspension under division 837
(A)(1) of section 2923.128 of the Revised Code, under section 838
2923.1213 of the Revised Code, or under a suspension provision of 839
the state other than this state in which the license was issued, 840
and that has not been revoked under division (B)(1) of section 841
2923.128 of the Revised Code, under section 2923.1213 of the 842
Revised Code, or under a revocation provision of the state other 843
than this state in which the license was issued. 844

(P) "Crime punishable by imprisonment for a term exceeding 845
one year" does not include any of the following: 846

(1) Any federal or state offense pertaining to antitrust 847
violations, unfair trade practices, restraints of trade, or other 848

similar offenses relating to the regulation of business practices; 849

(2) Any misdemeanor offense punishable by a term of imprisonment of two years or less. 850
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(O) "Intimate partner" means, with respect to a person, the spouse of the person, a former spouse of the person, an individual who is a parent of a child of the person, and an individual who cohabitates or has cohabited with the person. 852
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(R) "Alien registration number" means the number issued by the United States citizenship and immigration services agency that is located on the alien's permanent resident card and may also be commonly referred to as the "USCIS number" or the "alien number." 856
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Sec. 2923.125. ~~(A)~~ It is the intent of the general assembly that Ohio concealed handgun license law be compliant with the national instant criminal background check system, that the bureau of alcohol, tobacco, firearms and explosives is able to determine that Ohio law is compliant with the national instant criminal background check system, and that no person shall be eligible to receive a concealed handgun license permit under section 2923.125 or 2923.1213 of the Revised Code unless the person is eligible lawfully to receive or possess a firearm in the United States. 860
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(A) This section applies with respect to the application for and issuance by this state of concealed handgun licenses other than concealed handgun licenses on a temporary emergency basis that are issued under section 2923.1213 of the Revised Code. Upon the request of a person who wishes to obtain a concealed handgun license with respect to which this section applies or to renew a concealed handgun license with respect to which this section applies, a sheriff, as provided in division (I) of this section, shall provide to the person free of charge an application form and the web site address at which a printable version of the application form that can be downloaded and the pamphlet described 869
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in division (B) of section 109.731 of the Revised Code may be 880
found. A sheriff shall accept a completed application form and the 881
fee, items, materials, and information specified in divisions 882
(B)(1) to (5) of this section at the times and in the manners 883
described in division (I) of this section. 884

(B) An applicant for a concealed handgun license ~~with respect~~ 885
~~to which this section applies who is a resident of this state~~ 886
shall submit a completed application form and all of the following 887
to the sheriff of the county in which the applicant resides or to 888
the sheriff of any county adjacent to the county in which the 889
applicant resides. An applicant for a license who resides in 890
another state shall submit a completed application form and all of 891
the following, to the sheriff of the county in which the applicant 892
is employed or to the sheriff of any county adjacent to the county 893
in which the applicant is employed: 894

(1)(a) A nonrefundable license fee as described in either of 895
the following: 896

(i) For an applicant who has been a resident of this state 897
for five or more years, a fee of sixty-seven dollars; 898

(ii) For an applicant who has been a resident of this state 899
for less than five years or who is not a resident of this state, a 900
fee of sixty-seven dollars plus the actual cost of having a 901
background check performed by the federal bureau of investigation. 902

(b) No sheriff shall require an applicant to pay for the cost 903
of a background check performed by the bureau of criminal 904
identification and investigation. 905

(c) A sheriff shall waive the payment of the license fee 906
described in division (B)(1)(a) of this section in connection with 907
an initial or renewal application for a license that is submitted 908
by an applicant who is a retired peace officer, a retired person 909
described in division (B)(1)(b) of section 109.77 of the Revised 910

Code, or a retired federal law enforcement officer who, prior to 911
retirement, was authorized under federal law to carry a firearm in 912
the course of duty, unless the retired peace officer, person, or 913
federal law enforcement officer retired as the result of a mental 914
disability. 915

(d) The sheriff shall deposit all fees paid by an applicant 916
under division (B)(1)(a) of this section into the sheriff's 917
concealed handgun license issuance fund established pursuant to 918
section 311.42 of the Revised Code. The county shall distribute 919
the fees in accordance with section 311.42 of the Revised Code. 920

(2) A color photograph of the applicant that was taken within 921
thirty days prior to the date of the application; 922

(3) One or more of the following competency certifications, 923
each of which shall reflect that, regarding a certification 924
described in division (B)(3)(a), (b), (c), (e), or (f) of this 925
section, within the three years immediately preceding the 926
application the applicant has performed that to which the 927
competency certification relates and that, regarding a 928
certification described in division (B)(3)(d) of this section, the 929
applicant currently is an active or reserve member of the armed 930
forces of the United States or ~~within the six years immediately~~ 931
~~preceding the application the~~ is a former member of the armed 932
forces of the United States and has retired from the armed forces 933
or has received an honorable discharge ~~or retirement to which the~~ 934
~~competency certification relates occurred:~~ 935

(a) An original or photocopy of a certificate of completion 936
of a firearms safety, training, or requalification or firearms 937
safety instructor course, class, or program that was offered by or 938
under the auspices of the national rifle association and that 939
complies with the requirements set forth in division (G) of this 940
section; 941

(b) An original or photocopy of a certificate of completion 942
of a firearms safety, training, or requalification or firearms 943
safety instructor course, class, or program that satisfies all of 944
the following criteria: 945

(i) It was open to members of the general public. 946

(ii) It utilized qualified instructors who were certified by 947
the national rifle association, the executive director of the Ohio 948
peace officer training commission pursuant to section 109.75 or 949
109.78 of the Revised Code, or a governmental official or entity 950
of another state. 951

(iii) It was offered by or under the auspices of a law 952
enforcement agency of this or another state or the United States, 953
a public or private college, university, or other similar 954
postsecondary educational institution located in this or another 955
state, a firearms training school located in this or another 956
state, or another type of public or private entity or organization 957
located in this or another state. 958

(iv) It complies with the requirements set forth in division 959
(G) of this section. 960

(c) An original or photocopy of a certificate of completion 961
of a state, county, municipal, or department of natural resources 962
peace officer training school that is approved by the executive 963
director of the Ohio peace officer training commission pursuant to 964
section 109.75 of the Revised Code and that complies with the 965
requirements set forth in division (G) of this section, or the 966
applicant has satisfactorily completed and been issued a 967
certificate of completion of a basic firearms training program, a 968
firearms requalification training program, or another basic 969
training program described in section 109.78 or 109.801 of the 970
Revised Code that complies with the requirements set forth in 971
division (G) of this section; 972

(d) A document that evidences both of the following:	973
(i) That the applicant is an active or reserve member of the armed forces of the United States, was honorably discharged from military service in the active or reserve armed forces of the United States, is a retired trooper of the state highway patrol, or is a retired peace officer or federal law enforcement officer described in division (B)(1) of this section or a retired person described in division (B)(1)(b) of section 109.77 of the Revised Code and division (B)(1) of this section;	974 975 976 977 978 979 980 981
(ii) That, through participation in the military service or through the former employment described in division (B)(3)(d)(i) of this section, the applicant acquired experience with handling handguns or other firearms, and the experience so acquired was equivalent to training that the applicant could have acquired in a course, class, or program described in division (B)(3)(a), (b), or (c) of this section.	982 983 984 985 986 987 988
(e) A certificate or another similar document that evidences satisfactory completion of a firearms training, safety, or requalification or firearms safety instructor course, class, or program that is not otherwise described in division (B)(3)(a), (b), (c), or (d) of this section, that was conducted by an instructor who was certified by an official or entity of the government of this or another state or the United States or by the national rifle association, and that complies with the requirements set forth in division (G) of this section;	989 990 991 992 993 994 995 996 997
(f) An affidavit that attests to the applicant's satisfactory completion of a course, class, or program described in division (B)(3)(a), (b), (c), or (e) of this section and that is subscribed by the applicant's instructor or an authorized representative of the entity that offered the course, class, or program or under whose auspices the course, class, or program was offered;	998 999 1000 1001 1002 1003

(g) A document that evidences that the applicant has 1004
successfully completed either the Ohio peace officer training 1005
program described in section 109.79 of the Revised Code or the 1006
annual firearms requalification training program described in 1007
section 109.801 of the Revised Code. 1008

(4) A certification by the applicant that the applicant has 1009
read the pamphlet prepared by the Ohio peace officer training 1010
commission pursuant to section 109.731 of the Revised Code that 1011
reviews firearms, dispute resolution, and use of deadly force 1012
matters. 1013

(5) A set of fingerprints of the applicant provided as 1014
described in section 311.41 of the Revised Code through use of an 1015
electronic fingerprint reading device or, if the sheriff to whom 1016
the application is submitted does not possess and does not have 1017
ready access to the use of such a reading device, on a standard 1018
impression sheet prescribed pursuant to division (C)(2) of section 1019
109.572 of the Revised Code. 1020

(6) If the applicant is not a citizen or national of the 1021
United States, the name of the applicant's country of citizenship 1022
and the applicant's alien registration number issued by the United 1023
States citizenship and immigration services agency. 1024

(7) If the applicant resides in another state, adequate proof 1025
of employment in Ohio. 1026

(C) Upon receipt of the completed application form, 1027
supporting documentation, and, if not waived, license fee of an 1028
applicant under this section, a sheriff, in the manner specified 1029
in section 311.41 of the Revised Code, shall conduct or cause to 1030
be conducted the criminal records check and the incompetency 1031
records check described in section 311.41 of the Revised Code. 1032

(D)(1) Except as provided in division (D)(3) or (4) of this 1033
section, within forty-five days after a sheriff's receipt of an 1034

applicant's completed application form for a concealed handgun 1035
license under this section, the supporting documentation, and, if 1036
not waived, the license fee, the sheriff shall make available 1037
through the law enforcement automated data system in accordance 1038
with division (H) of this section the information described in 1039
that division and, upon making the information available through 1040
the system, shall issue to the applicant a concealed handgun 1041
license that shall expire as described in division (D)(2)(a) of 1042
this section if all of the following apply: 1043

(a) The applicant is legally living in the United States, ~~has~~ 1044
~~been a resident of this state for at least forty five days, and~~ 1045
~~has been a resident of the county in which the person seeks the~~ 1046
~~license or a county adjacent to the county in which the person~~ 1047
~~seeks the license for at least thirty days.~~ For purposes of 1048
division (D)(1)(a) of this section: 1049

~~(i) If, if~~ a person is absent from the United States, ~~from~~ 1050
~~this state, or from a particular county in this state in~~ 1051
compliance with military or naval orders as an active or reserve 1052
member of the armed forces of the United States and if prior to 1053
leaving ~~this state in compliance with those orders~~ the United 1054
States the person was legally living in the United States ~~and was~~ 1055
~~a resident of this state,~~ the person, solely by reason of that 1056
absence, shall not be considered to have lost the person's status 1057
as living in the United States ~~or the person's residence in this~~ 1058
~~state or in the county in which the person was a resident prior to~~ 1059
~~leaving this state in compliance with those orders, without regard~~ 1060
~~to whether or not the person intends to return to this state or to~~ 1061
~~that county, shall not be considered to have acquired a residence~~ 1062
~~in any other state, and shall not be considered to have become a~~ 1063
~~resident of any other state.~~ 1064

~~(ii) If a person is present in this state in compliance with~~ 1065
~~military or naval orders as an active or reserve member of the~~ 1066

~~armed forces of the United States for at least forty five days, 1067
the person shall be considered to have been a resident of this 1068
state for that period of at least forty five days, and, if a 1069
person is present in a county of this state in compliance with 1070
military or naval orders as an active or reserve member of the 1071
armed forces of the United States for at least thirty days, the 1072
person shall be considered to have been a resident of that county 1073
for that period of at least thirty days. 1074~~

(b) The applicant is at least twenty-one years of age. 1075

(c) The applicant is not a fugitive from justice. 1076

(d) The applicant is not under indictment for or otherwise 1077
charged with a felony; ~~an offense under Chapter 2925., 3719., or 1078
4729. of the Revised Code that involves the illegal possession, 1079
use, sale, administration, or distribution of or trafficking in a 1080
drug of abuse; crime punishable by imprisonment for a term 1081
exceeding one year, a fifth degree felony offense of violence, a 1082
fifth degree felony that involves the illegal possession, use, 1083
sale, administration, or distribution of or trafficking in a drug 1084
of abuse, a misdemeanor offense of violence, or a violation of 1085
section 2903.14 or 2923.1211 of the Revised Code or a similar 1086
violation in another state. 1087~~

(e) Except as otherwise provided in division (D)~~(5)~~(4) of 1088
this section, the applicant has not been convicted of or pleaded 1089
guilty to a felony ~~or an offense under Chapter 2925., 3719., or 1090
4729. of the Revised Code that involves the illegal possession, 1091
use, sale, administration, or distribution of or trafficking in a 1092
drug of abuse~~ crime punishable by imprisonment for a term 1093
exceeding one year, a fifth degree felony offense of violence or, 1094
within ten years before the date of application, a fifth degree 1095
felony that involves the illegal possession, use, sale, 1096
administration, or distribution of or trafficking in a drug of 1097
abuse; has not been adjudicated a delinquent child for committing 1098

an act that if committed by an adult would be a ~~felony or would be~~ 1099
~~an offense under Chapter 2925., 3719., or 4729. of the Revised~~ 1100
~~Code that involves the illegal possession, use, sale,~~ 1101
~~administration, or distribution of or trafficking in a drug of~~ 1102
~~abuse~~ a crime punishable by imprisonment for a term exceeding one 1103
year, a fifth degree felony offense of violence or, within ten 1104
years before the date of application, a fifth degree felony that 1105
involves the illegal possession, use, sale, administration, or 1106
distribution of or trafficking in a drug of abuse; and has not 1107
been convicted of, pleaded guilty to, or adjudicated a delinquent 1108
child for committing a violation of section 2903.13 of the Revised 1109
Code when the victim of the violation is a peace officer, 1110
regardless of whether the applicant was sentenced under division 1111
(C)(4) of that section, or a similar violation in another state. 1112

(f) Except as otherwise provided in division (D)~~(5)~~(4) of 1113
this section, the applicant, within three years of the date of the 1114
application, has not been convicted of or pleaded guilty to a 1115
misdemeanor offense of violence other than a misdemeanor violation 1116
of section 2921.33 of the Revised Code or a violation of section 1117
2903.13 of the Revised Code when the victim of the violation is a 1118
peace officer, or a misdemeanor violation of section 2923.1211 of 1119
the Revised Code or a similar violation in another state; and has 1120
not been adjudicated a delinquent child for committing an act that 1121
if committed by an adult would be a misdemeanor offense of 1122
violence other than a misdemeanor violation of section 2921.33 of 1123
the Revised Code or a violation of section 2903.13 of the Revised 1124
Code when the victim of the violation is a peace officer or for 1125
committing an act that if committed by an adult would be a 1126
misdemeanor violation of section 2923.1211 of the Revised Code or 1127
a similar violation in another state. 1128

(g) Except as otherwise provided in division (D)(1)(e) of 1129
this section, the applicant, within five years of the date of the 1130

application, has not been convicted of, pleaded guilty to, or 1131
adjudicated a delinquent child for committing two or more 1132
violations of section 2903.13 or 2903.14 of the Revised Code or a 1133
similar violation in another state. 1134

(h) Except as otherwise provided in division (D)~~(5)~~(4) of 1135
this section, the applicant, within ten years of the date of the 1136
application, has not been convicted of, pleaded guilty to, or 1137
adjudicated a delinquent child for committing a violation of 1138
section 2921.33 of the Revised Code or a similar violation in 1139
another state. 1140

(i) The applicant has not been adjudicated as a mental 1141
defective, has not been committed to any mental institution, is 1142
not under adjudication of mental incompetence, has not been found 1143
by a court to be a mentally ill person subject to hospitalization 1144
by court order, and is not an involuntary patient other than one 1145
who is a patient only for purposes of observation. As used in this 1146
division, "mentally ill person subject to hospitalization by court 1147
order" and "patient" have the same meanings as in section 5122.01 1148
of the Revised Code. 1149

(j) The applicant is not currently subject to a ~~civil~~ 1150
~~protection order, a temporary protection order, or a protection~~ 1151
~~order issued by a court of another state~~ order under which it is 1152
unlawful for the applicant to possess or purchase a firearm under 1153
the "Gun Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 922(q)(8). 1154

(k) The applicant certifies that the applicant desires a 1155
legal means to carry a concealed handgun for defense of the 1156
applicant or a member of the applicant's family while engaged in 1157
lawful activity. 1158

(l) The applicant submits a competency certification of the 1159
type described in division (B)(3) of this section and submits a 1160
certification of the type described in division (B)(4) of this 1161

section regarding the applicant's reading of the pamphlet prepared 1162
by the Ohio peace officer training commission pursuant to section 1163
109.731 of the Revised Code. 1164

(m) The applicant currently is not subject to a suspension 1165
imposed under division (A)(2) of section 2923.128 of the Revised 1166
Code of a concealed handgun license that previously was issued to 1167
the applicant under this section or section 2923.1213 of the 1168
Revised Code or a similar suspension imposed by another state 1169
regarding a concealed handgun license issued by that state. 1170

(n) The applicant certifies that the applicant is not an 1171
unlawful user of or addicted to any controlled substance as 1172
defined in 21 U.S.C. 802. 1173

(o) If the applicant is not a United States citizen, the 1174
applicant is an alien and has not been admitted to the United 1175
States under a nonimmigrant visa, as defined in the "Immigration 1176
and Nationality Act," 8 U.S.C. 1101(a)(26). 1177

(p) The applicant has not been discharged from the armed 1178
forces of the United States under dishonorable conditions. 1179

(q) The applicant certifies that the applicant has not 1180
renounced the applicant's United States citizenship. 1181

(r) The applicant has not been convicted of, pleaded guilty 1182
to, or adjudicated a delinquent child for committing a violation 1183
of section 2919.25 of the Revised Code or a similar violation in 1184
another state. 1185

(2)(a) A concealed handgun license that a sheriff issues 1186
under division (D)(1) of this section shall expire five years 1187
after the date of issuance. 1188

If a sheriff issues a license under this section, the sheriff 1189
shall place on the license a unique combination of letters and 1190
numbers identifying the license in accordance with the procedure 1191

prescribed by the Ohio peace officer training commission pursuant 1192
to section 109.731 of the Revised Code. 1193

(b) If a sheriff denies an application under this section 1194
because the applicant does not satisfy the criteria described in 1195
division (D)(1) of this section, the sheriff shall specify the 1196
grounds for the denial in a written notice to the applicant. The 1197
applicant may appeal the denial pursuant to section 119.12 of the 1198
Revised Code in the county served by the sheriff who denied the 1199
application. If the denial was as a result of the criminal records 1200
check conducted pursuant to section 311.41 of the Revised Code and 1201
if, pursuant to section 2923.127 of the Revised Code, the 1202
applicant challenges the criminal records check results using the 1203
appropriate challenge and review procedure specified in that 1204
section, the time for filing the appeal pursuant to section 119.12 1205
of the Revised Code and this division is tolled during the 1206
pendency of the request or the challenge and review. If the court 1207
in an appeal under section 119.12 of the Revised Code and this 1208
division enters a judgment sustaining the sheriff's refusal to 1209
grant to the applicant a concealed handgun license, the applicant 1210
may file a new application beginning one year after the judgment 1211
is entered. If the court enters a judgment in favor of the 1212
applicant, that judgment shall not restrict the authority of a 1213
sheriff to suspend or revoke the license pursuant to section 1214
2923.128 or 2923.1213 of the Revised Code or to refuse to renew 1215
the license for any proper cause that may occur after the date the 1216
judgment is entered. In the appeal, the court shall have full 1217
power to dispose of all costs. 1218

(3) If the sheriff with whom an application for a concealed 1219
handgun license was filed under this section becomes aware that 1220
the applicant has been arrested for or otherwise charged with an 1221
offense that would disqualify the applicant from holding the 1222
license, the sheriff shall suspend the processing of the 1223

application until the disposition of the case arising from the 1224
arrest or charge. 1225

~~(4) If the sheriff determines that the applicant is legally 1226
living in the United States and is a resident of the county in 1227
which the applicant seeks the license or of an adjacent county but 1228
does not yet meet the residency requirements described in division 1229
(D)(1)(a) of this section, the sheriff shall not deny the license 1230
because of the residency requirements but shall not issue the 1231
license until the applicant meets those residency requirements. 1232~~

(5) If an applicant has been convicted of or pleaded guilty 1233
to an offense identified in division (D)(1)(e), (f), or (h) of 1234
this section or has been adjudicated a delinquent child for 1235
committing an act or violation identified in any of those 1236
divisions, and if a court has ordered the sealing or expungement 1237
of the records of that conviction, guilty plea, or adjudication 1238
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 1239
2953.36, or section 2953.37 of the Revised Code or a court in 1240
another state has ordered the sealing or expungement of the 1241
records of the conviction, guilty plea, or adjudication of a 1242
similar violation in another state pursuant to the laws of that 1243
state or a court has granted the applicant relief pursuant to 1244
section 2923.14 of the Revised Code or a similar statute in 1245
another state from the disability imposed pursuant to section 1246
2923.13 of the Revised Code or a disability imposed by a court in 1247
another state relative to that conviction, guilty plea, or 1248
adjudication, the sheriff with whom the application was submitted 1249
shall not consider the conviction, guilty plea, or adjudication in 1250
making a determination under division (D)(1) or (F) of this 1251
section or, in relation to an application for a concealed handgun 1252
license on a temporary emergency basis submitted under section 1253
2923.1213 of the Revised Code, in making a determination under 1254
division (B)(2) of that section. 1255

(E) If a concealed handgun license issued under this section 1256
is lost or is destroyed, the licensee may obtain from the sheriff 1257
who issued that license a duplicate license upon the payment of a 1258
fee of fifteen dollars and the submission of an affidavit 1259
attesting to the loss or destruction of the license. The sheriff, 1260
in accordance with the procedures prescribed in section 109.731 of 1261
the Revised Code, shall place on the replacement license a 1262
combination of identifying numbers different from the combination 1263
on the license that is being replaced. 1264

(F)(1) A (a) Except as provided in division (F)(1)(b) of this 1265
section, a licensee who wishes to renew a concealed handgun 1266
license issued under this section shall do so not earlier than 1267
ninety days before the expiration date of the license or at any 1268
time after the expiration date of the license by filing with the 1269
sheriff of the county in which the applicant resides or is 1270
employed or with the sheriff of an adjacent county, an application 1271
for renewal of the license obtained pursuant to division (D) of 1272
this section, a certification by the applicant that, subsequent to 1273
the issuance of the license, the applicant has reread the pamphlet 1274
prepared by the Ohio peace officer training commission pursuant to 1275
section 109.731 of the Revised Code that reviews firearms, dispute 1276
resolution, and use of deadly force matters, and a nonrefundable 1277
license renewal fee in an amount determined pursuant to division 1278
(F)(4) of this section unless the fee is waived. 1279

(b) A person on active duty in the armed forces of the United 1280
States or in service with the peace corps, volunteers in service 1281
to America, or the foreign service of the United States is exempt 1282
from the license requirements of this section for the period of 1283
the person's active duty or service and for six months thereafter, 1284
provided the person was a licensee under this section at the time 1285
the person commenced the person's active duty or service or had 1286
obtained a license while on active duty or service. The spouse or 1287

a dependent of any such person on active duty or in service also 1288
is exempt from the license requirements of this section for the 1289
period of the person's active duty or service and for six months 1290
thereafter, provided the spouse or dependent was a licensee under 1291
this section at the time the person commenced the active duty or 1292
service or had obtained a license while the person was on active 1293
duty or service, and provided further that the person's active 1294
duty or service resulted in the spouse or dependent relocating 1295
outside of this state during the period of the active duty or 1296
service. This division does not prevent such a person or the 1297
person's spouse or dependent from making an application for the 1298
renewal of a concealed handgun license during the period of the 1299
person's active duty or service. 1300

(2) A sheriff shall accept a completed renewal application, 1301
the license renewal fee, and the information specified in division 1302
(F)(1) of this section at the times and in the manners described 1303
in division (I) of this section. Upon receipt of a completed 1304
renewal application, of certification that the applicant has 1305
reread the specified pamphlet prepared by the Ohio peace officer 1306
training commission, and of a license renewal fee unless the fee 1307
is waived, a sheriff, in the manner specified in section 311.41 of 1308
the Revised Code shall conduct or cause to be conducted the 1309
criminal records check and the incompetency records check 1310
described in section 311.41 of the Revised Code. The sheriff shall 1311
renew the license if the sheriff determines that the applicant 1312
continues to satisfy the requirements described in division (D)(1) 1313
of this section, except that the applicant is not required to meet 1314
the requirements of division (D)(1)(1) of this section. A renewed 1315
license shall expire five years after the date of issuance. A 1316
renewed license is subject to division (E) of this section and 1317
sections 2923.126 and 2923.128 of the Revised Code. A sheriff 1318
shall comply with divisions (D)(2) ~~to (4)~~ and (3) of this section 1319
when the circumstances described in those divisions apply to a 1320

requested license renewal. If a sheriff denies the renewal of a
concealed handgun license, the applicant may appeal the denial, or
challenge the criminal record check results that were the basis of
the denial if applicable, in the same manner as specified in
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 who resides in 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
but who is employed in this state, a fee of fifty dollars plus the
actual cost of having a background check performed by the federal

bureau of investigation. 1353

(G)(1) Each course, class, or program described in division 1354
(B)(3)(a), (b), (c), or (e) of this section shall provide to each 1355
person who takes the course, class, or program the web site 1356
address at which the pamphlet prepared by the Ohio peace officer 1357
training commission pursuant to section 109.731 of the Revised 1358
Code that reviews firearms, dispute resolution, and use of deadly 1359
force matters may be found. Each such course, class, or program 1360
described in one of those divisions shall include at least ~~twelve~~ 1361
four hours of training in the safe handling and use of a firearm 1362
that shall include training on all of the following matters: 1363

~~(a) At least ten hours of training on the following matters:~~ 1364

~~(i)~~ The ability to name, explain, and demonstrate the rules 1365
for safe handling of a handgun and proper storage practices for 1366
handguns and ammunition; 1367

~~(ii)(b)~~ The ability to demonstrate and explain how to handle 1368
ammunition in a safe manner; 1369

~~(iii)(c)~~ The ability to demonstrate the knowledge, skills, 1370
and attitude necessary to shoot a handgun in a safe manner; 1371

~~(iv)(d)~~ Gun handling training; 1372

~~(b) At least two hours of training;~~ 1373

(e) Training that consists of range time and live-fire 1374
training; 1375

(f) The locations where carrying a concealed handgun with a 1376
valid license are prohibited. 1377

(2) To satisfactorily complete the course, class, or program 1378
described in division (B)(3)(a), (b), (c), or (e) of this section, 1379
the applicant shall pass a competency examination that shall 1380
include both of the following: 1381

(a) A written section on the ability to name and explain the 1382

rules for the safe handling of a handgun and proper storage 1383
practices for handguns and ammunition; 1384

(b) A physical demonstration of competence in the use of a 1385
handgun and in the rules for safe handling and storage of a 1386
handgun and a physical demonstration of the attitude necessary to 1387
shoot a handgun in a safe manner. 1388

(3) The competency certification described in division 1389
(B)(3)(a), (b), (c), or (e) of this section shall be dated and 1390
shall attest that the course, class, or program the applicant 1391
successfully completed met the requirements described in division 1392
(G)(1) of this section and that the applicant passed the 1393
competency examination described in division (G)(2) of this 1394
section. 1395

(H) Upon deciding to issue a concealed handgun license, 1396
deciding to issue a replacement concealed handgun license, or 1397
deciding to renew a concealed handgun license pursuant to this 1398
section, and before actually issuing or renewing the license, the 1399
sheriff shall make available through the law enforcement automated 1400
data system all information contained on the license. If the 1401
license subsequently is suspended under division (A)(1) or (2) of 1402
section 2923.128 of the Revised Code, revoked pursuant to division 1403
(B)(1) of section 2923.128 of the Revised Code, or lost or 1404
destroyed, the sheriff also shall make available through the law 1405
enforcement automated data system a notation of that fact. The 1406
superintendent of the state highway patrol shall ensure that the 1407
law enforcement automated data system is so configured as to 1408
permit the transmission through the system of the information 1409
specified in this division. 1410

(I) A sheriff shall accept a completed application form or 1411
renewal application, and the fee, items, materials, and 1412
information specified in divisions (B)(1) to (5) or division (F) 1413
of this section, whichever is applicable, and shall provide an 1414

application form or renewal application to any person during at 1415
least fifteen hours a week and shall provide the web site address 1416
at which a printable version of the application form that can be 1417
downloaded and the pamphlet described in division (B) of section 1418
109.731 of the Revised Code may be found at any time, upon 1419
request. The sheriff shall post notice of the hours during which 1420
the sheriff is available to accept or provide the information 1421
described in this division. 1422

Sec. 2923.1213. (A) As used in this section: 1423

(1) "Evidence of imminent danger" means any of the following: 1424

(a) A statement sworn by the person seeking to carry a 1425
concealed handgun that is made under threat of perjury and that 1426
states that the person has reasonable cause to fear a criminal 1427
attack upon the person or a member of the person's family, such as 1428
would justify a prudent person in going armed; 1429

(b) A written document prepared by a governmental entity or 1430
public official describing the facts that give the person seeking 1431
to carry a concealed handgun reasonable cause to fear a criminal 1432
attack upon the person or a member of the person's family, such as 1433
would justify a prudent person in going armed. Written documents 1434
of this nature include, but are not limited to, any temporary 1435
protection order, civil protection order, protection order issued 1436
by another state, or other court order, any court report, and any 1437
report filed with or made by a law enforcement agency or 1438
prosecutor. 1439

(2) "Prosecutor" has the same meaning as in section 2935.01 1440
of the Revised Code. 1441

(B)(1) A person seeking a concealed handgun license on a 1442
temporary emergency basis shall submit to the sheriff of the 1443
county in which the person resides or in the case of a person who 1444

usually resides in another state, to the sheriff of the county in 1445
which the person is temporarily staying all of the following: 1446

(a) Evidence of imminent danger to the person or a member of 1447
the person's family; 1448

(b) A sworn affidavit that contains all of the information 1449
required to be on the license and attesting that the person is 1450
legally living in the United States; is at least twenty-one years 1451
of age; is not a fugitive from justice; is not under indictment 1452
for or otherwise charged with an offense identified in division 1453
(D)(1)(d) of section 2923.125 of the Revised Code; has not been 1454
convicted of or pleaded guilty to an offense, and has not been 1455
adjudicated a delinquent child for committing an act, identified 1456
in division (D)(1)(e) of that section and to which division (B)(3) 1457
of this section does not apply; within three years of the date of 1458
the submission, has not been convicted of or pleaded guilty to an 1459
offense, and has not been adjudicated a delinquent child for 1460
committing an act, identified in division (D)(1)(f) of that 1461
section and to which division (B)(3) of this section does not 1462
apply; within five years of the date of the submission, has not 1463
been convicted of, pleaded guilty, or adjudicated a delinquent 1464
child for committing two or more violations identified in division 1465
(D)(1)(g) of that section; within ten years of the date of the 1466
submission, has not been convicted of, pleaded guilty, or 1467
adjudicated a delinquent child for committing a violation 1468
identified in division (D)(1)(h) of that section and to which 1469
division (B)(3) of this section does not apply; has not been 1470
adjudicated as a mental defective, has not been committed to any 1471
mental institution, is not under adjudication of mental 1472
incompetence, has not been found by a court to be a mentally ill 1473
person subject to hospitalization by court order, and is not an 1474
involuntary patient other than one who is a patient only for 1475
purposes of observation, as described in division (D)(1)(i) of 1476

that section; is not currently subject to a civil protection 1477
order, a temporary protection order, or a protection order issued 1478
by a court of another state, as described in division (D)(1)(j) of 1479
that section; ~~and~~ is not currently subject to a suspension imposed 1480
under division (A)(2) of section 2923.128 of the Revised Code of a 1481
concealed handgun license that previously was issued to the person 1482
or a similar suspension imposed by another state regarding a 1483
concealed handgun license issued by that state; is not an unlawful 1484
user of or addicted to any controlled substance as defined in 21 1485
U.S.C. 802; is an alien and has not been admitted to the United 1486
States under a nonimmigrant visa, as defined in the "Immigration 1487
and Nationality Act," 8 U.S.C. 1101(a)(26); has not been 1488
discharged from the armed forces of the United States under 1489
dishonorable conditions; has not renounced the applicant's United 1490
States citizenship; and has not been convicted of, pleaded guilty 1491
to, or been adjudicated a delinquent child for committing a 1492
violation identified in division (D)(1)(r) of section 2923.125 of 1493
the Revised Code; 1494

(c) A nonrefundable temporary emergency license fee as 1495
described in either of the following: 1496

(i) For an applicant who has been a resident of this state 1497
for five or more years, a fee of fifteen dollars plus the actual 1498
cost of having a background check performed by the bureau of 1499
criminal identification and investigation pursuant to section 1500
311.41 of the Revised Code; 1501

(ii) For an applicant who has been a resident of this state 1502
for less than five years or who is not a resident of this state, a 1503
fee of fifteen dollars plus the actual cost of having background 1504
checks performed by the federal bureau of investigation and the 1505
bureau of criminal identification and investigation pursuant to 1506
section 311.41 of the Revised Code. 1507

(d) A set of fingerprints of the applicant provided as 1508

described in section 311.41 of the Revised Code through use of an 1509
electronic fingerprint reading device or, if the sheriff to whom 1510
the application is submitted does not possess and does not have 1511
ready access to the use of an electronic fingerprint reading 1512
device, on a standard impression sheet prescribed pursuant to 1513
division (C)(2) of section 109.572 of the Revised Code. If the 1514
fingerprints are provided on a standard impression sheet, the 1515
person also shall provide the person's social security number to 1516
the sheriff. 1517

(2) A sheriff shall accept the evidence of imminent danger, 1518
the sworn affidavit, the fee, and the set of fingerprints required 1519
under division (B)(1) of this section at the times and in the 1520
manners described in division (I) of this section. Upon receipt of 1521
the evidence of imminent danger, the sworn affidavit, the fee, and 1522
the set of fingerprints required under division (B)(1) of this 1523
section, the sheriff, in the manner specified in section 311.41 of 1524
the Revised Code, immediately shall conduct or cause to be 1525
conducted the criminal records check and the incompetency records 1526
check described in section 311.41 of the Revised Code. Immediately 1527
upon receipt of the results of the records checks, the sheriff 1528
shall review the information and shall determine whether the 1529
criteria set forth in divisions (D)(1)(a) to (j) and (m) to (r) of 1530
section 2923.125 of the Revised Code apply regarding the person. 1531
If the sheriff determines that all of criteria set forth in 1532
divisions (D)(1)(a) to (j) and (m) to (r) of section 2923.125 of 1533
the Revised Code apply regarding the person, the sheriff shall 1534
immediately make available through the law enforcement automated 1535
data system all information that will be contained on the 1536
temporary emergency license for the person if one is issued, and 1537
the superintendent of the state highway patrol shall ensure that 1538
the system is so configured as to permit the transmission through 1539
the system of that information. Upon making that information 1540
available through the law enforcement automated data system, the 1541

sheriff shall immediately issue to the person a concealed handgun license on a temporary emergency basis. 1542
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If the sheriff denies the issuance of a license on a temporary emergency basis to the person, the sheriff shall specify the grounds for the denial in a written notice to the person. The person may appeal the denial, or challenge criminal records check results that were the basis of the denial if applicable, in the same manners specified in division (D)(2) of section 2923.125 and in section 2923.127 of the Revised Code, regarding the denial of an application for a concealed handgun license under that section. 1544
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The license on a temporary emergency basis issued under this division shall be in the form, and shall include all of the information, described in divisions (A)(2) and (5) of section 109.731 of the Revised Code, and also shall include a unique combination of identifying letters and numbers in accordance with division (A)(4) of that section. 1552
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The license on a temporary emergency basis issued under this division is valid for ninety days and may not be renewed. A person who has been issued a license on a temporary emergency basis under this division shall not be issued another license on a temporary emergency basis unless at least four years has expired since the issuance of the prior license on a temporary emergency basis. 1558
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(3) If a person seeking a concealed handgun license on a temporary emergency basis has been convicted of or pleaded guilty to an offense identified in division (D)(1)(e), (f), or (h) of section 2923.125 of the Revised Code or has been adjudicated a delinquent child for committing an act or violation identified in any of those divisions, and if a court has ordered the sealing or expungement of the records of that conviction, guilty plea, or adjudication pursuant to sections 2151.355 to 2151.358 or sections 2953.31 to 2953.36 of the Revised Code or a court in another state has ordered the sealing or expungement of the records of that 1564
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conviction, guilty plea, or adjudication of a similar violation in 1574
another state pursuant to the laws of that state or a court has 1575
granted the applicant relief pursuant to section 2923.14 of the 1576
Revised Code or pursuant to a similar statute in another state 1577
from the disability imposed pursuant to section 2923.13 of the 1578
Revised Code or from a disability imposed by a court in another 1579
state relative to that conviction, guilty plea, or adjudication, 1580
the conviction, guilty plea, or adjudication shall not be relevant 1581
for purposes of the sworn affidavit described in division 1582
(B)(1)(b) of this section, and the person may complete, and swear 1583
to the truth of, the affidavit as if the conviction, guilty plea, 1584
or adjudication never had occurred. 1585

(4) The sheriff shall waive the payment pursuant to division 1586
(B)(1)(c) of this section of the license fee in connection with an 1587
application that is submitted by an applicant who is a retired 1588
peace officer, a retired person described in division (B)(1)(b) of 1589
section 109.77 of the Revised Code, or a retired federal law 1590
enforcement officer who, prior to retirement, was authorized under 1591
federal law to carry a firearm in the course of duty, unless the 1592
retired peace officer, person, or federal law enforcement officer 1593
retired as the result of a mental disability. 1594

The sheriff shall deposit all fees paid by an applicant under 1595
division (B)(1)(c) of this section into the sheriff's concealed 1596
handgun license issuance fund established pursuant to section 1597
311.42 of the Revised Code. 1598

(C) A person who holds a concealed handgun license on a 1599
temporary emergency basis has the same right to carry a concealed 1600
handgun as a person who was issued a concealed handgun license 1601
under section 2923.125 of the Revised Code, and any exceptions to 1602
the prohibitions contained in section 1547.69 and sections 2923.12 1603
to 2923.16 of the Revised Code for a licensee under section 1604
2923.125 of the Revised Code apply to a licensee under this 1605

section. The person is subject to the same restrictions, and to 1606
all other procedures, duties, and sanctions, that apply to a 1607
person who carries a license issued under section 2923.125 of the 1608
Revised Code, other than the license renewal procedures set forth 1609
in that section. 1610

(D) A sheriff who issues a concealed handgun license on a 1611
temporary emergency basis under this section shall not require a 1612
person seeking to carry a concealed handgun in accordance with 1613
this section to submit a competency certificate as a prerequisite 1614
for issuing the license and shall comply with division (H) of 1615
section 2923.125 of the Revised Code in regards to the license. 1616
The sheriff shall suspend or revoke the license in accordance with 1617
section 2923.128 of the Revised Code. In addition to the 1618
suspension or revocation procedures set forth in section 2923.128 1619
of the Revised Code, the sheriff may revoke the license upon 1620
receiving information, verifiable by public documents, that the 1621
person is not eligible to possess a firearm under either the laws 1622
of this state or of the United States or that the person committed 1623
perjury in obtaining the license; if the sheriff revokes a license 1624
under this additional authority, the sheriff shall notify the 1625
person, by certified mail, return receipt requested, at the 1626
person's last known residence address that the license has been 1627
revoked and that the person is required to surrender the license 1628
at the sheriff's office within ten days of the date on which the 1629
notice was mailed. Division (H) of section 2923.125 of the Revised 1630
Code applies regarding any suspension or revocation of a concealed 1631
handgun license on a temporary emergency basis. 1632

(E) A sheriff who issues a concealed handgun license on a 1633
temporary emergency basis under this section shall retain, for the 1634
entire period during which the license is in effect, the evidence 1635
of imminent danger that the person submitted to the sheriff and 1636
that was the basis for the license, or a copy of that evidence, as 1637

appropriate. 1638

(F) If a concealed handgun license on a temporary emergency 1639
basis issued under this section is lost or is destroyed, the 1640
licensee may obtain from the sheriff who issued that license a 1641
duplicate license upon the payment of a fee of fifteen dollars and 1642
the submission of an affidavit attesting to the loss or 1643
destruction of the license. The sheriff, in accordance with the 1644
procedures prescribed in section 109.731 of the Revised Code, 1645
shall place on the replacement license a combination of 1646
identifying numbers different from the combination on the license 1647
that is being replaced. 1648

(G) The Ohio peace officer training commission shall 1649
prescribe, and shall make available to sheriffs, a standard form 1650
to be used under division (B) of this section by a person who 1651
applies for a concealed handgun license on a temporary emergency 1652
basis on the basis of imminent danger of a type described in 1653
division (A)(1)(a) of this section. 1654

(H) A sheriff who receives any fees paid by a person under 1655
this section shall deposit all fees so paid into the sheriff's 1656
concealed handgun license issuance expense fund established under 1657
section 311.42 of the Revised Code. 1658

(I) A sheriff shall accept evidence of imminent danger, a 1659
sworn affidavit, the fee, and the set of fingerprints specified in 1660
division (B)(1) of this section at any time during normal business 1661
hours. In no case shall a sheriff require an appointment, or 1662
designate a specific period of time, for the submission or 1663
acceptance of evidence of imminent danger, a sworn affidavit, the 1664
fee, and the set of fingerprints specified in division (B)(1) of 1665
this section, or for the provision to any person of a standard 1666
form to be used for a person to apply for a concealed handgun 1667
license on a temporary emergency basis. 1668

Sec. 2923.13. (A) Unless relieved from disability as provided 1669
in section 2923.14 of the Revised Code, or if the indictment or 1670
conviction occurred in another state, a process similar thereto in 1671
that other state, no person shall knowingly acquire, have, carry, 1672
or use any firearm or dangerous ordnance, if any of the following 1673
apply: 1674

(1) The person is a fugitive from justice. 1675

(2) The person is under indictment for or has been convicted 1676
of any felony offense of violence or has been adjudicated a 1677
delinquent child for the commission of an offense that, if 1678
committed by an adult, would have been a felony offense of 1679
violence. 1680

~~(3) The person is under indictment for or has been convicted~~ 1681
~~of any felony offense involving the illegal possession, use, sale,~~ 1682
~~administration, distribution, or trafficking in any drug of abuse~~ 1683
~~or has been adjudicated a delinquent child for the commission of~~ 1684
~~an offense that, if committed by an adult, would have been a~~ 1685
~~felony offense involving the illegal possession, use, sale,~~ 1686
~~administration, distribution, or trafficking in any drug of abuse.~~ 1687

~~(4)~~ The person is drug dependent, in danger of drug 1688
dependence, or a chronic alcoholic. 1689

~~(5)~~(4) The person is under adjudication of mental 1690
incompetence, has been adjudicated as a mental defective, has been 1691
committed to a mental institution, has been found by a court to be 1692
a mentally ill person subject to hospitalization by court order, 1693
or is an involuntary patient other than one who is a patient only 1694
for purposes of observation. As used in this division, "mentally 1695
ill person subject to hospitalization by court order" and 1696
"patient" have the same meanings as in section 5122.01 of the 1697
Revised Code. 1698

(5) It would be unlawful under 18 U.S.C. 922(q) or any other 1699
federal law for the person to possess a firearm or dangerous 1700
ordnance. 1701

(B) Whoever violates this section is guilty of having weapons 1702
while under disability, a felony of the third degree. 1703

Sec. 2923.14. (A) Any person who is prohibited from 1704
acquiring, having, carrying, or using firearms may apply to the 1705
court of common pleas in the county in which the person resides 1706
for relief from such prohibition. 1707

(B) The application shall recite the following: 1708

(1) All indictments, convictions, or adjudications upon which 1709
the applicant's disability is based, the sentence imposed and 1710
served, and any release granted under a community control 1711
sanction, post-release control sanction, or parole, any partial or 1712
conditional pardon granted, or other disposition of each case, or, 1713
if the disability is based upon a factor other than an indictment, 1714
a conviction, or an adjudication, the factor upon which the 1715
disability is based and all details related to that factor; 1716

(2) Facts showing the applicant to be a fit subject for 1717
relief under this section. 1718

(C) A copy of the application shall be served on the county 1719
prosecutor. The county prosecutor shall cause the matter to be 1720
investigated and shall raise before the court any objections to 1721
granting relief that the investigation reveals. 1722

(D) Upon hearing, the court may grant the applicant relief 1723
pursuant to this section, if all of the following apply: 1724

(1) One of the following applies: 1725

(a) If the disability is based upon an indictment, a 1726
conviction, or an adjudication, the applicant has been fully 1727
discharged from imprisonment, community control, post-release 1728

control, and parole, or, if the applicant is under indictment, has 1729
been released on bail or recognizance. 1730

(b) If the disability is based upon a factor other than an 1731
indictment, a conviction, or an adjudication, that factor no 1732
longer is applicable to the applicant. 1733

(2) The applicant has led a law-abiding life since discharge 1734
or release, and appears likely to continue to do so. 1735

(3) The applicant is not otherwise prohibited by law from 1736
acquiring, having, or using firearms. 1737

(E) Costs of the proceeding shall be charged as in other 1738
civil cases, and taxed to the applicant. 1739

(F) Relief from disability granted pursuant to this section 1740
restores the applicant to all civil firearm rights to the full 1741
extent enjoyed by any citizen, and is subject to the following 1742
conditions: 1743

(1) Applies only with respect to indictments, convictions, or 1744
adjudications, or to the other factor, recited in the application 1745
as the basis for the applicant's disability; 1746

(2) Applies only with respect to firearms lawfully acquired, 1747
possessed, carried, or used by the applicant; 1748

(3) May be revoked by the court at any time for good cause 1749
shown and upon notice to the applicant; 1750

(4) Is automatically void upon commission by the applicant of 1751
any offense set forth in division (A)(2) ~~or (3)~~ of section 2923.13 1752
of the Revised Code, or upon the applicant's becoming one of the 1753
class of persons named in division (A)(1), ~~(4)(3)~~, or ~~(5)(4)~~ of 1754
that section. 1755

(G) As used in this section: 1756

(1) "Community control sanction" has the same meaning as in 1757
section 2929.01 of the Revised Code. 1758

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

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Section 2. That existing sections 9.68, 109.69, 109.731,
109.85, 109.86, 311.41, 311.42, 2901.09, 2917.11, 2917.31,
2923.11, 2923.125, 2923.1213, 2923.13, and 2923.14 and sections
2923.1210 and 2923.22 of the Revised Code are hereby repealed.

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