

As Introduced

**130th General Assembly
Regular Session
2013-2014**

H. B. No. 387

Representatives Hood, Lynch

**Cosponsors: Representatives Thompson, Adams, J., Brenner, Young,
Becker, Roegner, Maag, Retherford**

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A BILL

To amend sections 109.69, 109.731, 1547.69, 2923.11, 1
2923.12, 2923.121, 2923.122, 2923.123, 2923.124, 2
2923.125, 2923.126, 2923.128, 2923.129, 2923.1210, 3
2923.1213, 2923.16, and 4749.10, and to enact 4
section 2923.111 of the Revised Code to allow a 5
person who has a concealed handgun license to 6
carry concealed all firearms other than dangerous 7
ordnance or firearms that state or federal law 8
prohibits the person from possessing; to provide 9
that a person 21 years of age or older and not 10
legally prohibited from possessing or receiving a 11
firearm by federal law does not need a concealed 12
handgun license in order to carry or have 13
concealed on the person's person or ready at hand 14
a firearm and is subject to the same laws 15
regarding carrying a concealed firearm as a person 16
who has a concealed handgun license; and to amend 17
the versions of sections 2923.124 and 2923.126 of 18
the Revised Code that are scheduled to take effect 19
on January 1, 2014, to continue the provisions of 20
this act on and after that effective date. 21

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

Section 1. That sections 109.69, 109.731, 1547.69, 2923.11, 22
2923.12, 2923.121, 2923.122, 2923.123, 2923.124, 2923.125, 23
2923.126, 2923.128, 2923.129, 2923.1210, 2923.1213, 2923.16, and 24
4749.10 be amended and section 2923.111 of the Revised Code be 25
enacted to read as follows: 26

Sec. 109.69. (A)(1) The attorney general shall negotiate and 27
enter into a reciprocity agreement with any other license-issuing 28
state under which a concealed handgun license that is issued by 29
the other state is recognized in this state if the attorney 30
general determines that both of the following apply: 31

(a) The eligibility requirements imposed by that 32
license-issuing state for that license are substantially 33
comparable to the eligibility requirements for a concealed handgun 34
license issued under section 2923.125 of the Revised Code. 35

(b) That license-issuing state recognizes a concealed handgun 36
license issued under section 2923.125 of the Revised Code. 37

(2) A reciprocity agreement entered into under division 38
(A)(1) of this section also may provide for the recognition in 39
this state of a concealed handgun license issued on a temporary or 40
emergency basis by the other license-issuing state, if the 41
eligibility requirements imposed by that license-issuing state for 42
the temporary or emergency license are substantially comparable to 43
the eligibility requirements for a concealed handgun license 44
issued under section 2923.125 or 2923.1213 of the Revised Code and 45
if that license-issuing state recognizes a concealed handgun 46
license issued under section 2923.1213 of the Revised Code. 47

(3) The attorney general shall not negotiate any agreement 48
with any other license-issuing state under which a concealed 49

handgun license issued by the other state is recognized in this 50
state other than as provided in divisions (A)(1) and (2) of this 51
section. 52

(B) As used in this section: 53

(1) "Handgun," "firearm," and "concealed handgun license" 54
have the same meanings as in section 2923.11 of the Revised Code. 55

(2) "License-issuing state" means a state other than this 56
state that, pursuant to law, provides for the issuance of a 57
license to carry a concealed handgun or a license to carry a 58
concealed firearm. 59

Sec. 109.731. (A) The Ohio peace officer training commission 60
shall prescribe, and shall make available to sheriffs, all of the 61
following: 62

(1) An application form that is to be used under section 63
2923.125 of the Revised Code by a person who applies for a 64
concealed handgun license and an application form that is to be 65
used under section 2923.125 of the Revised Code by a person who 66
applies for the renewal of a license of that nature, both of which 67
shall conform substantially to the forms prescribed in section 68
2923.1210 of the Revised Code; 69

(2) A form for the concealed handgun license that is to be 70
issued by sheriffs to persons who qualify for a concealed handgun 71
license under section 2923.125 of the Revised Code and that 72
conforms to the following requirements: 73

(a) It has space for the licensee's full name, residence 74
address, and date of birth and for a color photograph of the 75
licensee. 76

(b) It has space for the date of issuance of the license, its 77
expiration date, its county of issuance, the name of the sheriff 78
who issues the license, and the unique combination of letters and 79

numbers that identify the county of issuance and the license given 80
to the licensee by the sheriff in accordance with division (A)(4) 81
of this section. 82

(c) It has space for the signature of the licensee and the 83
signature or a facsimile signature of the sheriff who issues the 84
license. 85

(d) It does not require the licensee to include serial 86
numbers of ~~handguns~~ firearms, other identification related to 87
~~handguns~~ firearms, or similar data that is not pertinent or 88
relevant to obtaining the license and that could be used as a de 89
facto means of registration of ~~handguns~~ firearms owned by the 90
licensee. 91

(3) A series of three-letter county codes that identify each 92
county in this state; 93

(4) A procedure by which a sheriff shall give each concealed 94
handgun license, replacement concealed handgun license, or renewal 95
concealed handgun license and each concealed handgun license on a 96
temporary emergency basis or replacement license on a temporary 97
emergency basis the sheriff issues under section 2923.125 or 98
2923.1213 of the Revised Code a unique combination of letters and 99
numbers that identifies the county in which the license was issued 100
and that uses the county code and a unique number for each license 101
the sheriff of that county issues; 102

(5) A form for a concealed handgun license on a temporary 103
emergency basis that is to be issued by sheriffs to persons who 104
qualify for such a license under section 2923.1213 of the Revised 105
Code, which form shall conform to all the requirements set forth 106
in divisions (A)(2)(a) to (d) of this section and shall 107
additionally conspicuously specify that the license is issued on a 108
temporary emergency basis and the date of its issuance. 109

(B)(1) The Ohio peace officer training commission, in 110

consultation with the attorney general, shall prepare a pamphlet 111
that does all of the following, in everyday language: 112

(a) Explains the firearms laws of this state; 113

(b) Instructs the reader in dispute resolution and explains 114
the laws of this state related to that matter; 115

(c) Provides information to the reader regarding all aspects 116
of the use of deadly force with a firearm, including, but not 117
limited to, the steps that should be taken before contemplating 118
the use of, or using, deadly force with a firearm, possible 119
alternatives to using deadly force with a firearm, and the law 120
governing the use of deadly force with a firearm. 121

(2) The attorney general shall consult with and assist the 122
commission in the preparation of the pamphlet described in 123
division (B)(1) of this section and, as necessary, shall recommend 124
to the commission changes in the pamphlet to reflect changes in 125
the law that are relevant to it. The attorney general shall 126
publish the pamphlet on the web site of the attorney general and 127
shall provide the address of the web site to any person who 128
requests the pamphlet. 129

(C) The Ohio peace officer training commission shall maintain 130
statistics with respect to the issuance, renewal, suspension, 131
revocation, and denial of concealed handgun licenses under section 132
2923.125 of the Revised Code and the suspension of processing of 133
applications for those licenses, and with respect to the issuance, 134
suspension, revocation, and denial of concealed handgun licenses 135
on a temporary emergency basis under section 2923.1213 of the 136
Revised Code, as reported by the sheriffs pursuant to division (C) 137
of section 2923.129 of the Revised Code. Not later than the first 138
day of March in each year, the commission shall submit a 139
statistical report to the governor, the president of the senate, 140
and the speaker of the house of representatives indicating the 141

number of concealed handgun licenses that were issued, renewed, 142
suspended, revoked, and denied under section 2923.125 of the 143
Revised Code in the previous calendar year, the number of 144
applications for those licenses for which processing was suspended 145
in accordance with division (D)(3) of that section in the previous 146
calendar year, and the number of concealed handgun licenses on a 147
temporary emergency basis that were issued, suspended, revoked, or 148
denied under section 2923.1213 of the Revised Code in the previous 149
calendar year. Nothing in the statistics or the statistical report 150
shall identify, or enable the identification of, any individual 151
who was issued or denied a license, for whom a license was 152
renewed, whose license was suspended or revoked, or for whom 153
application processing was suspended. The statistics and the 154
statistical report are public records for the purpose of section 155
149.43 of the Revised Code. 156

(D) As used in this section, "concealed handgun license," 157
"firearm," and "handgun" have the same meanings as in section 158
2923.11 of the Revised Code. 159

Sec. 1547.69. (A) As used in this section: 160

(1) "Firearm," "concealed handgun license," "handgun," 161
"restricted firearm," and "valid concealed handgun license" have 162
the same meanings as in section 2923.11 of the Revised Code. 163

(2) "Unloaded" has the same meanings as in divisions (K)(5) 164
and (6) of section 2923.16 of the Revised Code, except that all 165
references in the definition in division (K)(5) of that section to 166
"vehicle" shall be construed for purposes of this section to be 167
references to "vessel." 168

(B) No person shall knowingly discharge a firearm while in or 169
on a vessel. 170

(C) No person shall knowingly transport or have a loaded 171

firearm in a vessel in a manner that the firearm is accessible to 172
the operator or any passenger. 173

(D) No person shall knowingly transport or have a firearm in 174
a vessel unless it is unloaded and is carried in one of the 175
following ways: 176

(1) In a closed package, box, or case; 177

(2) In plain sight with the action opened or the weapon 178
stripped, or, if the firearm is of a type on which the action will 179
not stay open or that cannot easily be stripped, in plain sight. 180

(E)(1) The affirmative defenses authorized in divisions 181
(D)(1) and (2) of section 2923.12 of the Revised Code are 182
affirmative defenses to a charge under division (C) or (D) of this 183
section that involves a firearm other than a handgun if division 184
(H)(2) of this section does not apply to the person charged. It is 185
an affirmative defense to a charge under division (C) or (D) of 186
this section of transporting or having a firearm of any type, 187
including a handgun, in a vessel that the actor transported or had 188
the firearm in the vessel for any lawful purpose and while the 189
vessel was on the actor's own property, provided that this 190
affirmative defense is not available unless the actor, prior to 191
arriving at the vessel on the actor's own property, did not 192
transport or possess the firearm in the vessel or in a motor 193
vehicle in a manner prohibited by this section or division (B) or 194
(C) of section 2923.16 of the Revised Code while the vessel was 195
being operated on a waterway that was not on the actor's own 196
property or while the motor vehicle was being operated on a 197
street, highway, or other public or private property used by the 198
public for vehicular traffic. 199

(2) No person who is charged with a violation of division (C) 200
or (D) of this section shall be required to obtain a license or 201
temporary emergency license to carry a concealed handgun under 202

section 2923.125 or 2923.1213 of the Revised Code as a condition 203
for the dismissal of the charge. 204

(F) Divisions (B), (C), and (D) of this section do not apply 205
to the possession or discharge of a United States coast guard 206
approved signaling device required to be carried aboard a vessel 207
under section 1547.251 of the Revised Code when the signaling 208
device is possessed or used for the purpose of giving a visual 209
distress signal. No person shall knowingly transport or possess 210
any signaling device of that nature in or on a vessel in a loaded 211
condition at any time other than immediately prior to the 212
discharge of the signaling device for the purpose of giving a 213
visual distress signal. 214

(G) No person shall operate or permit to be operated any 215
vessel on the waters in this state in violation of this section. 216

(H)(1) This section does not apply to any of the following: 217

(a) An officer, agent, or employee of this or any other state 218
or of the United States, or to a law enforcement officer, when 219
authorized to carry or have loaded or accessible firearms in a 220
vessel and acting within the scope of the officer's, agent's, or 221
employee's duties; 222

(b) Any person who is employed in this state, who is 223
authorized to carry or have loaded or accessible firearms in a 224
vessel, and who is subject to and in compliance with the 225
requirements of section 109.801 of the Revised Code, unless the 226
appointing authority of the person has expressly specified that 227
the exemption provided in division (H)(1)(b) of this section does 228
not apply to the person; 229

(c) Any person legally engaged in hunting. 230

(2) Divisions (C) and (D) of this section do not apply to a 231
person who transports or possesses a ~~handgun~~ in a vessel a firearm 232
that is not a restricted firearm and who, at the time of that 233

transportation or possession, is carrying a valid concealed 234
handgun license or is deemed under division (C) of section 235
2923.111 of the Revised Code to have been issued a concealed 236
handgun license under section 2923.125 of the Revised Code, unless 237
the person at that time knowingly is in ~~a~~ an unauthorized place ~~on~~ 238
~~the vessel described~~ specified in division (B) of section 2923.126 239
of the Revised Code or knowingly is transporting or possessing the 240
firearm in any prohibited manner listed in that division. 241

(I) If a law enforcement officer stops a vessel for a 243
violation of this section or any other law enforcement purpose, if 244
any person on the vessel surrenders a firearm to the officer, 245
either voluntarily or pursuant to a request or demand of the 246
officer, and if the officer does not charge the person with a 247
violation of this section or arrest the person for any offense, 248
the person is not otherwise prohibited by law from possessing the 249
firearm, and the firearm is not contraband, the officer shall 250
return the firearm to the person at the termination of the stop. 251

(J) Division (L) of section 2923.16 of the Revised Code 252
applies with respect to division (A)(2) of this section, except 253
that all references in division (L) of section 2923.16 of the 254
Revised Code to "vehicle," to "this chapter," or to "division 255
(K)(5)(a) or (b) of this section" shall be construed for purposes 256
of this section to be, respectively, references to "vessel," to 257
"section 1547.69 of the Revised Code," and to divisions (K)(5)(a) 258
and (b) of section 2923.16 of the Revised Code as incorporated 259
under the definition of firearm adopted under division (A)(2) of 260
this section." 261

Sec. 2923.11. As used in sections 2923.11 to 2923.24 of the 262
Revised Code: 263

(A) "Deadly weapon" means any instrument, device, or thing 264

capable of inflicting death, and designed or specially adapted for 265
use as a weapon, or possessed, carried, or used as a weapon. 266

(B)(1) "Firearm" means any deadly weapon capable of expelling 267
or propelling one or more projectiles by the action of an 268
explosive or combustible propellant. "Firearm" includes an 269
unloaded firearm, and any firearm that is inoperable but that can 270
readily be rendered operable. 271

(2) When determining whether a firearm is capable of 272
expelling or propelling one or more projectiles by the action of 273
an explosive or combustible propellant, the trier of fact may rely 274
upon circumstantial evidence, including, but not limited to, the 275
representations and actions of the individual exercising control 276
over the firearm. 277

(C) "Handgun" means any of the following: 278

(1) Any firearm that has a short stock and is designed to be 279
held and fired by the use of a single hand; 280

(2) Any combination of parts from which a firearm of a type 281
described in division (C)(1) of this section can be assembled. 282

(D) "Semi-automatic firearm" means any firearm designed or 283
specially adapted to fire a single cartridge and automatically 284
chamber a succeeding cartridge ready to fire, with a single 285
function of the trigger. 286

(E) "Automatic firearm" means any firearm designed or 287
specially adapted to fire a succession of cartridges with a single 288
function of the trigger. "Automatic firearm" also means any 289
semi-automatic firearm designed or specially adapted to fire more 290
than thirty-one cartridges without reloading, other than a firearm 291
chambering only .22 caliber short, long, or long-rifle cartridges. 292

(F) "Sawed-off firearm" means a shotgun with a barrel less 293
than eighteen inches long, or a rifle with a barrel less than 294

sixteen inches long, or a shotgun or rifle less than twenty-six inches long overall.	295 296
(G) "Zip-gun" means any of the following:	297
(1) Any firearm of crude and extemporized manufacture;	298
(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;	299 300 301
(3) Any industrial tool, signalling device, or safety device, that is not designed as a firearm, but that as designed is capable of use as such, when possessed, carried, or used as a firearm.	302 303 304
(H) "Explosive device" means any device designed or specially adapted to cause physical harm to persons or property by means of an explosion, and consisting of an explosive substance or agency and a means to detonate it. "Explosive device" includes without limitation any bomb, any explosive demolition device, any blasting cap or detonator containing an explosive charge, and any pressure vessel that has been knowingly tampered with or arranged so as to explode.	305 306 307 308 309 310 311 312
(I) "Incendiary device" means any firebomb, and any device designed or specially adapted to cause physical harm to persons or property by means of fire, and consisting of an incendiary substance or agency and a means to ignite it.	313 314 315 316
(J) "Ballistic knife" means a knife with a detachable blade that is propelled by a spring-operated mechanism.	317 318
(K) "Dangerous ordnance" means any of the following, except as provided in division (L) of this section:	319 320
(1) Any automatic or sawed-off firearm, zip-gun, or ballistic knife;	321 322
(2) Any explosive device or incendiary device;	323
(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN,	324

cyclonite, TNT, picric acid, and other high explosives; amatol, 325
tritonol, tetrytol, pentolite, pecretol, cyclotol, and other high 326
explosive compositions; plastic explosives; dynamite, blasting 327
gelatin, gelatin dynamite, sensitized ammonium nitrate, 328
liquid-oxygen blasting explosives, blasting powder, and other 329
blasting agents; and any other explosive substance having 330
sufficient brisance or power to be particularly suitable for use 331
as a military explosive, or for use in mining, quarrying, 332
excavating, or demolitions; 333

(4) Any firearm, rocket launcher, mortar, artillery piece, 334
grenade, mine, bomb, torpedo, or similar weapon, designed and 335
manufactured for military purposes, and the ammunition for that 336
weapon; 337

(5) Any firearm muffler or silencer; 338

(6) Any combination of parts that is intended by the owner 339
for use in converting any firearm or other device into a dangerous 340
ordnance. 341

(L) "Dangerous ordnance" does not include any of the 342
following: 343

(1) Any firearm, including a military weapon and the 344
ammunition for that weapon, and regardless of its actual age, that 345
employs a percussion cap or other obsolete ignition system, or 346
that is designed and safe for use only with black powder; 347

(2) Any pistol, rifle, or shotgun, designed or suitable for 348
sporting purposes, including a military weapon as issued or as 349
modified, and the ammunition for that weapon, unless the firearm 350
is an automatic or sawed-off firearm; 351

(3) Any cannon or other artillery piece that, regardless of 352
its actual age, is of a type in accepted use prior to 1887, has no 353
mechanical, hydraulic, pneumatic, or other system for absorbing 354
recoil and returning the tube into battery without displacing the 355

carriage, and is designed and safe for use only with black powder; 356

(4) Black powder, priming quills, and percussion caps 357
possessed and lawfully used to fire a cannon of a type defined in 358
division (L)(3) of this section during displays, celebrations, 359
organized matches or shoots, and target practice, and smokeless 360
and black powder, primers, and percussion caps possessed and 361
lawfully used as a propellant or ignition device in small-arms or 362
small-arms ammunition; 363

(5) Dangerous ordnance that is inoperable or inert and cannot 364
readily be rendered operable or activated, and that is kept as a 365
trophy, souvenir, curio, or museum piece. 366

(6) Any device that is expressly excepted from the definition 367
of a destructive device pursuant to the "Gun Control Act of 1968," 368
82 Stat. 1213, 18 U.S.C. 921(a)(4), as amended, and regulations 369
issued under that act. 370

(M) "Explosive" means any chemical compound, mixture, or 371
device, the primary or common purpose of which is to function by 372
explosion. "Explosive" includes all materials that have been 373
classified as division 1.1, division 1.2, division 1.3, or 374
division 1.4 explosives by the United States department of 375
transportation in its regulations and includes, but is not limited 376
to, dynamite, black powder, pellet powders, initiating explosives, 377
blasting caps, electric blasting caps, safety fuses, fuse 378
igniters, squibs, cordeau detonant fuses, instantaneous fuses, and 379
igniter cords and igniters. "Explosive" does not include 380
"fireworks," as defined in section 3743.01 of the Revised Code, or 381
any substance or material otherwise meeting the definition of 382
explosive set forth in this section that is manufactured, sold, 383
possessed, transported, stored, or used in any activity described 384
in section 3743.80 of the Revised Code, provided the activity is 385
conducted in accordance with all applicable laws, rules, and 386
regulations, including, but not limited to, the provisions of 387

section 3743.80 of the Revised Code and the rules of the fire marshal adopted pursuant to section 3737.82 of the Revised Code.

(N)(1) "Concealed handgun license" or "license to carry a concealed handgun" means, subject to division (N)(2) of this section, a license or temporary emergency license ~~to carry a concealed handgun~~ issued under section 2923.125 or 2923.1213 of the Revised Code that authorizes the person to whom it is issued to carry a concealed firearm other than a restricted firearm or a license to carry a concealed handgun issued by another state with which the attorney general has entered into a reciprocity agreement under section 109.69 of the Revised Code that authorizes the person to whom it is issued either to carry a concealed handgun or to carry a concealed firearm other than a restricted firearm.

(2) A reference in any provision of the Revised Code to a concealed handgun license issued under section 2923.125 of the Revised Code or a license to carry a concealed handgun issued under section 2923.125 of the Revised Code means only a license of the type that is specified in that section. A reference in any provision of the Revised Code to a concealed handgun license issued under section 2923.1213 of the Revised Code, a license to carry a concealed handgun issued under section 2923.1213 of the Revised Code, or a license to carry a concealed handgun on a temporary emergency basis means only a license of the type that is specified in section 2923.1213 of the Revised Code. A reference in any provision of the Revised Code to a concealed handgun license issued by another state or a license to carry a concealed handgun issued by another state means only a license issued by another state with which the attorney general has entered into a reciprocity agreement under section 109.69 of the Revised Code.

A reference in any provision of the Revised Code to a person who is deemed under division (C) of section 2923.111 of the

Revised Code to have been issued a concealed handgun license under 420
section 2923.125 of the Revised Code means only a person who is so 421
deemed and does not include a person who has been issued a license 422
of a type described in division (N)(1) of this section. 423

(O) "Valid concealed handgun license" or "valid license to 424
carry a concealed handgun" means a concealed handgun license that 425
is currently valid, that is not under a suspension under division 426
(A)(1) of section 2923.128 of the Revised Code, under section 427
2923.1213 of the Revised Code, or under a suspension provision of 428
the state other than this state in which the license was issued, 429
and that has not been revoked under division (B)(1) of section 430
2923.128 of the Revised Code, under section 2923.1213 of the 431
Revised Code, or under a revocation provision of the state other 432
than this state in which the license was issued. 433

(P) "Restricted firearm" means a firearm that is not 434
dangerous ordnance and that is not a firearm that any law of this 435
state or the United States prohibits the subject person from 436
possessing, having, or carrying. 437

Sec. 2923.111. (A) Notwithstanding any other Revised Code 438
section to the contrary, subject to the limitations specified in 439
this division and to division (C)(2) of this section, a person who 440
is twenty-one years of age or older and is not legally prohibited 441
from possessing or receiving a firearm under 18 U.S.C. 922(q)(1) 442
to (9) shall not be required to obtain a concealed handgun license 443
under section 2923.125 or 2923.1213 of the Revised Code in order 444
to carry in this state a concealed firearm that is not a 445
restricted firearm. 446

Except as provided in divisions (B) and (C) of section 447
2923.126 of the Revised Code and regardless of whether the person 448
has been issued a concealed handgun license under section 2923.125 449
or 2923.1213 of the Revised Code or by another state, a person who 450

is twenty-one years of age or older and is not legally prohibited 451
from possessing or receiving a firearm under 18 U.S.C. 922(g)(1) 452
to (9) may carry a concealed firearm that is not a restricted 453
firearm anywhere in this state. The person's right to carry a 454
concealed firearm that is not a restricted firearm that is granted 455
under this division is the same right as is granted to a person 456
who was issued a concealed handgun license under section 2923.125 457
of the Revised Code, and the person described in this division is 458
subject to the same restrictions as apply to a person who was 459
issued a license under section 2923.125 of the Revised Code. 460

(B) The mere carrying or possession of a firearm that is not 461
a restricted firearm pursuant to the right described in division 462
(A) of this section, with or without a concealed handgun license 463
issued under section 2923.125 or 2923.1213 of the Revised Code or 464
by another state, does not constitute grounds for any law 465
enforcement officer or any agent of the state, a county, a 466
municipal corporation, or a township to conduct any search, 467
seizure, or detention, no matter how temporary in duration, of an 468
otherwise law-abiding person. 469

(C)(1) For purposes of sections 1547.69 and 2923.12 to 470
2923.1213 of the Revised Code and any other provision of law that 471
refers to a concealed handgun license or a concealed handgun 472
licensee, except when the context clearly indicates otherwise, a 473
person who is described in division (A) of this section and is 474
carrying or has, concealed on the person's person or ready at 475
hand, a firearm that is not a restricted firearm shall be deemed 476
to have been issued a concealed handgun license under section 477
2923.125 of the Revised Code. 478

(2) The concealed handgun license expiration provisions of 479
section 2923.125 of the Revised Code and the concealed handgun 480
license suspension and revocation provisions of section 2923.128 481
of the Revised Code do not apply with respect to a person who is 482

described in division (A) of this section unless the person has 483
been issued a concealed handgun license. If a person is described 484
in division (A) of this section and the person thereafter comes 485
within any category of persons specified in 18 U.S.C. 922(g)(1) to 486
(9) so that the person as a result is legally prohibited under the 487
applicable provision from possessing or receiving a firearm, both 488
of the following apply automatically and immediately upon the 489
person coming within that category: 490

(a) Division (A) of this section and the authority and right 491
to carry a concealed firearm that are described in that division 492
do not apply to the person. 493

(b) Division (C)(1) of this section does not apply to the 494
person, and the person no longer is deemed to have been issued a 495
concealed handgun license under section 2923.125 of the Revised 496
Code as described in that division. 497

Sec. 2923.12. (A) No person shall knowingly carry or have, 498
concealed on the person's person or concealed ready at hand, any 499
of the following: 500

- (1) A deadly weapon other than a handgun; 501
- (2) A handgun other than a dangerous ordnance; 502
- (3) A dangerous ordnance. 503

(B) No person who has been issued a concealed handgun license 504
and is carrying a concealed firearm that is not a restricted 505
firearm or who is deemed under division (C) of section 2923.111 of 506
the Revised Code to have been issued a concealed handgun license 507
under section 2923.125 of the Revised Code and is carrying a 508
concealed firearm that is not a restricted firearm shall do any of 509
the following: 510

(1) If the person is stopped for a law enforcement purpose 511
~~and is carrying a concealed handgun~~, fail to promptly inform any 512

law enforcement officer who approaches the person after the person 513
has been stopped that the person ~~has been issued a concealed~~ 514
~~handgun license and that the person~~ then is carrying a concealed 515
~~handgun~~ firearm and, if the person has been issued a concealed 516
handgun license, that the person has been issued the license; 517

(2) If the person is stopped for a law enforcement purpose 518
~~and is carrying a concealed handgun~~, knowingly fail to keep the 519
person's hands in plain sight at any time after any law 520
enforcement officer begins approaching the person while stopped 521
and before the law enforcement officer leaves, unless the failure 522
is pursuant to and in accordance with directions given by a law 523
enforcement officer; 524

(3) If the person is stopped for a law enforcement purpose, 525
~~if the person is carrying a concealed handgun~~, and if the person 526
is approached by any law enforcement officer while stopped, 527
knowingly remove or attempt to remove the loaded ~~handgun~~ firearm 528
from the holster, pocket, or other place in which the person is 529
carrying it, knowingly grasp or hold the loaded ~~handgun~~ firearm, 530
or knowingly have contact with the loaded ~~handgun~~ firearm by 531
touching it with the person's hands or fingers at any time after 532
the law enforcement officer begins approaching and before the law 533
enforcement officer leaves, unless the person removes, attempts to 534
remove, grasps, holds, or has contact with the loaded ~~handgun~~ 535
firearm pursuant to and in accordance with directions given by the 536
law enforcement officer; 537

(4) If the person is stopped for a law enforcement purpose 538
~~and is carrying a concealed handgun~~, knowingly disregard or fail 539
to comply with any lawful order of any law enforcement officer 540
given while the person is stopped, including, but not limited to, 541
a specific order to the person to keep the person's hands in plain 542
sight. 543

(C)(1) This section does not apply to any of the following: 544

(a) An officer, agent, or employee of this or any other state 545
or the United States, or to a law enforcement officer, who is 546
authorized to carry concealed weapons or dangerous ordnance or is 547
authorized to carry handguns and is acting within the scope of the 548
officer's, agent's, or employee's duties; 549

(b) Any person who is employed in this state, who is 550
authorized to carry concealed weapons or dangerous ordnance or is 551
authorized to carry handguns, and who is subject to and in 552
compliance with the requirements of section 109.801 of the Revised 553
Code, unless the appointing authority of the person has expressly 554
specified that the exemption provided in division (C)(1)(b) of 555
this section does not apply to the person; 556

(c) A person's transportation or storage of a firearm, other 557
than a firearm described in divisions (G) to (M) of section 558
2923.11 of the Revised Code, in a motor vehicle for any lawful 559
purpose if the firearm is not on the actor's person; 560

(d) A person's storage or possession of a firearm, other than 561
a firearm described in divisions (G) to (M) of section 2923.11 of 562
the Revised Code, in the actor's own home for any lawful purpose. 563

(2) ~~Division~~ Divisions (A)(1) and (2) of this section ~~does do~~ 564
not apply to any person ~~who~~ with respect to the carrying or 565
possession of any firearm that is not a restricted firearm if, at 566
the time of the alleged carrying or possession of ~~a handgun~~ the 567
firearm, the person is carrying a valid concealed handgun license 568
or is deemed under division (C) of section 2923.111 of the Revised 569
Code to have been issued a concealed handgun license under section 570
2923.125 of the Revised Code, unless the person at that time 571
knowingly is in ~~a~~ an unauthorized place ~~described~~ specified in 572
division (B) of section 2923.126 of the Revised Code or knowingly 573
is transporting or possessing the firearm in any prohibited manner 574
listed in that division. 575

(D) It is an affirmative defense to a charge under division 576
(A)(1) of this section of carrying or having control of a deadly 577
weapon other than a handgun and other than a dangerous ordnance 578
that division (C)(1) or (2) of this section does not apply, that 579
the actor was not otherwise prohibited by law from having the 580
weapon, and that any of the following applies: 581

(1) The weapon was carried or kept ready at hand by the actor 582
for defensive purposes while the actor was engaged in or was going 583
to or from the actor's lawful business or occupation, which 584
business or occupation was of a character or was necessarily 585
carried on in a manner or at a time or place as to render the 586
actor particularly susceptible to criminal attack, such as would 587
justify a prudent person in going armed. 588

(2) The weapon was carried or kept ready at hand by the actor 589
for defensive purposes while the actor was engaged in a lawful 590
activity and had reasonable cause to fear a criminal attack upon 591
the actor, a member of the actor's family, or the actor's home, 592
such as would justify a prudent person in going armed. 593

(3) The weapon was carried or kept ready at hand by the actor 594
for any lawful purpose and while in the actor's own home. 595

(E) No person who is charged with a violation of this section 596
shall be required to obtain a concealed handgun license as a 597
condition for the dismissal of the charge. 598

(F)(1) Whoever violates this section is guilty of carrying 599
concealed weapons. Except as otherwise provided in this division 600
~~or division (F)(2) of this section,~~ carrying concealed weapons in 601
violation of division (A) of this section is a misdemeanor of the 602
first degree. Except as otherwise provided in this division ~~or~~ 603
~~division (F)(2) of this section,~~ if the offender previously has 604
been convicted of a violation of this section or of any offense of 605
violence, if the weapon involved is a firearm that is either 606

loaded or for which the offender has ammunition ready at hand, or 607
if the weapon involved is dangerous ordnance, carrying concealed 608
weapons in violation of division (A) of this section is a felony 609
of the fourth degree. ~~Except as otherwise provided in division~~ 610
~~(F)(2) of this section, if I~~ the offense is committed aboard an 611
aircraft, or with purpose to carry a concealed weapon aboard an 612
aircraft, regardless of the weapon involved, carrying concealed 613
weapons in violation of division (A) of this section is a felony 614
of the third degree. 615

~~(2) If a person being arrested for a violation of division~~ 616
~~(A)(2) of this section promptly produces a valid concealed handgun~~ 617
~~license, and if at the time of the violation the person was not~~ 618
~~knowingly in a place described in division (B) of section 2923.126~~ 619
~~of the Revised Code, the officer shall not arrest the person for a~~ 620
~~violation of that division. If the person is not able to promptly~~ 621
~~produce any concealed handgun license and if the person is not in~~ 622
~~a place described in that section, the officer may arrest the~~ 623
~~person for a violation of that division, and the offender shall be~~ 624
~~punished as follows:~~ 625

~~(a) The offender shall be guilty of a minor misdemeanor if~~ 626
~~both of the following apply:~~ 627

~~(i) Within ten days after the arrest, the offender presents a~~ 628
~~concealed handgun license, which license was valid at the time of~~ 629
~~the arrest to the law enforcement agency that employs the~~ 630
~~arresting officer.~~ 631

~~(ii) At the time of the arrest, the offender was not~~ 632
~~knowingly in a place described in division (B) of section 2923.126~~ 633
~~of the Revised Code.~~ 634

~~(b) The offender shall be guilty of a misdemeanor and shall~~ 635
~~be fined five hundred dollars if all of the following apply:~~ 636

~~(i) The offender previously had been issued a concealed~~ 637

~~handgun license, and that license expired within the two years
immediately preceding the arrest.~~ 638
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~~(ii) Within forty five days after the arrest, the offender
presents a concealed handgun license to the law enforcement agency
that employed the arresting officer, and the offender waives in
writing the offender's right to a speedy trial on the charge of
the violation that is provided in section 2945.71 of the Revised
Code.~~ 640
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~~(iii) At the time of the commission of the offense, the
offender was not knowingly in a place described in division (B) of
section 2923.126 of the Revised Code.~~ 646
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~~(c) If neither division (F)(2)(a) nor (b) of this section
applies, the offender shall be punished under division (F)(1) of
this section.~~ 649
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~~(3) Except as otherwise provided in this division, carrying
concealed weapons in violation of division (B)(1) of this section
is a misdemeanor of the first degree, and, in addition to any
other penalty or sanction imposed for a violation of division
(B)(1) of this section, if the offender has been issued a
concealed handgun license, the offender's ~~concealed handgun~~
license shall be suspended pursuant to division (A)(2) of section
2923.128 of the Revised Code. If, at the time of the stop of the
offender for a law enforcement purpose that was the basis of the
violation, any law enforcement officer involved with the stop had
actual knowledge that the offender has been issued a concealed
handgun license or that the offender is deemed under division (C)
of section 2923.111 of the Revised Code to have been issued a
concealed handgun license under section 2923.125 of the Revised
Code, carrying concealed weapons in violation of division (B)(1)
of this section is a minor misdemeanor, and if the offender has
been issued a concealed handgun license, the offender's ~~concealed
handgun~~ license shall not be suspended pursuant to division (A)(2)~~ 652
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of section 2923.128 of the Revised Code. 670

~~(4)~~(3) Carrying concealed weapons in violation of division 671
(B)(2) or (4) of this section is a misdemeanor of the first degree 672
or, if the offender previously has been convicted of or pleaded 673
guilty to a violation of division (B)(2) or (4) of this section, a 674
felony of the fifth degree. In addition to any other penalty or 675
sanction imposed for a misdemeanor violation of division (B)(2) or 676
(4) of this section, if the offender has been issued a concealed 677
handgun license, the offender's ~~concealed handgun~~ license shall be 678
suspended pursuant to division (A)(2) of section 2923.128 of the 679
Revised Code. 680

~~(5)~~(4) Carrying concealed weapons in violation of division 681
(B)(3) of this section is a felony of the fifth degree. 682

(G) If a law enforcement officer stops a person to question 683
the person regarding a possible violation of this section, for a 684
traffic stop, or for any other law enforcement purpose, if the 685
person surrenders a firearm to the officer, either voluntarily or 686
pursuant to a request or demand of the officer, and if the officer 687
does not charge the person with a violation of this section or 688
arrest the person for any offense, the person is not otherwise 689
prohibited by law from possessing the firearm, and the firearm is 690
not contraband, the officer shall return the firearm to the person 691
at the termination of the stop. If a court orders a law 692
enforcement officer to return a firearm to a person pursuant to 693
the requirement set forth in this division, division (B) of 694
section 2923.163 of the Revised Code applies. 695

Sec. 2923.121. (A) No person shall possess a firearm in any 696
room in which any person is consuming beer or intoxicating liquor 697
in a premises for which a D permit has been issued under Chapter 698
4303. of the Revised Code or in an open air arena for which a 699
permit of that nature has been issued. 700

(B)(1) This section does not apply to any of the following: 701

(a) An officer, agent, or employee of this or any other state 702
or the United States, or to a law enforcement officer, who is 703
authorized to carry firearms and is acting within the scope of the 704
officer's, agent's, or employee's duties; 705

(b) Any person who is employed in this state, who is 706
authorized to carry firearms, and who is subject to and in 707
compliance with the requirements of section 109.801 of the Revised 708
Code, unless the appointing authority of the person has expressly 709
specified that the exemption provided in division (B)(1)(b) of 710
this section does not apply to the person; 711

(c) Any room used for the accommodation of guests of a hotel, 712
as defined in section 4301.01 of the Revised Code; 713

(d) The principal holder of a D permit issued for a premises 714
or an open air arena under Chapter 4303. of the Revised Code while 715
in the premises or open air arena for which the permit was issued 716
if the principal holder of the D permit also possesses a valid 717
concealed handgun license or is deemed under division (C) of 718
section 2923.111 of the Revised Code to have been issued a 719
concealed handgun license under section 2923.125 of the Revised 720
Code and as long as the firearm is not a restricted firearm and 721
the principal holder is not consuming beer or intoxicating liquor 722
or under the influence of alcohol or a drug of abuse, or any agent 723
or employee of that holder who also is a peace officer, as defined 724
in section 2151.3515 of the Revised Code, who is off duty, and who 725
otherwise is authorized to carry firearms while in the course of 726
the officer's official duties and while in the premises or open 727
air arena for which the permit was issued and as long as the 728
firearm is not a restricted firearm and the agent or employee of 729
that holder is not consuming beer or intoxicating liquor or under 730
the influence of alcohol or a drug of abuse. 731

(e) Any person who is carrying a valid concealed handgun 732
license or is deemed under division (C) of section 2923.111 of the 733
Revised Code to have been issued a concealed handgun license under 734
section 2923.125 of the Revised Code, as long as the firearm is 735
not a restricted firearm and the person is not consuming beer or 736
intoxicating liquor or under the influence of alcohol or a drug of 737
abuse. 738

(2) This section does not prohibit any person who is a member 739
of a veteran's organization, as defined in section 2915.01 of the 740
Revised Code, from possessing a rifle in any room in any premises 741
owned, leased, or otherwise under the control of the veteran's 742
organization, if the rifle is not loaded with live ammunition and 743
if the person otherwise is not prohibited by law from having the 744
rifle. 745

(3) This section does not apply to any person possessing or 746
displaying firearms in any room used to exhibit unloaded firearms 747
for sale or trade in a soldiers' memorial established pursuant to 748
Chapter 345. of the Revised Code, in a convention center, or in 749
any other public meeting place, if the person is an exhibitor, 750
trader, purchaser, or seller of firearms and is not otherwise 751
prohibited by law from possessing, trading, purchasing, or selling 752
the firearms. 753

(C) It is an affirmative defense to a charge under this 754
section of illegal possession of a firearm in a liquor permit 755
premises ~~that involves~~ involving the possession of a firearm other 756
than a handgun, that divisions (B)(1)(d) and (e) of this section 757
do not apply, that the actor was not otherwise prohibited by law 758
from having the firearm, and that any of the following apply: 759

(1) The firearm was carried or kept ready at hand by the 760
actor for defensive purposes, while the actor was engaged in or 761
was going to or from the actor's lawful business or occupation, 762
which business or occupation was of such character or was 763

necessarily carried on in such manner or at such a time or place 764
as to render the actor particularly susceptible to criminal 765
attack, such as would justify a prudent person in going armed. 766

(2) The firearm was carried or kept ready at hand by the 767
actor for defensive purposes, while the actor was engaged in a 768
lawful activity, and had reasonable cause to fear a criminal 769
attack upon the actor or a member of the actor's family, or upon 770
the actor's home, such as would justify a prudent person in going 771
armed. 772

(D) No person who is charged with a violation of this section 773
shall be required to obtain a concealed handgun license as a 774
condition for the dismissal of the charge. 775

(E) Whoever violates this section is guilty of illegal 776
possession of a firearm in a liquor permit premises. Except as 777
otherwise provided in this division, illegal possession of a 778
firearm in a liquor permit premises is a felony of the fifth 779
degree. If the offender commits the violation of this section by 780
knowingly carrying or having the firearm concealed on the 781
offender's person or concealed ready at hand, illegal possession 782
of a firearm in a liquor permit premises is a felony of the third 783
degree. 784

(F) As used in this section, "beer" and "intoxicating liquor" 785
have the same meanings as in section 4301.01 of the Revised Code. 786

Sec. 2923.122. (A) No person shall knowingly convey, or 787
attempt to convey, a deadly weapon or dangerous ordnance into a 788
school safety zone. 789

(B) No person shall knowingly possess a deadly weapon or 790
dangerous ordnance in a school safety zone. 791

(C) No person shall knowingly possess an object in a school 792
safety zone if both of the following apply: 793

(1) The object is indistinguishable from a firearm, whether 794
or not the object is capable of being fired. 795

(2) The person indicates that the person possesses the object 796
and that it is a firearm, or the person knowingly displays or 797
brandishes the object and indicates that it is a firearm. 798

(D)(1) This section does not apply to any of the following: 799

(a) An officer, agent, or employee of this or any other state 800
or the United States, or a law enforcement officer, who is 801
authorized to carry deadly weapons or dangerous ordnance and is 802
acting within the scope of the officer's, agent's, or employee's 803
duties, a security officer employed by a board of education or 804
governing body of a school during the time that the security 805
officer is on duty pursuant to that contract of employment, or any 806
other person who has written authorization from the board of 807
education or governing body of a school to convey deadly weapons 808
or dangerous ordnance into a school safety zone or to possess a 809
deadly weapon or dangerous ordnance in a school safety zone and 810
who conveys or possesses the deadly weapon or dangerous ordnance 811
in accordance with that authorization; 812

(b) Any person who is employed in this state, who is 813
authorized to carry deadly weapons or dangerous ordnance, and who 814
is subject to and in compliance with the requirements of section 815
109.801 of the Revised Code, unless the appointing authority of 816
the person has expressly specified that the exemption provided in 817
division (D)(1)(b) of this section does not apply to the person. 818

(2) Division (C) of this section does not apply to premises 819
upon which home schooling is conducted. Division (C) of this 820
section also does not apply to a school administrator, teacher, or 821
employee who possesses an object that is indistinguishable from a 822
firearm for legitimate school purposes during the course of 823
employment, a student who uses an object that is indistinguishable 824

from a firearm under the direction of a school administrator, 825
teacher, or employee, or any other person who with the express 826
prior approval of a school administrator possesses an object that 827
is indistinguishable from a firearm for a legitimate purpose, 828
including the use of the object in a ceremonial activity, a play, 829
reenactment, or other dramatic presentation, or a ROTC activity or 830
another similar use of the object. 831

(3) This section does not apply to a person who conveys or 832
attempts to convey a ~~handgun~~ firearm that is not a restricted 833
firearm into, or possesses a ~~handgun~~ firearm that is not a 834
restricted firearm in, a school safety zone if, at the time of 835
that conveyance, attempted conveyance, or possession of the 836
~~handgun~~ firearm that is not a restricted firearm, ~~all the person~~ 837
is carrying a valid concealed handgun license or is deemed under 838
division (C) of section 2923.111 of the Revised Code to have been 839
issued a concealed handgun license under section 2923.125 of the 840
Revised Code and either of the following ~~apply~~ applies: 841

(a) The person does not enter into a school building or onto 842
school premises and is not at a school activity. 843

~~(b) The person is carrying a valid concealed handgun license.~~ 844

~~(c) The, the person is in the school safety zone in~~ 845
accordance with 18 U.S.C. 922(q)(2)(B). 846

~~(d) The, and the person is not knowingly in a~~ an unauthorized 847
place described specified in division (B)(1) or (B)(3) to (10) of 848
section 2923.126 of the Revised Code and is not knowingly 849
conveying, attempting to convey, or possessing the firearm in any 850
prohibited manner specified in any of those divisions. 851

~~(4) This section does not apply to a person who conveys or~~ 852
~~attempts to convey a handgun into, or possesses a handgun in, a~~ 853
~~school safety zone if at the time of that conveyance, attempted~~ 854
~~conveyance, or possession of the handgun all of the following~~ 855

apply+ 856

~~(a) The person is carrying a valid concealed handgun license.~~ 857

(b) The person is the driver or passenger in a motor vehicle 858
and is in the school safety zone while immediately in the process 859
of picking up or dropping off a child. 860

~~(c) The and the person is not in violation of section 2923.16 861
of the Revised Code. 862~~

(E)(1) Whoever violates division (A) or (B) of this section 863
is guilty of illegal conveyance or possession of a deadly weapon 864
or dangerous ordnance in a school safety zone. Except as otherwise 865
provided in this division, illegal conveyance or possession of a 866
deadly weapon or dangerous ordnance in a school safety zone is a 867
felony of the fifth degree. If the offender previously has been 868
convicted of a violation of this section, illegal conveyance or 869
possession of a deadly weapon or dangerous ordnance in a school 870
safety zone is a felony of the fourth degree. 871

(2) Whoever violates division (C) of this section is guilty 872
of illegal possession of an object indistinguishable from a 873
firearm in a school safety zone. Except as otherwise provided in 874
this division, illegal possession of an object indistinguishable 875
from a firearm in a school safety zone is a misdemeanor of the 876
first degree. If the offender previously has been convicted of a 877
violation of this section, illegal possession of an object 878
indistinguishable from a firearm in a school safety zone is a 879
felony of the fifth degree. 880

(F)(1) In addition to any other penalty imposed upon a person 881
who is convicted of or pleads guilty to a violation of this 882
section and subject to division (F)(2) of this section, if the 883
offender has not attained nineteen years of age, regardless of 884
whether the offender is attending or is enrolled in a school 885
operated by a board of education or for which the state board of 886

education prescribes minimum standards under section 3301.07 of 887
the Revised Code, the court shall impose upon the offender a class 888
four suspension of the offender's probationary driver's license, 889
restricted license, driver's license, commercial driver's license, 890
temporary instruction permit, or probationary commercial driver's 891
license that then is in effect from the range specified in 892
division (A)(4) of section 4510.02 of the Revised Code and shall 893
deny the offender the issuance of any permit or license of that 894
type during the period of the suspension. 895

If the offender is not a resident of this state, the court 896
shall impose a class four suspension of the nonresident operating 897
privilege of the offender from the range specified in division 898
(A)(4) of section 4510.02 of the Revised Code. 899

(2) If the offender shows good cause why the court should not 900
suspend one of the types of licenses, permits, or privileges 901
specified in division (F)(1) of this section or deny the issuance 902
of one of the temporary instruction permits specified in that 903
division, the court in its discretion may choose not to impose the 904
suspension, revocation, or denial required in that division, but 905
the court, in its discretion, instead may require the offender to 906
perform community service for a number of hours determined by the 907
court. 908

(G) As used in this section, "object that is 909
indistinguishable from a firearm" means an object made, 910
constructed, or altered so that, to a reasonable person without 911
specialized training in firearms, the object appears to be a 912
firearm. 913

Sec. 2923.123. (A) No person shall knowingly convey or 914
attempt to convey a deadly weapon or dangerous ordnance into a 915
courthouse or into another building or structure in which a 916
courtroom is located. 917

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

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

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

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

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

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

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

(4) Except as provided in division (E) of this section, a 949
bailiff or deputy bailiff of a court of record of this state who 950
is authorized to carry a firearm pursuant to section 109.77 of the 951
Revised Code, who possesses or has under that individual's control 952
a firearm as a requirement of that individual's duties, and who is 953
acting within the scope of that individual's duties at the time of 954
that possession or control; 955

(5) Except as provided in division (E) of this section, a 956
prosecutor, or a secret service officer appointed by a county 957
prosecuting attorney, who is authorized to carry a deadly weapon 958
or dangerous ordnance in the performance of the individual's 959
duties, who possesses or has under that individual's control a 960
deadly weapon or dangerous ordnance as a requirement of that 961
individual's duties, and who is acting within the scope of that 962
individual's duties at the time of that possession or control; 963

(6) Except as provided in division (E) of this section, a 964
person who conveys or attempts to convey a ~~handgun~~ firearm that is 965
not a restricted firearm into a courthouse or into another 966
building or structure in which a courtroom is located, ~~or who~~ 967
possesses or has under the person's control a firearm that is not 968
a restricted firearm in a courthouse or such a building or 969
structure, if the person at the time of the conveyance ~~or,~~ 970
attempt, possession, or control, is carrying a valid concealed 971
handgun license, or is deemed under division (C) of section 972
2923.111 of the Revised Code to have been issued a concealed 973
handgun license under section 2923.125 of the Revised Code and who 974
the person transfers possession of the ~~handgun~~ firearm to the 975
officer or officer's designee who has charge of the courthouse or 976
building. The officer shall secure the ~~handgun~~ firearm until the 977
licensee person is prepared to leave the premises. The exemption 978
described in this division applies only if the officer who has 979
charge of the courthouse or building provides services of the 980

nature described in this division. An officer who has charge of 981
the courthouse or building is not required to offer services of 982
the nature described in this division. 983

(D)(1) Whoever violates division (A) of this section is 984
guilty of illegal conveyance of a deadly weapon or dangerous 985
ordnance into a courthouse. Except as otherwise provided in this 986
division, illegal conveyance of a deadly weapon or dangerous 987
ordnance into a courthouse is a felony of the fifth degree. If the 988
offender previously has been convicted of a violation of division 989
(A) or (B) of this section, illegal conveyance of a deadly weapon 990
or dangerous ordnance into a courthouse is a felony of the fourth 991
degree. 992

(2) Whoever violates division (B) of this section is guilty 993
of illegal possession or control of a deadly weapon or dangerous 994
ordnance in a courthouse. Except as otherwise provided in this 995
division, illegal possession or control of a deadly weapon or 996
dangerous ordnance in a courthouse is a felony of the fifth 997
degree. If the offender previously has been convicted of a 998
violation of division (A) or (B) of this section, illegal 999
possession or control of a deadly weapon or dangerous ordnance in 1000
a courthouse is a felony of the fourth degree. 1001

(E) The exemptions described in divisions (C)(1), (2)(a), 1002
(2)(b), (4), (5), and (6) of this section do not apply to any 1003
judge, magistrate, peace officer, officer of a law enforcement 1004
agency, bailiff, deputy bailiff, prosecutor, secret service 1005
officer, or other person described in any of those divisions if a 1006
rule of superintendence or another type of rule adopted by the 1007
supreme court pursuant to Article IV, Ohio Constitution, or an 1008
applicable local rule of court prohibits all persons from 1009
conveying or attempting to convey a deadly weapon or dangerous 1010
ordnance into a courthouse or into another building or structure 1011
in which a courtroom is located or from possessing or having under 1012

one's control a deadly weapon or dangerous ordnance in a 1013
courthouse or in another building or structure in which a 1014
courtroom is located. 1015

(F) As used in this section: 1016

(1) "Magistrate" means an individual who is appointed by a 1017
court of record of this state and who has the powers and may 1018
perform the functions specified in Civil Rule 53, Criminal Rule 1019
19, or Juvenile Rule 40. 1020

(2) "Peace officer" and "prosecutor" have the same meanings 1021
as in section 2935.01 of the Revised Code. 1022

Sec. 2923.124. As used in sections 2923.124 to 2923.1213 of 1023
the Revised Code: 1024

(A) "Application form" means the application form prescribed 1025
pursuant to division (A)(1) of section 109.731 of the Revised Code 1026
and includes a copy of that form. 1027

(B) "Competency certification" and "competency certificate" 1028
mean a document of the type described in division (B)(3) of 1029
section 2923.125 of the Revised Code. 1030

(C) "Detention facility" has the same meaning as in section 1031
2921.01 of the Revised Code. 1032

(D) "Licensee" means a person to whom a concealed handgun 1033
license has been issued under section 2923.125 of the Revised Code 1034
and, except when the context clearly indicates otherwise, includes 1035
a person to whom a concealed handgun license on a temporary 1036
emergency basis has been issued under section 2923.1213 of the 1037
Revised Code ~~and~~, a person to whom a concealed handgun license has 1038
been issued by another state, and a person who is deemed under 1039
division (C) of section 2923.111 of the Revised Code to have been 1040
issued a concealed handgun license under section 2923.125 of the 1041
Revised Code. 1042

(E) "License fee" or "license renewal fee" means the fee for a concealed handgun license or the fee to renew that license that is prescribed pursuant to division (C) of section 109.731 of the Revised Code and that is to be paid by an applicant for a license of that type.

(F) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code.

(G) "State correctional institution" has the same meaning as in section 2967.01 of the Revised Code.

(H) "Civil protection order" means a protection order issued, or consent agreement approved, under section 2903.214 or 3113.31 of the Revised Code.

(I) "Temporary protection order" means a protection order issued under section 2903.213 or 2919.26 of the Revised Code.

(J) "Protection order issued by a court of another state" has the same meaning as in section 2919.27 of the Revised Code.

(K) "Child day-care center," "type A family day-care home" and "type B family day-care home" have the same meanings as in section 5104.01 of the Revised Code.

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

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

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

(O) "Motor carrier enforcement unit" has the same meaning as in section 2923.16 of the Revised Code.

Sec. 2923.125. (A) This section applies with respect to the 1073
application for and issuance by this state of concealed handgun 1074
licenses other than concealed handgun licenses on a temporary 1075
emergency basis that are issued under section 2923.1213 of the 1076
Revised Code. Upon the request of a person who wishes to obtain a 1077
concealed handgun license with respect to which this section 1078
applies or to renew a concealed handgun license with respect to 1079
which this section applies, a sheriff, as provided in division (I) 1080
of this section, shall provide to the person free of charge an 1081
application form and the web site address at which the pamphlet 1082
described in division (B) of section 109.731 of the Revised Code 1083
may be found. A sheriff shall accept a completed application form 1084
and the fee, items, materials, and information specified in 1085
divisions (B)(1) to (5) of this section at the times and in the 1086
manners described in division (I) of this section. 1087

(B) An applicant for a concealed handgun license with respect 1088
to which this section applies shall submit a completed application 1089
form and all of the following to the sheriff of the county in 1090
which the applicant resides or to the sheriff of any county 1091
adjacent to the county in which the applicant resides: 1092

(1)(a) A nonrefundable license fee as described in either of 1093
the following: 1094

(i) For an applicant who has been a resident of this state 1095
for five or more years, a fee of sixty-seven dollars; 1096

(ii) For an applicant who has been a resident of this state 1097
for less than five years, a fee of sixty-seven dollars plus the 1098
actual cost of having a background check performed by the federal 1099
bureau of investigation. 1100

(b) No sheriff shall require an applicant to pay for the cost 1101
of a background check performed by the bureau of criminal 1102
identification and investigation. 1103

(c) A sheriff shall waive the payment of the license fee 1104
described in division (B)(1)(a) of this section in connection with 1105
an initial or renewal application for a license that is submitted 1106
by an applicant who is a retired peace officer, a retired person 1107
described in division (B)(1)(b) of section 109.77 of the Revised 1108
Code, or a retired federal law enforcement officer who, prior to 1109
retirement, was authorized under federal law to carry a firearm in 1110
the course of duty, unless the retired peace officer, person, or 1111
federal law enforcement officer retired as the result of a mental 1112
disability. 1113

(d) The sheriff shall deposit all fees paid by an applicant 1114
under division (B)(1)(a) of this section into the sheriff's 1115
concealed handgun license issuance fund established pursuant to 1116
section 311.42 of the Revised Code. The county shall distribute 1117
the fees in accordance with section 311.42 of the Revised Code. 1118

(2) A color photograph of the applicant that was taken within 1119
thirty days prior to the date of the application; 1120

(3) One or more of the following competency certifications, 1121
each of which shall reflect that, regarding a certification 1122
described in division (B)(3)(a), (b), (c), (e), or (f) of this 1123
section, within the three years immediately preceding the 1124
application the applicant has performed that to which the 1125
competency certification relates and that, regarding a 1126
certification described in division (B)(3)(d) of this section, the 1127
applicant currently is an active or reserve member of the armed 1128
forces of the United States or within the six years immediately 1129
preceding the application the honorable discharge or retirement to 1130
which the competency certification relates occurred: 1131

(a) An original or photocopy of a certificate of completion 1132
of a firearms safety, training, or requalification or firearms 1133
safety instructor course, class, or program that was offered by or 1134
under the auspices of the national rifle association and that 1135

complies with the requirements set forth in division (G) of this section; 1136
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(b) An original or photocopy of a certificate of completion of a firearms safety, training, or requalification or firearms safety instructor course, class, or program that satisfies all of the following criteria: 1138
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(i) It was open to members of the general public. 1142

(ii) It utilized qualified instructors who were certified by the national rifle association, the executive director of the Ohio peace officer training commission pursuant to section 109.75 or 109.78 of the Revised Code, or a governmental official or entity of another state. 1143
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(iii) It was offered by or under the auspices of a law enforcement agency of this or another state or the United States, a public or private college, university, or other similar postsecondary educational institution located in this or another state, a firearms training school located in this or another state, or another type of public or private entity or organization located in this or another state. 1148
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(iv) It complies with the requirements set forth in division (G) of this section. 1155
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(c) An original or photocopy of a certificate of completion of a state, county, municipal, or department of natural resources peace officer training school that is approved by the executive director of the Ohio peace officer training commission pursuant to section 109.75 of the Revised Code and that complies with the requirements set forth in division (G) of this section, or the applicant has satisfactorily completed and been issued a certificate of completion of a basic firearms training program, a firearms requalification training program, or another basic training program described in section 109.78 or 109.801 of the 1157
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Revised Code that complies with the requirements set forth in 1167
division (G) of this section; 1168

(d) A document that evidences both of the following: 1169

(i) That the applicant is an active or reserve member of the 1170
armed forces of the United States, was honorably discharged from 1171
military service in the active or reserve armed forces of the 1172
United States, is a retired trooper of the state highway patrol, 1173
or is a retired peace officer or federal law enforcement officer 1174
described in division (B)(1) of this section or a retired person 1175
described in division (B)(1)(b) of section 109.77 of the Revised 1176
Code and division (B)(1) of this section; 1177

(ii) That, through participation in the military service or 1178
through the former employment described in division (B)(3)(d)(i) 1179
of this section, the applicant acquired experience with handling 1180
~~handguns or other~~ firearms, and the experience so acquired was 1181
equivalent to training that the applicant could have acquired in a 1182
course, class, or program described in division (B)(3)(a), (b), or 1183
(c) of this section. 1184

(e) A certificate or another similar document that evidences 1185
satisfactory completion of a firearms training, safety, or 1186
requalification or firearms safety instructor course, class, or 1187
program that is not otherwise described in division (B)(3)(a), 1188
(b), (c), or (d) of this section, that was conducted by an 1189
instructor who was certified by an official or entity of the 1190
government of this or another state or the United States or by the 1191
national rifle association, and that complies with the 1192
requirements set forth in division (G) of this section; 1193

(f) An affidavit that attests to the applicant's satisfactory 1194
completion of a course, class, or program described in division 1195
(B)(3)(a), (b), (c), or (e) of this section and that is subscribed 1196
by the applicant's instructor or an authorized representative of 1197

the entity that offered the course, class, or program or under 1198
whose auspices the course, class, or program was offered. 1199

(4) A certification by the applicant that the applicant has 1200
read the pamphlet prepared by the Ohio peace officer training 1201
commission pursuant to section 109.731 of the Revised Code that 1202
reviews firearms, dispute resolution, and use of deadly force 1203
matters. 1204

(5) A set of fingerprints of the applicant provided as 1205
described in section 311.41 of the Revised Code through use of an 1206
electronic fingerprint reading device or, if the sheriff to whom 1207
the application is submitted does not possess and does not have 1208
ready access to the use of such a reading device, on a standard 1209
impression sheet prescribed pursuant to division (C)(2) of section 1210
109.572 of the Revised Code. 1211

(C) Upon receipt of the completed application form, 1212
supporting documentation, and, if not waived, license fee of an 1213
applicant under this section, a sheriff, in the manner specified 1214
in section 311.41 of the Revised Code, shall conduct or cause to 1215
be conducted the criminal records check and the incompetency 1216
records check described in section 311.41 of the Revised Code. 1217

(D)(1) Except as provided in division (D)(3) or (4) of this 1218
section, within forty-five days after a sheriff's receipt of an 1219
applicant's completed application form for a concealed handgun 1220
license under this section, the supporting documentation, and, if 1221
not waived, the license fee, the sheriff shall make available 1222
through the law enforcement automated data system in accordance 1223
with division (H) of this section the information described in 1224
that division and, upon making the information available through 1225
the system, shall issue to the applicant a concealed handgun 1226
license that shall expire as described in division (D)(2)(a) of 1227
this section if all of the following apply: 1228

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

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

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

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

(c) The applicant is not a fugitive from justice. 1261

(d) The applicant is not under indictment for or otherwise 1262
charged with a felony; an offense under Chapter 2925., 3719., or 1263
4729. of the Revised Code that involves the illegal possession, 1264
use, sale, administration, or distribution of or trafficking in a 1265
drug of abuse; a misdemeanor offense of violence; or a violation 1266
of section 2903.14 or 2923.1211 of the Revised Code. 1267

(e) Except as otherwise provided in division (D)(5) of this 1268
section, the applicant has not been convicted of or pleaded guilty 1269
to a felony or an offense under Chapter 2925., 3719., or 4729. of 1270
the Revised Code that involves the illegal possession, use, sale, 1271
administration, or distribution of or trafficking in a drug of 1272
abuse; has not been adjudicated a delinquent child for committing 1273
an act that if committed by an adult would be a felony or would be 1274
an offense under Chapter 2925., 3719., or 4729. of the Revised 1275
Code that involves the illegal possession, use, sale, 1276
administration, or distribution of or trafficking in a drug of 1277
abuse; and has not been convicted of, pleaded guilty to, or 1278
adjudicated a delinquent child for committing a violation of 1279
section 2903.13 of the Revised Code when the victim of the 1280
violation is a peace officer, regardless of whether the applicant 1281
was sentenced under division (C)(4) of that section. 1282

(f) Except as otherwise provided in division (D)(5) of this 1283
section, the applicant, within three years of the date of the 1284
application, has not been convicted of or pleaded guilty to a 1285
misdemeanor offense of violence other than a misdemeanor violation 1286
of section 2921.33 of the Revised Code or a violation of section 1287
2903.13 of the Revised Code when the victim of the violation is a 1288
peace officer, or a misdemeanor violation of section 2923.1211 of 1289
the Revised Code; and has not been adjudicated a delinquent child 1290
for committing an act that if committed by an adult would be a 1291
misdemeanor offense of violence other than a misdemeanor violation 1292

of section 2921.33 of the Revised Code or a violation of section 1293
2903.13 of the Revised Code when the victim of the violation is a 1294
peace officer or for committing an act that if committed by an 1295
adult would be a misdemeanor violation of section 2923.1211 of the 1296
Revised Code. 1297

(g) Except as otherwise provided in division (D)(1)(e) of 1298
this section, the applicant, within five years of the date of the 1299
application, has not been convicted of, pleaded guilty to, or been 1300
adjudicated a delinquent child for committing two or more 1301
violations of section 2903.13 or 2903.14 of the Revised Code. 1302

(h) Except as otherwise provided in division (D)(5) of this 1303
section, the applicant, within ten years of the date of the 1304
application, has not been convicted of, pleaded guilty to, or been 1305
adjudicated a delinquent child for committing a violation of 1306
section 2921.33 of the Revised Code. 1307

(i) The applicant has not been adjudicated as a mental 1308
defective, has not been committed to any mental institution, is 1309
not under adjudication of mental incompetence, has not been found 1310
by a court to be a mentally ill person subject to hospitalization 1311
by court order, and is not an involuntary patient other than one 1312
who is a patient only for purposes of observation. As used in this 1313
division, "mentally ill person subject to hospitalization by court 1314
order" and "patient" have the same meanings as in section 5122.01 1315
of the Revised Code. 1316

(j) The applicant is not currently subject to a civil 1317
protection order, a temporary protection order, or a protection 1318
order issued by a court of another state. 1319

(k) The applicant certifies that the applicant desires a 1320
legal means to carry a concealed ~~handgun~~ firearm for defense of 1321
the applicant or a member of the applicant's family while engaged 1322
in lawful activity. 1323

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

(m) The applicant currently is not subject to a suspension imposed under division (A)(2) of section 2923.128 of the Revised Code of a concealed handgun license that previously was issued to the applicant under this section or section 2923.1213 of the Revised Code, has not been convicted of or pleaded guilty to a misdemeanor violation of division (B)(1) or (2) of section 2923.12 or division (E)(1), (2), or (3) of section 2923.16 of the Revised Code within one year of the date of the application, and has not been convicted of or pleaded guilty to a misdemeanor violation of division (B)(4) of section 2923.12 or division (E)(5) of section 2923.16 of the Revised Code within two years of the date of the application.

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

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

(b) If a sheriff denies an application under this section because the applicant does not satisfy the criteria described in division (D)(1) of this section, the sheriff shall specify the grounds for the denial in a written notice to the applicant. The applicant may appeal the denial pursuant to section 119.12 of the Revised Code in the county served by the sheriff who denied the

application. If the denial was as a result of the criminal records 1356
check conducted pursuant to section 311.41 of the Revised Code and 1357
if, pursuant to section 2923.127 of the Revised Code, the 1358
applicant challenges the criminal records check results using the 1359
appropriate challenge and review procedure specified in that 1360
section, the time for filing the appeal pursuant to section 119.12 1361
of the Revised Code and this division is tolled during the 1362
pendency of the request or the challenge and review. If the court 1363
in an appeal under section 119.12 of the Revised Code and this 1364
division enters a judgment sustaining the sheriff's refusal to 1365
grant to the applicant a concealed handgun license, the applicant 1366
may file a new application beginning one year after the judgment 1367
is entered. If the court enters a judgment in favor of the 1368
applicant, that judgment shall not restrict the authority of a 1369
sheriff to suspend or revoke the license pursuant to section 1370
2923.128 or 2923.1213 of the Revised Code or to refuse to renew 1371
the license for any proper cause that may occur after the date the 1372
judgment is entered. In the appeal, the court shall have full 1373
power to dispose of all costs. 1374

(3) If the sheriff with whom an application for a concealed 1375
handgun license was filed under this section becomes aware that 1376
the applicant has been arrested for or otherwise charged with an 1377
offense that would disqualify the applicant from holding the 1378
license, the sheriff shall suspend the processing of the 1379
application until the disposition of the case arising from the 1380
arrest or charge. 1381

(4) If the sheriff determines that the applicant is legally 1382
living in the United States and is a resident of the county in 1383
which the applicant seeks the license or of an adjacent county but 1384
does not yet meet the residency requirements described in division 1385
(D)(1)(a) of this section, the sheriff shall not deny the license 1386
because of the residency requirements but shall not issue the 1387

license until the applicant meets those residency requirements. 1388

(5) If an applicant has been convicted of or pleaded guilty 1389
to an offense identified in division (D)(1)(e), (f), or (h) of 1390
this section or has been adjudicated a delinquent child for 1391
committing an act or violation identified in any of those 1392
divisions, and if a court has ordered the sealing or expungement 1393
of the records of that conviction, guilty plea, or adjudication 1394
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 1395
2953.36, or section 2953.37 of the Revised Code or a court has 1396
granted the applicant relief pursuant to section 2923.14 of the 1397
Revised Code from the disability imposed pursuant to section 1398
2923.13 of the Revised Code relative to that conviction, guilty 1399
plea, or adjudication, the sheriff with whom the application was 1400
submitted shall not consider the conviction, guilty plea, or 1401
adjudication in making a determination under division (D)(1) or 1402
(F) of this section or, in relation to an application for a 1403
concealed handgun license on a temporary emergency basis submitted 1404
under section 2923.1213 of the Revised Code, in making a 1405
determination under division (B)(2) of that section. 1406

(E) If a concealed handgun license issued under this section 1407
is lost or is destroyed, the licensee may obtain from the sheriff 1408
who issued that license a duplicate license upon the payment of a 1409
fee of fifteen dollars and the submission of an affidavit 1410
attesting to the loss or destruction of the license. The sheriff, 1411
in accordance with the procedures prescribed in section 109.731 of 1412
the Revised Code, shall place on the replacement license a 1413
combination of identifying numbers different from the combination 1414
on the license that is being replaced. 1415

(F)(1) A licensee who wishes to renew a concealed handgun 1416
license issued under this section shall do so not earlier than 1417
ninety days before the expiration date of the license or at any 1418
time after the expiration date of the license by filing with the 1419

sheriff of the county in which the applicant resides or with the 1420
sheriff of an adjacent county an application for renewal of the 1421
license obtained pursuant to division (D) of this section, a 1422
certification by the applicant that, subsequent to the issuance of 1423
the license, the applicant has reread the pamphlet prepared by the 1424
Ohio peace officer training commission pursuant to section 109.731 1425
of the Revised Code that reviews firearms, dispute resolution, and 1426
use of deadly force matters, and a nonrefundable license renewal 1427
fee in an amount determined pursuant to division (F)(4) of this 1428
section unless the fee is waived. 1429

(2) A sheriff shall accept a completed renewal application, 1430
the license renewal fee, and the information specified in division 1431
(F)(1) of this section at the times and in the manners described 1432
in division (I) of this section. Upon receipt of a completed 1433
renewal application, of certification that the applicant has 1434
reread the specified pamphlet prepared by the Ohio peace officer 1435
training commission, and of a license renewal fee unless the fee 1436
is waived, a sheriff, in the manner specified in section 311.41 of 1437
the Revised Code shall conduct or cause to be conducted the 1438
criminal records check and the incompetency records check 1439
described in section 311.41 of the Revised Code. The sheriff shall 1440
renew the license if the sheriff determines that the applicant 1441
continues to satisfy the requirements described in division (D)(1) 1442
of this section, except that the applicant is not required to meet 1443
the requirements of division (D)(1)(1) of this section. A renewed 1444
license shall expire five years after the date of issuance. A 1445
renewed license is subject to division (E) of this section and 1446
sections 2923.126 and 2923.128 of the Revised Code. A sheriff 1447
shall comply with divisions (D)(2) to (4) of this section when the 1448
circumstances described in those divisions apply to a requested 1449
license renewal. If a sheriff denies the renewal of a concealed 1450
handgun license, the applicant may appeal the denial, or challenge 1451
the criminal record check results that were the basis of the 1452

denial if applicable, in the same manner as specified in division 1453
(D)(2)(b) of this section and in section 2923.127 of the Revised 1454
Code, regarding the denial of a license under this section. 1455

(3) A renewal application submitted pursuant to division (F) 1456
of this section shall only require the licensee to list on the 1457
application form information and matters occurring since the date 1458
of the licensee's last application for a license pursuant to 1459
division (B) or (F) of this section. A sheriff conducting the 1460
criminal records check and the incompetency records check 1461
described in section 311.41 of the Revised Code shall conduct the 1462
check only from the date of the licensee's last application for a 1463
license pursuant to division (B) or (F) of this section through 1464
the date of the renewal application submitted pursuant to division 1465
(F) of this section. 1466

(4) An applicant for a renewal concealed handgun license 1467
under this section shall submit to the sheriff of the county in 1468
which the applicant resides or to the sheriff of any county 1469
adjacent to the county in which the applicant resides a 1470
nonrefundable license fee as described in either of the following: 1471

(a) For an applicant who has been a resident of this state 1472
for five or more years, a fee of fifty dollars; 1473

(b) For an applicant who has been a resident of this state 1474
for less than five years, a fee of fifty dollars plus the actual 1475
cost of having a background check performed by the federal bureau 1476
of investigation. 1477

(G)(1) Each course, class, or program described in division 1478
(B)(3)(a), (b), (c), or (e) of this section shall provide to each 1479
person who takes the course, class, or program the web site 1480
address at which the pamphlet prepared by the Ohio peace officer 1481
training commission pursuant to section 109.731 of the Revised 1482
Code that reviews firearms, dispute resolution, and use of deadly 1483

force matters may be found. Each such course, class, or program 1484
described in one of those divisions shall include at least twelve 1485
hours of training in the safe handling and use of a firearm that 1486
shall include all of the following: 1487

(a) At least ten hours of training on the following matters: 1488

(i) The ability to name, explain, and demonstrate the rules 1489
for safe handling of a ~~handgun~~ firearm and proper storage 1490
practices for ~~handguns~~ firearms and ammunition; 1491

(ii) The ability to demonstrate and explain how to handle 1492
ammunition in a safe manner; 1493

(iii) The ability to demonstrate the knowledge, skills, and 1494
attitude necessary to shoot a ~~handgun~~ firearm in a safe manner; 1495

(iv) Gun handling training. 1496

(b) At least two hours of training that consists of range 1497
time and live-fire training. 1498

(2) To satisfactorily complete the course, class, or program 1499
described in division (B)(3)(a), (b), (c), or (e) of this section, 1500
the applicant shall pass a competency examination that shall 1501
include both of the following: 1502

(a) A written section on the ability to name and explain the 1503
rules for the safe handling of a ~~handgun~~ firearm and proper 1504
storage practices for ~~handguns~~ firearms and ammunition; 1505

(b) A physical demonstration of competence in the use of a 1506
~~handgun~~ firearm and in the rules for safe handling and storage of 1507
a ~~handgun~~ firearm and a physical demonstration of the attitude 1508
necessary to shoot a ~~handgun~~ firearm in a safe manner. 1509

(3) The competency certification described in division 1510
(B)(3)(a), (b), (c), or (e) of this section shall be dated and 1511
shall attest that the course, class, or program the applicant 1512
successfully completed met the requirements described in division 1513

(G)(1) of this section and that the applicant passed the 1514
competency examination described in division (G)(2) of this 1515
section. 1516

(4) The training provided in a course, class, or program 1517
described in division (B)(3)(a), (b), (c), or (e) of this section 1518
shall include training regarding the matters described in division 1519
(G)(1) of this section as they relate to all firearms that are not 1520
restricted firearms, with a concentration on those matters as they 1521
relate to handguns. 1522

(H) Upon deciding to issue a concealed handgun license, 1523
deciding to issue a replacement concealed handgun license, or 1524
deciding to renew a concealed handgun license pursuant to this 1525
section, and before actually issuing or renewing the license, the 1526
sheriff shall make available through the law enforcement automated 1527
data system all information contained on the license. If the 1528
license subsequently is suspended under division (A)(1) or (2) of 1529
section 2923.128 of the Revised Code, revoked pursuant to division 1530
(B)(1) of section 2923.128 of the Revised Code, or lost or 1531
destroyed, the sheriff also shall make available through the law 1532
enforcement automated data system a notation of that fact. The 1533
superintendent of the state highway patrol shall ensure that the 1534
law enforcement automated data system is so configured as to 1535
permit the transmission through the system of the information 1536
specified in this division. 1537

(I) A sheriff shall accept a completed application form or 1538
renewal application, and the fee, items, materials, and 1539
information specified in divisions (B)(1) to (5) or division (F) 1540
of this section, whichever is applicable, and shall provide an 1541
application form or renewal application to any person during at 1542
least fifteen hours a week and shall provide the web site address 1543
at which the pamphlet described in division (B) of section 109.731 1544
of the Revised Code may be found at any time, upon request. The 1545

sheriff shall post notice of the hours during which the sheriff is 1546
available to accept or provide the information described in this 1547
division. 1548

Sec. 2923.126. (A) A concealed handgun license that is issued 1549
under section 2923.125 of the Revised Code shall expire five years 1550
after the date of issuance. A licensee who has been issued a 1551
license under that section shall be granted a grace period of 1552
thirty days after the licensee's license expires during which the 1553
licensee's license remains valid. Except as provided in divisions 1554
(B) and (C) of this section, a licensee who has been issued a 1555
concealed handgun license under section 2923.125 or 2923.1213 of 1556
the Revised Code, regardless of whether the license was issued 1557
prior to, on, or after the effective date of this amendment, may 1558
carry a concealed ~~handgun~~ firearm that is not a restricted firearm 1559
anywhere in this state if the licensee also carries a valid 1560
license and valid identification when the licensee is in actual 1561
possession of a the concealed handgun firearm. ~~The~~ A licensee who 1562
has been issued a concealed handgun license under section 2923.125 1563
or 2923.1213 of the Revised Code shall give notice of any change 1564
in the licensee's residence address to the sheriff who issued the 1565
license within forty-five days after that change. 1566

If a licensee or a person who is deemed under division (C) of 1568
section 2923.111 of the Revised Code to have been issued a 1569
concealed handgun license under section 2923.125 of the Revised 1570
Code is the driver or an occupant of a motor vehicle that is 1571
stopped as the result of a traffic stop or a stop for another law 1572
enforcement purpose and if the licensee or person is transporting 1573
or has a loaded ~~handgun~~ firearm that is not a restricted firearm 1574
in the motor vehicle at that time, the licensee or person shall 1575
promptly inform any law enforcement officer who approaches the 1576
vehicle while stopped that the licensee has been issued a 1577

concealed handgun license and that the licensee or person 1578
currently possesses or has a loaded ~~handgun~~ firearm; the licensee 1579
or person shall not knowingly disregard or fail to comply with 1580
lawful orders of a law enforcement officer given while the motor 1581
vehicle is stopped, knowingly fail to remain in the motor vehicle 1582
while stopped, or knowingly fail to keep the licensee's or 1583
person's hands in plain sight after any law enforcement officer 1584
begins approaching the licensee or person while stopped and before 1585
the officer leaves, unless directed otherwise by a law enforcement 1586
officer; and the licensee or person shall not knowingly have 1587
contact with the loaded ~~handgun~~ firearm by touching it with the 1588
licensee's or person's hands or fingers, in any manner in 1589
violation of division (E) of section 2923.16 of the Revised Code, 1590
after any law enforcement officer begins approaching the licensee 1591
or person while stopped and before the officer leaves. 1592
Additionally, if a licensee or a person who is deemed under 1593
division (C) of section 2923.111 of the Revised Code to have been 1594
issued a concealed handgun license under section 2923.125 of the 1595
Revised Code is the driver or an occupant of a commercial motor 1596
vehicle that is stopped by an employee of the motor carrier 1597
enforcement unit for the purposes defined in section 5503.04 of 1598
the Revised Code and if the licensee or person is transporting or 1599
has a loaded ~~handgun~~ firearm that is not a restricted firearm in 1600
the commercial motor vehicle at that time, the licensee or person 1601
shall promptly inform the employee of the unit who approaches the 1602
vehicle while stopped that the licensee has been issued a 1603
concealed handgun license and that the licensee or person 1604
currently possesses or has a loaded ~~handgun~~ firearm. 1605

If a licensee or a person who is deemed under division (C) of 1606
section 2923.111 of the Revised Code to have been issued a 1607
concealed handgun license under section 2923.125 of the Revised 1608
Code is stopped for a law enforcement purpose and if the licensee 1609
or person is carrying a concealed ~~handgun~~ firearm that is not a 1610

restricted firearm at the time the officer approaches, the 1611
licensee or person shall promptly inform any law enforcement 1612
officer who approaches the licensee while stopped that the 1613
licensee has been issued a concealed handgun license and that the 1614
licensee or person currently is carrying a concealed ~~handgun~~ 1615
firearm; the licensee or person shall not knowingly disregard or 1616
fail to comply with lawful orders of a law enforcement officer 1617
given while the licensee or person is stopped or knowingly fail to 1618
keep the licensee's or person's hands in plain sight after any law 1619
enforcement officer begins approaching the licensee or person 1620
while stopped and before the officer leaves, unless directed 1621
otherwise by a law enforcement officer; and the licensee or person 1622
shall not knowingly remove, attempt to remove, grasp, or hold the 1623
loaded ~~handgun~~ firearm or knowingly have contact with the loaded 1624
~~handgun~~ firearm by touching it with the licensee's or person's 1625
hands or fingers, in any manner in violation of division (B) of 1626
section 2923.12 of the Revised Code, after any law enforcement 1627
officer begins approaching the licensee or person while stopped 1628
and before the officer leaves. 1629

(B) ~~A valid~~ The right to carry a concealed firearm that is 1630
granted under division (A) of this section to a licensee who has 1631
been issued a concealed handgun license or that is granted under 1632
division (A) of section 2923.111 of the Revised Code to a licensee 1633
who is deemed under division (C) of that section to have been 1634
issued a concealed handgun license under section 2923.125 of the 1635
Revised Code does not authorize the licensee to carry any 1636
restricted firearm, does not authorize the licensee to carry a 1637
firearm or a concealed ~~handgun~~ firearm in any manner prohibited 1638
under division (B) of section 2923.12 of the Revised Code or in 1639
any manner prohibited under section 1547.69, 2921.36, 2923.12, 1640
2923.121, 2923.122, 2923.123, 2923.13, 2923.131, 2923.15, or 1641
2923.16 of the Revised Code. ~~A valid license~~ and does not 1642
authorize the licensee to carry a concealed ~~handgun~~ firearm into 1643

any of the following places: 1644

(1) A police station, sheriff's office, or state highway 1645
patrol station, premises controlled by the bureau of criminal 1646
identification and investigation, a state correctional 1647
institution, jail, workhouse, or other detention facility, an 1648
airport passenger terminal, or an institution that is maintained, 1649
operated, managed, and governed pursuant to division (A) of 1650
section 5119.14 of the Revised Code or division (A)(1) of section 1651
5123.03 of the Revised Code; 1652

(2) A school safety zone if the licensee's carrying the 1653
concealed ~~handgun~~ firearm is in violation of section 2923.122 of 1654
the Revised Code; 1655

(3) A courthouse or another building or structure in which a 1656
courtroom is located, ~~if the licensee's carrying the concealed~~ 1657
firearm is in violation of section 2923.123 of the Revised Code; 1658

(4) Any premises or open air arena for which a D permit has 1659
been issued under Chapter 4303. of the Revised Code if the 1660
licensee's carrying the concealed ~~handgun~~ firearm is in violation 1661
of section 2923.121 of the Revised Code; 1662

(5) Any premises owned or leased by any public or private 1663
college, university, or other institution of higher education, 1664
unless the ~~handgun~~ firearm is in a locked motor vehicle or the 1665
licensee is in the immediate process of placing the ~~handgun~~ 1666
firearm in a locked motor vehicle; 1667

(6) Any church, synagogue, mosque, or other place of worship, 1668
unless the church, synagogue, mosque, or other place of worship 1669
posts or permits otherwise; 1670

(7) A child day-care center, a type A family day-care home, a 1671
type B family day-care home, or a type C family day-care home, 1672
except that this division does not prohibit a licensee who resides 1673
in a type A family day-care home, a type B family day-care home, 1674

or a type C family day-care home from carrying a concealed ~~handgun~~ 1675
firearm at any time in any part of the home that is not dedicated 1676
or used for day-care purposes, or from carrying a concealed 1677
~~handgun~~ firearm in a part of the home that is dedicated or used 1678
for day-care purposes at any time during which no children, other 1679
than children of that licensee, are in the home; 1680

(8) An aircraft that is in, or intended for operation in, 1681
foreign air transportation, interstate air transportation, 1682
intrastate air transportation, or the transportation of mail by 1683
aircraft; 1684

(9) Any building that is a government facility of this state 1685
or a political subdivision of this state and that is not a 1686
building that is used primarily as a shelter, restroom, parking 1687
facility for motor vehicles, or rest facility and is not a 1688
courthouse or other building or structure in which a courtroom is 1689
located that is subject to division (B)(3) of this section; 1690

(10) A place in which federal law prohibits the carrying of 1691
~~handguns~~ any firearm. 1692

(C)(1) Nothing in this section or section 2923.111 of the 1693
Revised Code shall negate or restrict a rule, policy, or practice 1694
of a private employer that is not a private college, university, 1695
or other institution of higher education concerning or prohibiting 1696
the presence of firearms on the private employer's premises or 1697
property, including motor vehicles owned by the private employer. 1698
Nothing in this section or section 2923.111 of the Revised Code 1699
shall require a private employer of that nature to adopt a rule, 1700
policy, or practice concerning or prohibiting the presence of 1701
firearms on the private employer's premises or property, including 1702
motor vehicles owned by the private employer. 1703

(2)(a) A private employer shall be immune from liability in a 1704
civil action for any injury, death, or loss to person or property 1705

that allegedly was caused by or related to a licensee bringing a 1706
~~handgun~~ firearm onto the premises or property of the private 1707
employer, including motor vehicles owned by the private employer, 1708
unless the private employer acted with malicious purpose. A 1709
private employer is immune from liability in a civil action for 1710
any injury, death, or loss to person or property that allegedly 1711
was caused by or related to the private employer's decision to 1712
permit a licensee to bring, or prohibit a licensee from bringing, 1713
a ~~handgun~~ firearm onto the premises or property of the private 1714
employer. As used in this division, "private employer" includes a 1715
private college, university, or other institution of higher 1716
education. 1717

(b) A political subdivision shall be immune from liability in 1718
a civil action, to the extent and in the manner provided in 1719
Chapter 2744. of the Revised Code, for any injury, death, or loss 1720
to person or property that allegedly was caused by or related to a 1721
licensee bringing a ~~handgun~~ firearm onto any premises or property 1722
owned, leased, or otherwise under the control of the political 1723
subdivision. As used in this division, "political subdivision" has 1724
the same meaning as in section 2744.01 of the Revised Code. 1725

(3)(a) Except as provided in division (C)(3)(b) of this 1726
section, the owner or person in control of private land or 1727
premises, and a private person or entity leasing land or premises 1728
owned by the state, the United States, or a political subdivision 1729
of the state or the United States, may post a sign in a 1730
conspicuous location on that land or on those premises prohibiting 1731
persons from carrying firearms or concealed firearms on or onto 1732
that land or those premises. Except as otherwise provided in this 1733
division, a person who knowingly violates a posted prohibition of 1734
that nature is guilty of criminal trespass in violation of 1735
division (A)(4) of section 2911.21 of the Revised Code and is 1736
guilty of a misdemeanor of the fourth degree. If a person 1737

knowingly violates a posted prohibition of that nature and the 1738
posted land or premises primarily was a parking lot or other 1739
parking facility, the person is not guilty of criminal trespass in 1740
violation of division (A)(4) of section 2911.21 of the Revised 1741
Code and instead is subject only to a civil cause of action for 1742
trespass based on the violation. 1743

(b) A landlord may not prohibit or restrict a tenant who is a 1744
licensee and who on or after September 9, 2008, enters into a 1745
rental agreement with the landlord for the use of residential 1746
premises, and the tenant's guest while the tenant is present, from 1747
lawfully carrying or possessing a handgun on those residential 1748
premises. A landlord may not prohibit or restrict a tenant who is 1749
a licensee and who on or after the effective date of this 1750
amendment enters into a rental agreement with the landlord for the 1751
use of residential premises and the tenant's guest while the 1752
tenant is present from lawfully carrying or possessing a firearm 1753
that is not a restricted firearm on those premises. 1754

(c) As used in division (C)(3) of this section: 1755

(i) "Residential premises" has the same meaning as in section 1756
5321.01 of the Revised Code, except "residential premises" does 1757
not include a dwelling unit that is owned or operated by a college 1758
or university. 1759

(ii) "Landlord," "tenant," and "rental agreement" have the 1760
same meanings as in section 5321.01 of the Revised Code. 1761

(D) A person who holds a concealed handgun license issued by 1762
another state that is recognized by the attorney general pursuant 1763
to a reciprocity agreement entered into pursuant to section 109.69 1764
of the Revised Code and a person who is deemed under division (C) 1765
of section 2923.111 of the Revised Code to have been issued a 1766
concealed handgun license under section 2923.125 of the Revised 1767
Code has the same right to carry a concealed ~~handgun~~ firearm that 1768

is not a restricted firearm in this state as a person who was 1769
issued a concealed handgun license under section 2923.125 of the 1770
Revised Code and is subject to the same restrictions that apply to 1771
a person who carries a license issued under that section. 1772

(E) A peace officer has the same right to carry a concealed 1773
~~handgun~~ firearm that is not a restricted firearm in this state as 1774
a person who was issued a concealed handgun license under section 1775
2923.125 of the Revised Code. For purposes of reciprocity with 1776
other states, a peace officer shall be considered to be a licensee 1777
in this state who has been issued such a license under that 1778
section. 1779

(F)(1) A qualified retired peace officer who possesses a 1780
retired peace officer identification card issued pursuant to 1781
division (F)(2) of this section and a valid firearms 1782
requalification certification issued pursuant to division (F)(3) 1783
of this section has the same right to carry a concealed ~~handgun~~ 1784
firearm that is not a restricted firearm in this state as a person 1785
who was issued a concealed handgun license under section 2923.125 1786
of the Revised Code and is subject to the same restrictions that 1787
apply to a person who carries a license issued under that section. 1788
For purposes of reciprocity with other states, a qualified retired 1789
peace officer who possesses a retired peace officer identification 1790
card issued pursuant to division (F)(2) of this section and a 1791
valid firearms requalification certification issued pursuant to 1792
division (F)(3) of this section shall be considered to be a 1793
licensee in this state who has been issued such a license under 1794
that section. 1795

(2)(a) Each public agency of this state or of a political 1796
subdivision of this state that is served by one or more peace 1797
officers shall issue a retired peace officer identification card 1798
to any person who retired from service as a peace officer with 1799
that agency, if the issuance is in accordance with the agency's 1800

policies and procedures and if the person, with respect to the 1801
person's service with that agency, satisfies all of the following: 1802

(i) The person retired in good standing from service as a 1803
peace officer with the public agency, and the retirement was not 1804
for reasons of mental instability. 1805

(ii) Before retiring from service as a peace officer with 1806
that agency, the person was authorized to engage in or supervise 1807
the prevention, detection, investigation, or prosecution of, or 1808
the incarceration of any person for, any violation of law and the 1809
person had statutory powers of arrest. 1810

(iii) At the time of the person's retirement as a peace 1811
officer with that agency, the person was trained and qualified to 1812
carry firearms in the performance of the peace officer's duties. 1813

(iv) Before retiring from service as a peace officer with 1814
that agency, the person was regularly employed as a peace officer 1815
for an aggregate of fifteen years or more, or, in the alternative, 1816
the person retired from service as a peace officer with that 1817
agency, after completing any applicable probationary period of 1818
that service, due to a service-connected disability, as determined 1819
by the agency. 1820

(b) A retired peace officer identification card issued to a 1821
person under division (F)(2)(a) of this section shall identify the 1822
person by name, contain a photograph of the person, identify the 1823
public agency of this state or of the political subdivision of 1824
this state from which the person retired as a peace officer and 1825
that is issuing the identification card, and specify that the 1826
person retired in good standing from service as a peace officer 1827
with the issuing public agency and satisfies the criteria set 1828
forth in divisions (F)(2)(a)(i) to (iv) of this section. In 1829
addition to the required content specified in this division, a 1830
retired peace officer identification card issued to a person under 1831

division (F)(2)(a) of this section may include the firearms 1832
requalification certification described in division (F)(3) of this 1833
section, and if the identification card includes that 1834
certification, the identification card shall serve as the firearms 1835
requalification certification for the retired peace officer. If 1836
the issuing public agency issues credentials to active law 1837
enforcement officers who serve the agency, the agency may comply 1838
with division (F)(2)(a) of this section by issuing the same 1839
credentials to persons who retired from service as a peace officer 1840
with the agency and who satisfy the criteria set forth in 1841
divisions (F)(2)(a)(i) to (iv) of this section, provided that the 1842
credentials so issued to retired peace officers are stamped with 1843
the word "RETIRED." 1844

(c) A public agency of this state or of a political 1845
subdivision of this state may charge persons who retired from 1846
service as a peace officer with the agency a reasonable fee for 1847
issuing to the person a retired peace officer identification card 1848
pursuant to division (F)(2)(a) of this section. 1849

(3) If a person retired from service as a peace officer with 1850
a public agency of this state or of a political subdivision of 1851
this state and the person satisfies the criteria set forth in 1852
divisions (F)(2)(a)(i) to (iv) of this section, the public agency 1853
may provide the retired peace officer with the opportunity to 1854
attend a firearms requalification program that is approved for 1855
purposes of firearms requalification required under section 1856
109.801 of the Revised Code. The retired peace officer may be 1857
required to pay the cost of the course. 1858

If a retired peace officer who satisfies the criteria set 1859
forth in divisions (F)(2)(a)(i) to (iv) of this section attends a 1860
firearms requalification program that is approved for purposes of 1861
firearms requalification required under section 109.801 of the 1862
Revised Code, the retired peace officer's successful completion of 1863

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

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

(G) As used in this section:

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

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

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

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

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

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

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

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

Sec. 2923.128. (A)(1)(a) If a licensee holding a valid concealed handgun license is arrested for or otherwise charged with an offense described in division (D)(1)(d) of section 2923.125 of the Revised Code or with a violation of section 2923.15 of the Revised Code or becomes subject to a temporary protection order or to a protection order issued by a court of another state that is substantially equivalent to a temporary protection order, the sheriff who issued the license shall suspend it and shall comply with division (A)(3) of this section upon becoming aware of the arrest, charge, or protection order. Upon suspending the license, the sheriff also shall comply with division (H) of section 2923.125 of the Revised Code.

(b) A suspension under division (A)(1)(a) of this section shall be considered as beginning on the date that the licensee is arrested for or otherwise charged with an offense described in that division or on the date the appropriate court issued the protection order described in that division, irrespective of when

the sheriff notifies the licensee under division (A)(3) of this 1926
section. The suspension shall end on the date on which the charges 1927
are dismissed or the licensee is found not guilty of the offense 1928
described in division (A)(1)(a) of this section or, subject to 1929
division (B) of this section, on the date the appropriate court 1930
terminates the protection order described in that division. If the 1931
suspension so ends, the sheriff shall return the license or 1932
temporary emergency license to the licensee. 1933

(2)(a) If a licensee holding a valid concealed handgun 1934
license is convicted of or pleads guilty to a misdemeanor 1935
violation of division (B)(1), (2), or (4) of section 2923.12 of 1936
the Revised Code or of division (E)(1), (2), (3), or (5) of 1937
section 2923.16 of the Revised Code, except as provided in 1938
division (A)(2)(c) of this section and subject to division (C) of 1939
this section, the sheriff who issued the license shall suspend it 1940
and shall comply with division (A)(3) of this section upon 1941
becoming aware of the conviction or guilty plea. Upon suspending 1942
the license, the sheriff also shall comply with division (H) of 1943
section 2923.125 of the Revised Code. 1944

(b) A suspension under division (A)(2)(a) of this section 1945
shall be considered as beginning on the date that the licensee is 1946
convicted of or pleads guilty to the offense described in that 1947
division, irrespective of when the sheriff notifies the licensee 1948
under division (A)(3) of this section. If the suspension is 1949
imposed for a misdemeanor violation of division (B)(1) or (2) of 1950
section 2923.12 of the Revised Code or of division (E)(1), (2), or 1951
(3) of section 2923.16 of the Revised Code, it shall end on the 1952
date that is one year after the date that the licensee is 1953
convicted of or pleads guilty to that violation. If the suspension 1954
is imposed for a misdemeanor violation of division (B)(4) of 1955
section 2923.12 of the Revised Code or of division (E)(5) of 1956
section 2923.16 of the Revised Code, it shall end on the date that 1957

is two years after the date that the licensee is convicted of or 1958
pleads guilty to that violation. If the licensee's license was 1959
issued under section 2923.125 of the Revised Code and the license 1960
remains valid after the suspension ends as described in this 1961
division, when the suspension ends, the sheriff shall return the 1962
license to the licensee. If the licensee's license was issued 1963
under section 2923.125 of the Revised Code and the license expires 1964
before the suspension ends as described in this division, or if 1965
the licensee's license was issued under section 2923.1213 of the 1966
Revised Code, the licensee is not eligible to apply for a new 1967
license under section 2923.125 or 2923.1213 of the Revised Code or 1968
to renew the license under section 2923.125 of the Revised Code 1969
until after the suspension ends as described in this division. 1970

(c) The license of a licensee who is convicted of or pleads 1971
guilty to a violation of division (B)(1) of section 2923.12 or 1972
division (E)(1) or (2) of section 2923.16 of the Revised Code 1973
shall not be suspended pursuant to division (A)(2)(a) of this 1974
section if, at the time of the stop of the licensee for a law 1975
enforcement purpose, for a traffic stop, or for a purpose defined 1976
in section 5503.34 of the Revised Code that was the basis of the 1977
violation, any law enforcement officer involved with the stop or 1978
the employee of the motor carrier enforcement unit who made the 1979
stop had actual knowledge of the licensee's status as a licensee. 1980

(3) Upon becoming aware of an arrest, charge, or protection 1981
order described in division (A)(1)(a) of this section with respect 1982
to a licensee who was issued a concealed handgun license, or a 1983
conviction of or plea of guilty to a misdemeanor offense described 1984
in division (A)(2)(a) of this section with respect to a licensee 1985
who was issued a concealed handgun license and with respect to 1986
which division (A)(2)(c) of this section does not apply, subject 1987
to division (C) of this section, the sheriff who issued the 1988
licensee's license shall notify the licensee, by certified mail, 1989

return receipt requested, at the licensee's last known residence 1990
address that the license has been suspended and that the licensee 1991
is required to surrender the license at the sheriff's office 1992
within ten days of the date on which the notice was mailed. If the 1993
suspension is pursuant to division (A)(2) of this section, the 1994
notice shall identify the date on which the suspension ends. 1995

(B)(1) A sheriff who issues a concealed handgun license to a 1996
licensee shall revoke the license in accordance with division 1997
(B)(2) of this section upon becoming aware that the licensee 1998
satisfies any of the following: 1999

(a) The licensee is under twenty-one years of age. 2000

(b) Subject to division (C) of this section, at the time of 2001
the issuance of the license, the licensee did not satisfy the 2002
eligibility requirements of division (D)(1)(c), (d), (e), (f), 2003
(g), or (h) of section 2923.125 of the Revised Code. 2004

(c) Subject to division (C) of this section, on or after the 2005
date on which the license was issued, the licensee is convicted of 2006
or pleads guilty to a violation of section 2923.15 of the Revised 2007
Code or an offense described in division (D)(1)(e), (f), (g), or 2008
(h) of section 2923.125 of the Revised Code. 2009

(d) On or after the date on which the license was issued, the 2010
licensee becomes subject to a civil protection order or to a 2011
protection order issued by a court of another state that is 2012
substantially equivalent to a civil protection order. 2013

(e) The licensee knowingly carries a concealed ~~handgun~~ 2014
firearm into a place that the licensee knows is an unauthorized 2015
place specified in division (B) of section 2923.126 of the Revised 2016
Code, knowingly carries a concealed firearm in any prohibited 2017
manner listed in that division, or knowingly carries under alleged 2018
authority as a licensee a concealed restricted firearm. 2019

(f) On or after the date on which the license was issued, the 2020

licensee is adjudicated as a mental defective or is committed to a 2021
mental institution. 2022

(g) At the time of the issuance of the license, the licensee 2023
did not meet the residency requirements described in division 2024
(D)(1) of section 2923.125 of the Revised Code and currently does 2025
not meet the residency requirements described in that division. 2026

(h) Regarding a license issued under section 2923.125 of the 2027
Revised Code, the competency certificate the licensee submitted 2028
was forged or otherwise was fraudulent. 2029

(2) Upon becoming aware of any circumstance listed in 2030
division (B)(1) of this section that applies to a particular 2031
licensee who was issued a concealed handgun license, subject to 2032
division (C) of this section, the sheriff who issued the license 2033
to the licensee shall notify the licensee, by certified mail, 2034
return receipt requested, at the licensee's last known residence 2035
address that the license is subject to revocation and that the 2036
licensee may come to the sheriff's office and contest the 2037
sheriff's proposed revocation within fourteen days of the date on 2038
which the notice was mailed. After the fourteen-day period and 2039
after consideration of any information that the licensee provides 2040
during that period, if the sheriff determines on the basis of the 2041
information of which the sheriff is aware that the licensee is 2042
described in division (B)(1) of this section and no longer 2043
satisfies the requirements described in division (D)(1) of section 2044
2923.125 of the Revised Code that are applicable to the licensee's 2045
type of license, the sheriff shall revoke the license, notify the 2046
licensee of that fact, and require the licensee to surrender the 2047
license. Upon revoking the license, the sheriff also shall comply 2048
with division (H) of section 2923.125 of the Revised Code. 2049

(C) If a sheriff who issues a concealed handgun license to a 2050
licensee becomes aware that at the time of the issuance of the 2051
license the licensee had been convicted of or pleaded guilty to an 2052

offense identified in division (D)(1)(e), (f), or (h) of section 2053
2923.125 of the Revised Code or had been adjudicated a delinquent 2054
child for committing an act or violation identified in any of 2055
those divisions or becomes aware that on or after the date on 2056
which the license was issued the licensee has been convicted of or 2057
pleaded guilty to an offense identified in division (A)(2)(a) or 2058
(B)(1)(c) of this section, the sheriff shall not consider that 2059
conviction, guilty plea, or adjudication as having occurred for 2060
purposes of divisions (A)(2), (A)(3), (B)(1), and (B)(2) of this 2061
section if a court has ordered the sealing or expungement of the 2062
records of that conviction, guilty plea, or adjudication pursuant 2063
to sections 2151.355 to 2151.358 or sections 2953.31 to 2953.36 of 2064
the Revised Code or a court has granted the licensee relief 2065
pursuant to section 2923.14 of the Revised Code from the 2066
disability imposed pursuant to section 2923.13 of the Revised Code 2067
relative to that conviction, guilty plea, or adjudication. 2068

(D) As used in this section, "motor carrier enforcement unit" 2069
has the same meaning as in section 2923.16 of the Revised Code. 2070

Sec. 2923.129. (A)(1) If a sheriff, the superintendent of the 2071
bureau of criminal identification and investigation, the employees 2072
of the bureau, the Ohio peace officer training commission, or the 2073
employees of the commission make a good faith effort in performing 2074
the duties imposed upon the sheriff, the superintendent, the 2075
bureau's employees, the commission, or the commission's employees 2076
by sections 109.731, 311.41, and 2923.124 to 2923.1213 of the 2077
Revised Code, in addition to the personal immunity provided by 2078
section 9.86 of the Revised Code or division (A)(6) of section 2079
2744.03 of the Revised Code and the governmental immunity of 2080
sections 2744.02 and 2744.03 of the Revised Code and in addition 2081
to any other immunity possessed by the bureau, the commission, and 2082
their employees, the sheriff, the sheriff's office, the county in 2083
which the sheriff has jurisdiction, the bureau, the superintendent 2084

of the bureau, the bureau's employees, the commission, and the 2085
commission's employees are immune from liability in a civil action 2086
for injury, death, or loss to person or property that allegedly 2087
was caused by or related to any of the following: 2088

(a) The issuance, renewal, suspension, or revocation of a 2089
concealed handgun license; 2090

(b) The failure to issue, renew, suspend, or revoke a 2091
concealed handgun license; 2092

(c) Any action or misconduct with a ~~handgun~~ firearm committed 2093
by a licensee. 2094

(2) Any action of a sheriff relating to the issuance, 2095
renewal, suspension, or revocation of a concealed handgun license 2096
shall be considered to be a governmental function for purposes of 2097
Chapter 2744. of the Revised Code. 2098

(3) An entity that or instructor who provides a competency 2099
certification of a type described in division (B)(3) of section 2100
2923.125 of the Revised Code is immune from civil liability that 2101
might otherwise be incurred or imposed for any death or any injury 2102
or loss to person or property that is caused by or related to a 2103
person to whom the entity or instructor has issued the competency 2104
certificate if all of the following apply: 2105

(a) The alleged liability of the entity or instructor relates 2106
to the training provided in the course, class, or program covered 2107
by the competency certificate. 2108

(b) The entity or instructor makes a good faith effort in 2109
determining whether the person has satisfactorily completed the 2110
course, class, or program and makes a good faith effort in 2111
assessing the person in the competency examination conducted 2112
pursuant to division (G)(2) of section 2923.125 of the Revised 2113
Code. 2114

(c) The entity or instructor did not issue the competency certificate with malicious purpose, in bad faith, or in a wanton or reckless manner. 2115
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(4) An entity that or instructor who, prior to ~~the effective date of this amendment~~ March 27, 2013, provides a renewed competency certification of a type described in division (G)(4) of section 2923.125 of the Revised Code as it existed prior to ~~the effective date of this amendment~~ March 27, 2013, is immune from civil liability that might otherwise be incurred or imposed for any death or any injury or loss to person or property that is caused by or related to a person to whom the entity or instructor has issued the renewed competency certificate if all of the following apply: 2118
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2127

(a) The entity or instructor makes a good faith effort in assessing the person in the physical demonstrations or the competency examination conducted pursuant to division (G)(4) of section 2923.125 of the Revised Code as it existed prior to ~~the effective date of this amendment~~ March 27, 2013. 2128
2129
2130
2131
2132

(b) The entity or instructor did not issue the renewed competency certificate with malicious purpose, in bad faith, or in a wanton or reckless manner. 2133
2134
2135

(5) A law enforcement agency that employs a peace officer is immune from liability in a civil action to recover damages for injury, death, or loss to person or property allegedly caused by any act of that peace officer if the act occurred while the peace officer carried a concealed ~~handgun~~ firearm and was off duty and if the act allegedly involved the peace officer's use of the concealed ~~handgun~~ firearm. Sections 9.86 and 9.87, and Chapter 2744., of the Revised Code apply to any civil action involving a peace officer's use of a concealed ~~handgun~~ firearm in the performance of the peace officer's official duties while the peace officer is off duty. 2136
2137
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(B)(1) Notwithstanding section 149.43 of the Revised Code, 2147
except as provided in division (B)(2) of this section, the records 2148
that a sheriff keeps relative to the issuance, renewal, 2149
suspension, or revocation of a concealed handgun license, 2150
including, but not limited to, completed applications for the 2151
issuance or renewal of a license, completed affidavits submitted 2152
regarding an application for a license on a temporary emergency 2153
basis, reports of criminal records checks and incompetency records 2154
checks under section 311.41 of the Revised Code, and applicants' 2155
social security numbers and fingerprints that are obtained under 2156
division (A) of section 311.41 of the Revised Code, are 2157
confidential and are not public records. Except as provided in 2158
division (B)(2) of this section, no person shall release or 2159
otherwise disseminate records that are confidential under this 2160
division unless required to do so pursuant to a court order. 2161

(2)(a) A journalist, on or after April 8, 2004, may submit to 2162
a sheriff a signed, written request to view the name, county of 2163
residence, and date of birth of each person to whom the sheriff 2164
has issued, renewed, or issued a replacement for a concealed 2165
handgun license, or a signed, written request to view the name, 2166
county of residence, and date of birth of each person for whom the 2167
sheriff has suspended or revoked a concealed handgun license. The 2168
request shall include the journalist's name and title, shall 2169
include the name and address of the journalist's employer, and 2170
shall state that disclosure of the information sought would be in 2171
the public interest. If a journalist submits a signed, written 2172
request to the sheriff to view the information described in this 2173
division, the sheriff shall grant the journalist's request. The 2174
journalist shall not copy the name, county of residence, or date 2175
of birth of each person to or for whom the sheriff has issued, 2176
suspended, or revoked a license described in this division. 2177

(b) As used in division (B)(2) of this section, "journalist" 2178

means a person engaged in, connected with, or employed by any news 2179
medium, including a newspaper, magazine, press association, news 2180
agency, or wire service, a radio or television station, or a 2181
similar medium, for the purpose of gathering, processing, 2182
transmitting, compiling, editing, or disseminating information for 2183
the general public. 2184

(C) Each sheriff shall report to the Ohio peace officer 2185
training commission the number of concealed handgun licenses that 2186
the sheriff issued, renewed, suspended, revoked, or denied under 2187
section 2923.125 of the Revised Code during the previous quarter 2188
of the calendar year, the number of applications for those 2189
licenses for which processing was suspended in accordance with 2190
division (D)(3) of section 2923.125 of the Revised Code during the 2191
previous quarter of the calendar year, and the number of concealed 2192
handgun licenses on a temporary emergency basis that the sheriff 2193
issued, suspended, revoked, or denied under section 2923.1213 of 2194
the Revised Code during the previous quarter of the calendar year. 2195
The sheriff shall not include in the report the name or any other 2196
identifying information of an applicant or licensee. The sheriff 2197
shall report that information in a manner that permits the 2198
commission to maintain the statistics described in division (C) of 2199
section 109.731 of the Revised Code and to timely prepare the 2200
statistical report described in that division. The information 2201
that is received by the commission under this division is a public 2202
record kept by the commission for the purposes of section 149.43 2203
of the Revised Code. 2204

(D) Law enforcement agencies may use the information a 2205
sheriff makes available through the use of the law enforcement 2206
automated data system pursuant to division (H) of section 2923.125 2207
or division (B)(2) or (D) of section 2923.1213 of the Revised Code 2208
for law enforcement purposes only. The information is confidential 2209
and is not a public record. A person who releases or otherwise 2210

disseminates this information obtained through the law enforcement 2211
automated data system in a manner not described in this division 2212
is guilty of a violation of section 2913.04 of the Revised Code. 2213

(E) Whoever violates division (B) of this section is guilty 2214
of illegal release of confidential concealed handgun license 2215
records, a felony of the fifth degree. In addition to any 2216
penalties imposed under Chapter 2929. of the Revised Code for a 2217
violation of division (B) of this section or a violation of 2218
section 2913.04 of the Revised Code described in division (D) of 2219
this section, if the offender is a sheriff, an employee of a 2220
sheriff, or any other public officer or employee, and if the 2221
violation was willful and deliberate, the offender shall be 2222
subject to a civil fine of one thousand dollars. Any person who is 2223
harmed by a violation of division (B) or (C) of this section or a 2224
violation of section 2913.04 of the Revised Code described in 2225
division (D) of this section has a private cause of action against 2226
the offender for any injury, death, or loss to person or property 2227
that is a proximate result of the violation and may recover court 2228
costs and attorney's fees related to the action. 2229

Sec. 2923.1210. The application for a concealed handgun 2230
license or for the renewal of a license of that nature that is to 2231
be used under section 2923.125 of the Revised Code shall conform 2232
substantially to the following forms: 2233

"Ohio Peace APPLICATION FOR A CONCEALED 2234
Officer HANDGUN LICENSE TO ~~CARRY A~~
Training ~~CONCEALED~~ ~~HANDGUN~~
Commission

 Please Type or Print in Ink 2235

SECTION I. 2236

This application will not be processed unless 2237
all applicable questions have been answered and

until all required supporting documents as described in division (B) or (F) of section 2923.125 of the Ohio Revised Code and, unless waived, a cashier's check, certified check, or money order in the amount of the applicable license fee or license renewal fee have been submitted. FEES ARE NONREFUNDABLE.

SECTION II.	2238
Name:	2239
Last	2240
First	2240
Middle	2240
.....	2241
Social Security Number:	2242
Current Residence:	2243
Street	2244
City	2244
State	2244
County	2244
Zip	2244
.....	2245
Mailing Address (If Different From Above):	2246
Street	2247
City	2247
State	2247
Zip	2247
.....	2248
Date of Birth	2249
Place of Birth	2249
Sex	2249
Race	2249
Residence	2249
Telephone	2249
...../...../.....	2250
.....	2250
.....	2250
.....	2250
..... (.....)	2250
SECTION III. THE FOLLOWING QUESTIONS ARE TO BE ANSWERED YES OR NO	2251
(1)(a) Are you legally living in the United States?	2252
..... YES	2252
..... NO	2252
(b) Have you been a resident of Ohio for at least forty-five days and have you been a resident for thirty days of the county with whose sheriff you are filing this application or of a county adjacent to that county?	2253
..... YES	2253
..... NO	2253
(2) Are you at least twenty-one years of age?	2254
..... YES	2254
..... NO	2254
(3) Are you a fugitive from justice?	2255
..... YES	2255
..... NO	2255

(4) Are you under indictment for a felony, or, YES NO 2256
except for a conviction or guilty plea the
records of which a court has ordered sealed or
expunged or relative to which a court has
granted relief from disability pursuant to
section 2923.14 of the Revised Code, have you
ever been convicted of or pleaded guilty to a
felony, or, except for a delinquent child
adjudication the records of which a court has
ordered sealed or expunged or relative to
which a court has granted relief from
disability pursuant to section 2923.14 of the
Revised Code, have you ever been adjudicated a
delinquent child for committing an act that
would be a felony if committed by an adult?

(5) Are you under indictment for or otherwise YES NO 2257
charged with, or, except for a conviction or
guilty plea the records of which a court has
ordered sealed or expunged or relative to
which a court has granted relief from
disability pursuant to section 2923.14 of the
Revised Code, have you ever been convicted of
or pleaded guilty to, an offense under Chapter
2925., 3719., or 4729. of the Ohio Revised
Code that involves the illegal possession,
use, sale, administration, or distribution of
or trafficking in a drug of abuse, or, except
for a delinquent child adjudication the
records of which a court has ordered sealed or
expunged or relative to which a court has
granted relief from disability pursuant to
section 2923.14 of the Revised Code, have you
ever been adjudicated a delinquent child for

committing an act that would be an offense of that nature if committed by an adult?

(6) Are you under indictment for or otherwise charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been convicted of or pleaded guilty to within three years of the date of this application, a misdemeanor that is an offense of violence or the offense of possessing a revoked or suspended concealed handgun license, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been adjudicated a delinquent child within three years of the date of this application for committing an act that would be a misdemeanor of that nature if committed by an adult? YES NO 2258

(7) Are you under indictment for or otherwise charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been convicted of or pleaded guilty to within ten years of the date of this application, resisting arrest, or, except for a delinquent child adjudication the YES NO 2259

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

(8)(a) Are you under indictment for or otherwise charged with assault or negligent assault? YES NO 2260

(b) Have you been convicted of, pleaded guilty to, or adjudicated a delinquent child two or more times for committing assault or negligent assault within five years of the date of this application? YES NO 2261

(c) Except for a conviction, guilty plea, or delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been convicted of, pleaded guilty to, or adjudicated a delinquent child for assaulting a peace officer? YES NO 2262

(9)(a) Have you ever been adjudicated as a mental defective? YES NO 2263

(b) Have you ever been committed to a mental institution? YES NO 2264

(10) Are you currently subject to a civil protection order, a temporary protection order, or a protection order issued by a court YES NO 2265

of another state?

(11) Are you currently subject to a suspension YES NO 2266
imposed under division (A)(2) of section
2923.128 of the Revised Code of a concealed
handgun license that previously was issued to
you?

(12) Have you been convicted of or pleadedYESNO 2267
guilty to a misdemeanor offense of carrying
concealed weapons or improperly handling
firearms in a motor vehicle in violation of
division (B)(1) or (2) of section 2923.12 or
division (E)(1), (2), or (3) of section
2923.16 of the Revised Code within one year of
the date of this application or a misdemeanor
offense of carrying concealed weapons or
improperly handling firearms in a motor
vehicle in violation of division (B)(4) of
section 2923.12 or division (E)(5) of section
2923.16 of the Revised Code within two years
of the date of this application?

SECTION IV. YOU MUST COMPLETE THIS SECTION OF THE APPLICATION BY 2268
PROVIDING, TO THE BEST OF YOUR KNOWLEDGE, THE ADDRESS OF EACH 2269
PLACE OF RESIDENCE AT WHICH YOU RESIDED AT ANY TIME AFTER YOU 2270
ATTAINED EIGHTEEN YEARS OF AGE AND UNTIL YOU COMMENCED YOUR 2271
RESIDENCE AT THE LOCATION IDENTIFIED IN SECTION II OF THIS FORM, 2272
AND THE DATES OF RESIDENCE AT EACH OF THOSE ADDRESSES. IF YOU NEED 2273
MORE SPACE, COMPLETE AN ADDITIONAL SHEET WITH THE RELEVANT 2274
INFORMATION, ATTACH IT TO THE APPLICATION, AND NOTE THE ATTACHMENT 2275
AT THE END OF THIS SECTION. 2276

Residence 1: 2277

Street City State County Zip 2278

..... 2279

Dates of residence at this address	2280
Residence 2:	2281
Street City State County Zip	2282
.....	2283
Dates of residence at this address	2284
Residence 3:	2285
Street City State County Zip	2286
.....	2287
Dates of residence at this address	2288
Residence 4:	2289
Street City State County Zip	2290
.....	2291
Dates of residence at this address	2292
SECTION V.	2293
YOU MUST COMPLETE THIS SECTION OF THE APPLICATION BY ANSWERING THE	2294
QUESTION POSED IN PART (1) AND, IF THE ANSWER TO THE QUESTION IS	2295
"YES," BY PROVIDING IN PART (2) THE INFORMATION SPECIFIED. IF YOU	2296
NEED MORE SPACE, COMPLETE AN ADDITIONAL SHEET WITH THE RELEVANT	2297
INFORMATION, ATTACH IT TO THE APPLICATION, AND NOTE THE ATTACHMENT	2298
AT THE END OF THIS SECTION.	2299
(1) Have you previously applied in any county YES NO	2300
in Ohio or in any other state for a concealed	
handgun license?	
(2) If your answer to the question in part (1) of this section of	2301
the application is "yes," you must complete this part by listing	2302
each county in Ohio, and each other state, in which you previously	2303
applied for a license and, to the best of your knowledge, the date	2304
on which you made the application.	2305
Previous application made in (insert name of Ohio	2306
county or other state) on (insert date of	2307
application.)	2308

Previous application made in (insert name of Ohio county or other state) on (insert date of application.)	2309 2310 2311
Previous application made in (insert name of Ohio county or other state) on (insert date of application.)	2312 2313 2314
Previous application made in (insert name of Ohio county or other state) on (insert date of application.)	2315 2316 2317
SECTION VI.	2318
AN APPLICANT WHO KNOWINGLY GIVES A FALSE ANSWER TO ANY QUESTION OR SUBMITS FALSE INFORMATION ON, OR A FALSE DOCUMENT WITH THE APPLICATION MAY BE PROSECUTED FOR FALSIFICATION TO OBTAIN A CONCEALED HANDGUN LICENSE, A FELONY OF THE FOURTH DEGREE, IN VIOLATION OF SECTION 2921.13 OF THE OHIO REVISED CODE.	2319 2320 2321 2322 2323
(1) I have read the pamphlet that explains the Ohio firearms laws, that provides instruction in dispute resolution and explains the Ohio laws related to that matter, and that provides information regarding all aspects of the use of deadly force with a firearm, and I am knowledgeable of the provisions of those laws and of the information on those matters.	2324 2325 2326 2327 2328 2329
(2) I desire a legal means to carry a concealed handgun <u>firearm</u> <u>that is not a restricted firearm</u> for defense of myself or a member of my family while engaged in lawful activity.	2330 2331 2332
(3) I have never been convicted of or pleaded guilty to a crime of violence in the state of Ohio or elsewhere (if you have been convicted of or pleaded guilty to such a crime, but the records of that conviction or guilty plea have been sealed or expunged by court order or a court has granted relief pursuant to section 2923.14 of the Revised Code from the disability imposed pursuant to section 2923.13 of the Revised	2333 2334 2335 2336 2337 2338 2339

.....	.....	.....	2361		
Social Security Number:	.....		2362		
Current Residence:			2363		
Street	City	State	County	Zip	2364
.....	.....	.....	.....	.....	2365
Mailing Address (If Different From Above):					2366
Street	City	State		Zip	2367
.....	.....	.....		.....	2368
Date of Birth	Place of Birth	Sex	Race	Residence	2369
				Telephone	
...../...../.....	.....	....	.....	(...)	2370
SECTION III. THE FOLLOWING QUESTIONS ARE TO BE ANSWERED YES OR NO					2371
(1)(a) Are you legally living in the United States?	.... YES	.... NO			2372
(b) Have you been a resident of Ohio for at least forty-five days and have you been a resident for thirty days of the county with whose sheriff you are filing this application or of a county adjacent to that county?	.... YES	.... NO			2373
(2) Are you at least twenty-one years of age?	.... YES	.... NO			2374
(3) Are you a fugitive from justice?	.... YES	.... NO			2375
(4) Are you under indictment for a felony, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been convicted of or pleaded guilty to a felony, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from	.... YES	.... NO			2376

disability pursuant to section 2923.14 of the Revised Code, have you ever been adjudicated a delinquent child for committing an act that would be a felony if committed by an adult?

(5) Are you under indictment for or otherwise charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been convicted of or pleaded guilty to, an offense under Chapter 2925., 3719., or 4729. of the Ohio Revised Code that involves the illegal possession, use, sale, administration, or distribution of or trafficking in a drug of abuse, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been adjudicated a delinquent child for committing an act that would be an offense of that nature if committed by an adult? YES NO 2377

(6) Are you under indictment for or otherwise charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been convicted of or pleaded guilty to within three years of the date of this application, a misdemeanor that

. . . . YES NO 2378

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

(7) Are you under indictment for or otherwise charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been convicted of or pleaded guilty to within ten years of the date of this application, resisting arrest, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been adjudicated a delinquent child for committing, within ten years of the date of this application an act that if committed by an adult would be the offense of resisting arrest? YES NO 2379

charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been convicted of or pleaded guilty to within ten years of the date of this application, resisting arrest, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been adjudicated a delinquent child for committing, within ten years of the date of this application an act that if committed by an adult would be the offense of resisting arrest?

(8)(a) Are you under indictment for or otherwise charged with assault or negligent YES NO 2380

assault?

(b) Have you been convicted of, pleaded guilty YES NO 2381
to, or adjudicated a delinquent child two or
more times for committing assault or negligent
assault within five years of the date of this
application?

(c) Except for a conviction, guilty plea, or YES NO 2382
delinquent child adjudication the records of
which a court has ordered sealed or expunged
or relative to which a court has granted
relief from disability pursuant to section
2923.14 of the Revised Code, have you ever
been convicted of, pleaded guilty to, or
adjudicated a delinquent child for assaulting
a peace officer?

(9)(a) Have you ever been adjudicated as a YES NO 2383
mental defective?

(b) Have you ever been committed to a mental YES NO 2384
institution?

(10) Are you currently subject to a civil YES NO 2385
protection order, a temporary protection
order, or a protection order issued by a court
of another state?

(11) Are you currently subject to a suspension YES NO 2386
imposed under division (A)(2) of section
2923.128 of the Revised Code of a concealed
handgun license that previously was issued to
you?

(12) Have you been convicted of or pleaded YES NO 2387
guilty to a misdemeanor offense of carrying
concealed weapons or improperly handling
firearms in a motor vehicle in violation of
division (B)(1) or (2) of section 2923.12 or

division (E)(1), (2), or (3) of section 2923.16 of the Revised Code within one year of the date of this application or a misdemeanor offense of carrying concealed weapons or improperly handling firearms in a motor vehicle in violation of division (B)(4) of section 2923.12 or division (E)(5) of section 2923.16 of the Revised Code within two years of the date of this application?

SECTION IV. YOU MUST COMPLETE THIS SECTION OF THE APPLICATION BY 2388
PROVIDING, TO THE BEST OF YOUR KNOWLEDGE, THE ADDRESS OF EACH 2389
PLACE OF RESIDENCE AT WHICH YOU RESIDED AT ANY TIME AFTER YOU LAST 2390
APPLIED FOR AN OHIO CONCEALED HANDGUN LICENSE THROUGH THE TIME YOU 2391
COMMENCED YOUR RESIDENCE AT THE LOCATION IDENTIFIED IN SECTION II 2392
OF THIS FORM, AND THE DATES OF RESIDENCE AT EACH OF THOSE 2393
ADDRESSES. IF YOU NEED MORE SPACE, COMPLETE AN ADDITIONAL SHEET 2394
WITH THE RELEVANT INFORMATION, ATTACH IT TO THE APPLICATION, AND 2395
NOTE THE ATTACHMENT AT THE END OF THIS SECTION. 2396

Residence 1: 2397
Street City State County Zip 2398
..... 2399
Dates of residence at this address 2400

Residence 2: 2401
Street City State County Zip 2402
..... 2403
Dates of residence at this address 2404

Residence 3: 2405
Street City State County Zip 2406
..... 2407
Dates of residence at this address 2408

Residence 4: 2409

Street	City	State	County	Zip	2410
.....	.....	.....	.....	.....	2411
Dates of residence at this address					2412
SECTION V.					2413
YOU MUST COMPLETE THIS SECTION OF THE APPLICATION BY ANSWERING THE					2414
QUESTION POSED IN PART (1) AND, IF THE ANSWER TO THE QUESTION IS					2415
"YES," BY PROVIDING IN PART (2) THE INFORMATION SPECIFIED. IF YOU					2416
NEED MORE SPACE, COMPLETE AN ADDITIONAL SHEET WITH THE RELEVANT					2417
INFORMATION, ATTACH IT TO THE APPLICATION, AND NOTE THE ATTACHMENT					2418
AT THE END OF THIS SECTION.					2419
(1) Have you previously applied in any county YES NO					2420
in Ohio or in any other state for a concealed					
handgun license?					
(2) If your answer to the question in part (1) of this section of					2421
the application is "yes," you must complete this part by listing					2422
each county in Ohio, and each other state, in which you previously					2423
applied for a license and, to the best of your knowledge, the date					2424
on which you made the application.					2425
Previous application made in (insert name of Ohio					2426
county or other state) on (insert date of					2427
application.)					2428
Previous application made in (insert name of Ohio					2429
county or other state) on (insert date of					2430
application.)					2431
Previous application made in (insert name of Ohio					2432
county or other state) on (insert date of					2433
application.)					2434
Previous application made in (insert name of Ohio					2435
county or other state) on (insert date of					2436
application.)					2437
SECTION VI.					2438

AN APPLICANT WHO KNOWINGLY GIVES A FALSE ANSWER TO ANY QUESTION OR 2439
SUBMITS FALSE INFORMATION ON, OR A FALSE DOCUMENT WITH THE 2440
APPLICATION MAY BE PROSECUTED FOR FALSIFICATION TO OBTAIN A 2441
CONCEALED HANDGUN LICENSE, A FELONY OF THE FOURTH DEGREE, IN 2442
VIOLATION OF SECTION 2921.13 OF THE OHIO REVISED CODE. 2443

(1) I have read the pamphlet that explains the Ohio firearms laws, 2444
that provides instruction in dispute resolution and explains 2445
the Ohio laws related to that matter, and that provides 2446
information regarding all aspects of the use of deadly force 2447
with a firearm, and I am knowledgeable of the provisions of 2448
those laws and of the information on those matters. 2449

(2) I desire a legal means to carry a concealed ~~handgun~~ firearm 2450
that is not a restricted firearm for defense of myself or a 2451
member of my family while engaged in lawful activity. 2452

(3) I have never been convicted of or pleaded guilty to a crime of 2453
violence in the state of Ohio or elsewhere (if you have been 2454
convicted of or pleaded guilty to such a crime, but the 2455
records of that conviction or guilty plea have been sealed or 2456
expunged by court order or a court has granted relief 2457
pursuant to section 2923.14 of the Revised Code from the 2458
disability imposed pursuant to section 2923.13 of the Revised 2459
Code relative to that conviction or guilty plea, you may 2460
treat the conviction or guilty plea for purposes of this 2461
paragraph as if it never had occurred). I am of sound mind. I 2462
hereby certify that the statements contained herein are true 2463
and correct to the best of my knowledge and belief. I 2464
understand that if I knowingly make any false statements 2465
herein I am subject to penalties prescribed by law. I 2466
authorize the sheriff or the sheriff's designee to inspect 2467
only those records or documents relevant to information 2468
required for this application. 2469

(4) The information contained in this application and all attached 2470

documents are true and correct to the best of my knowledge.	2471
.....	2472
Signature of Applicant"	2473
Sec. 2923.1213. (A) As used in this section:	2474
(1) "Evidence of imminent danger" means any of the following:	2475
(a) A statement sworn by the person seeking to carry a	2476
concealed handgun <u>firearm other than a restricted firearm</u> that is	2477
made under threat of perjury and that states that the person has	2478
reasonable cause to fear a criminal attack upon the person or a	2479
member of the person's family, such as would justify a prudent	2480
person in going armed;	2481
(b) A written document prepared by a governmental entity or	2482
public official describing the facts that give the person seeking	2483
to carry a concealed handgun <u>firearm other than a restricted</u>	2484
<u>firearm</u> reasonable cause to fear a criminal attack upon the person	2485
or a member of the person's family, such as would justify a	2486
prudent person in going armed. Written documents of this nature	2487
include, but are not limited to, any temporary protection order,	2488
civil protection order, protection order issued by another state,	2489
or other court order, any court report, and any report filed with	2490
or made by a law enforcement agency or prosecutor.	2491
(2) "Prosecutor" has the same meaning as in section 2935.01	2492
of the Revised Code.	2493
(B)(1) A person seeking a concealed handgun license on a	2494
temporary emergency basis shall submit to the sheriff of the	2495
county in which the person resides all of the following:	2496
(a) Evidence of imminent danger to the person or a member of	2497
the person's family;	2498
(b) A sworn affidavit that contains all of the information	2499
required to be on the license and attesting that the person is	2500

legally living in the United States; is at least twenty-one years 2501
of age; is not a fugitive from justice; is not under indictment 2502
for or otherwise charged with an offense identified in division 2503
(D)(1)(d) of section 2923.125 of the Revised Code; has not been 2504
convicted of or pleaded guilty to an offense, and has not been 2505
adjudicated a delinquent child for committing an act, identified 2506
in division (D)(1)(e) of that section and to which division (B)(3) 2507
of this section does not apply; within three years of the date of 2508
the submission, has not been convicted of or pleaded guilty to an 2509
offense, and has not been adjudicated a delinquent child for 2510
committing an act, identified in division (D)(1)(f) of that 2511
section and to which division (B)(3) of this section does not 2512
apply; within five years of the date of the submission, has not 2513
been convicted of, pleaded guilty, or adjudicated a delinquent 2514
child for committing two or more violations identified in division 2515
(D)(1)(g) of that section; within ten years of the date of the 2516
submission, has not been convicted of, pleaded guilty, or 2517
adjudicated a delinquent child for committing a violation 2518
identified in division (D)(1)(h) of that section and to which 2519
division (B)(3) of this section does not apply; has not been 2520
adjudicated as a mental defective, has not been committed to any 2521
mental institution, is not under adjudication of mental 2522
incompetence, has not been found by a court to be a mentally ill 2523
person subject to hospitalization by court order, and is not an 2524
involuntary patient other than one who is a patient only for 2525
purposes of observation, as described in division (D)(1)(i) of 2526
that section; is not currently subject to a civil protection 2527
order, a temporary protection order, or a protection order issued 2528
by a court of another state, as described in division (D)(1)(j) of 2529
that section; ~~and~~ is not currently subject to a suspension imposed 2530
under division (A)(2) of section 2923.128 of the Revised Code of a 2531
concealed handgun license that previously was issued to the 2532
person; within one year of the date of submission, has not been 2533

convicted of or pleaded guilty to a misdemeanor offense of 2534
carrying concealed weapons or improperly handling firearms in a 2535
motor vehicle in violation of division (B)(1) or (2) of section 2536
2923.12 or division (E)(1), (2), or (3) of section 2923.16 of the 2537
Revised Code; and within two years of the date of the submission, 2538
has not been convicted of or pleaded guilty to a misdemeanor 2539
offense of carrying concealed weapons or improperly handling 2540
firearms in a motor vehicle in violation of division (B)(4) of 2541
section 2923.12 or division (E)(5) of section 2923.16 of the 2542
Revised Code; 2543

(c) A nonrefundable temporary emergency license fee as 2544
described in either of the following: 2545

(i) For an applicant who has been a resident of this state 2546
for five or more years, a fee of fifteen dollars plus the actual 2547
cost of having a background check performed by the bureau of 2548
criminal identification and investigation pursuant to section 2549
311.41 of the Revised Code; 2550

(ii) For an applicant who has been a resident of this state 2551
for less than five years, a fee of fifteen dollars plus the actual 2552
cost of having background checks performed by the federal bureau 2553
of investigation and the bureau of criminal identification and 2554
investigation pursuant to section 311.41 of the Revised Code. 2555

(d) A set of fingerprints of the applicant provided as 2556
described in section 311.41 of the Revised Code through use of an 2557
electronic fingerprint reading device or, if the sheriff to whom 2558
the application is submitted does not possess and does not have 2559
ready access to the use of an electronic fingerprint reading 2560
device, on a standard impression sheet prescribed pursuant to 2561
division (C)(2) of section 109.572 of the Revised Code. If the 2562
fingerprints are provided on a standard impression sheet, the 2563
person also shall provide the person's social security number to 2564
the sheriff. 2565

(2) A sheriff shall accept the evidence of imminent danger, 2566
the sworn affidavit, the fee, and the set of fingerprints required 2567
under division (B)(1) of this section at the times and in the 2568
manners described in division (I) of this section. Upon receipt of 2569
the evidence of imminent danger, the sworn affidavit, the fee, and 2570
the set of fingerprints required under division (B)(1) of this 2571
section, the sheriff, in the manner specified in section 311.41 of 2572
the Revised Code, immediately shall conduct or cause to be 2573
conducted the criminal records check and the incompetency records 2574
check described in section 311.41 of the Revised Code. Immediately 2575
upon receipt of the results of the records checks, the sheriff 2576
shall review the information and shall determine whether the 2577
criteria set forth in divisions (D)(1)(a) to (j) and (m) of 2578
section 2923.125 of the Revised Code apply regarding the person. 2579
If the sheriff determines that all of criteria set forth in 2580
divisions (D)(1)(a) to (j) and (m) of section 2923.125 of the 2581
Revised Code apply regarding the person, the sheriff shall 2582
immediately make available through the law enforcement automated 2583
data system all information that will be contained on the 2584
temporary emergency license for the person if one is issued, and 2585
the superintendent of the state highway patrol shall ensure that 2586
the system is so configured as to permit the transmission through 2587
the system of that information. Upon making that information 2588
available through the law enforcement automated data system, the 2589
sheriff shall immediately issue to the person a concealed handgun 2590
license on a temporary emergency basis. 2591

If the sheriff denies the issuance of a license on a 2592
temporary emergency basis to the person, the sheriff shall specify 2593
the grounds for the denial in a written notice to the person. The 2594
person may appeal the denial, or challenge criminal records check 2595
results that were the basis of the denial if applicable, in the 2596
same manners specified in division (D)(2) of section 2923.125 and 2597
in section 2923.127 of the Revised Code, regarding the denial of 2598

an application for a concealed handgun license under that section. 2599

The license on a temporary emergency basis issued under this 2600
division shall be in the form, and shall include all of the 2601
information, described in divisions (A)(2) and (5) of section 2602
109.731 of the Revised Code, and also shall include a unique 2603
combination of identifying letters and numbers in accordance with 2604
division (A)(4) of that section. 2605

The license on a temporary emergency basis issued under this 2606
division is valid for ninety days and may not be renewed. A person 2607
who has been issued a license on a temporary emergency basis under 2608
this division shall not be issued another license on a temporary 2609
emergency basis unless at least four years has expired since the 2610
issuance of the prior license on a temporary emergency basis. 2611

(3) If a person seeking a concealed handgun license on a 2612
temporary emergency basis has been convicted of or pleaded guilty 2613
to an offense identified in division (D)(1)(e), (f), or (h) of 2614
section 2923.125 of the Revised Code or has been adjudicated a 2615
delinquent child for committing an act or violation identified in 2616
any of those divisions, and if a court has ordered the sealing or 2617
expungement of the records of that conviction, guilty plea, or 2618
adjudication pursuant to sections 2151.355 to 2151.358 or sections 2619
2953.31 to 2953.36 of the Revised Code or a court has granted the 2620
applicant relief pursuant to section 2923.14 of the Revised Code 2621
from the disability imposed pursuant to section 2923.13 of the 2622
Revised Code relative to that conviction, guilty plea, or 2623
adjudication, the conviction, guilty plea, or adjudication shall 2624
not be relevant for purposes of the sworn affidavit described in 2625
division (B)(1)(b) of this section, and the person may complete, 2626
and swear to the truth of, the affidavit as if the conviction, 2627
guilty plea, or adjudication never had occurred. 2628

(4) The sheriff shall waive the payment pursuant to division 2629
(B)(1)(c) of this section of the license fee in connection with an 2630

application that is submitted by an applicant who is a retired 2631
peace officer, a retired person described in division (B)(1)(b) of 2632
section 109.77 of the Revised Code, or a retired federal law 2633
enforcement officer who, prior to retirement, was authorized under 2634
federal law to carry a firearm in the course of duty, unless the 2635
retired peace officer, person, or federal law enforcement officer 2636
retired as the result of a mental disability. 2637

The sheriff shall deposit all fees paid by an applicant under 2638
division (B)(1)(c) of this section into the sheriff's concealed 2639
handgun license issuance fund established pursuant to section 2640
311.42 of the Revised Code. 2641

(C) A person who holds a concealed handgun license on a 2642
temporary emergency basis, regardless of whether the license was 2643
issued prior to, on, or after the effective date of this 2644
amendment, has the same right to carry a concealed ~~handgun~~ firearm 2645
that is not a restricted firearm as a person who was issued a 2646
concealed handgun license under section 2923.125 of the Revised 2647
Code, ~~and any exceptions to the prohibitions contained in section~~ 2648
~~1547.69 and sections 2923.12 to 2923.16 of the Revised Code for a~~ 2649
~~licensee under section 2923.125 of the Revised Code apply to a~~ 2650
~~licensee under this section~~. The person is subject to the same 2651
restrictions, and to all other procedures, duties, and sanctions, 2652
that apply to a person who carries a license issued under section 2653
2923.125 of the Revised Code, other than the license renewal 2654
procedures set forth in that section. 2655

(D) A sheriff who issues a concealed handgun license on a 2656
temporary emergency basis under this section shall not require a 2657
person seeking to carry a concealed ~~handgun~~ firearm that is not a 2658
restricted firearm in accordance with this section to submit a 2659
competency certificate as a prerequisite for issuing the license 2660
and shall comply with division (H) of section 2923.125 of the 2661
Revised Code in regards to the license. The sheriff shall suspend 2662

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

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

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

(G) The Ohio peace officer training commission shall 2695
prescribe, and shall make available to sheriffs, a standard form 2696
to be used under division (B) of this section by a person who 2697
applies for a concealed handgun license on a temporary emergency 2698
basis on the basis of imminent danger of a type described in 2699
division (A)(1)(a) of this section. 2700

(H) A sheriff who receives any fees paid by a person under 2701
this section shall deposit all fees so paid into the sheriff's 2702
concealed handgun license issuance expense fund established under 2703
section 311.42 of the Revised Code. 2704

(I) A sheriff shall accept evidence of imminent danger, a 2705
sworn affidavit, the fee, and the set of fingerprints specified in 2706
division (B)(1) of this section at any time during normal business 2707
hours. In no case shall a sheriff require an appointment, or 2708
designate a specific period of time, for the submission or 2709
acceptance of evidence of imminent danger, a sworn affidavit, the 2710
fee, and the set of fingerprints specified in division (B)(1) of 2711
this section, or for the provision to any person of a standard 2712
form to be used for a person to apply for a concealed handgun 2713
license on a temporary emergency basis. 2714

Sec. 2923.16. (A) No person shall knowingly discharge a 2715
firearm while in or on a motor vehicle. 2716

(B) No person shall knowingly transport or have a loaded 2717
firearm in a motor vehicle in such a manner that the firearm is 2718
accessible to the operator or any passenger without leaving the 2719
vehicle. 2720

(C) No person shall knowingly transport or have a firearm in 2721
a motor vehicle, unless the person may lawfully possess that 2722
firearm under applicable law of this state or the United States, 2723
the firearm is unloaded, and the firearm is carried in one of the 2724
following ways: 2725

(1) In a closed package, box, or case;	2726
(2) In a compartment that can be reached only by leaving the vehicle;	2727 2728
(3) In plain sight and secured in a rack or holder made for the purpose;	2729 2730
(4) If the firearm is at least twenty-four inches in overall length as measured from the muzzle to the part of the stock furthest from the muzzle and if the barrel is at least eighteen inches in length, either in plain sight with the action open or the weapon stripped, or, if the firearm is of a type on which the action will not stay open or which cannot easily be stripped, in plain sight.	2731 2732 2733 2734 2735 2736 2737
(D) No person shall knowingly transport or have a loaded handgun in a motor vehicle if, at the time of that transportation or possession, any of the following applies:	2738 2739 2740
(1) The person is under the influence of alcohol, a drug of abuse, or a combination of them.	2741 2742
(2) The person's whole blood, blood serum or plasma, breath, or urine contains a concentration of alcohol, a listed controlled substance, or a listed metabolite of a controlled substance prohibited for persons operating a vehicle, as specified in division (A) of section 4511.19 of the Revised Code, regardless of whether the person at the time of the transportation or possession as described in this division is the operator of or a passenger in the motor vehicle.	2743 2744 2745 2746 2747 2748 2749 2750
(E) No person who has been issued a concealed handgun license <u>or is deemed under division (C) of section 2923.111 of the Revised Code to have been issued a concealed handgun license under section 2923.125 of the Revised Code</u> , who is the driver or an occupant of a motor vehicle that is stopped as a result of a traffic stop or a stop for another law enforcement purpose or is the driver or an	2751 2752 2753 2754 2755 2756

occupant of a commercial motor vehicle that is stopped by an 2757
employee of the motor carrier enforcement unit for the purposes 2758
defined in section 5503.34 of the Revised Code, and who is 2759
transporting or has a loaded ~~handgun~~ firearm that is not a 2760
restricted firearm in the motor vehicle or commercial motor 2761
vehicle in any manner, shall do any of the following: 2762

(1) Fail to promptly inform any law enforcement officer who 2763
approaches the vehicle while stopped that the person ~~has been~~ 2764
~~issued a concealed handgun license and that the person~~ then 2765
possesses or has a loaded ~~handgun~~ firearm in the motor vehicle 2766
and, if the person has been issued a concealed handgun license, 2767
that the person has been issued the license; 2768

(2) Fail to promptly inform the employee of the unit who 2769
approaches the vehicle while stopped that the person ~~has been~~ 2770
~~issued a concealed handgun license and that the person~~ then 2771
possesses or has a loaded ~~handgun~~ firearm in the commercial motor 2772
vehicle and, if the person has been issued a concealed handgun 2773
license, that the person has been issued the license; 2774

(3) Knowingly fail to remain in the motor vehicle while 2775
stopped or knowingly fail to keep the person's hands in plain 2776
sight at any time after any law enforcement officer begins 2777
approaching the person while stopped and before the law 2778
enforcement officer leaves, unless the failure is pursuant to and 2779
in accordance with directions given by a law enforcement officer; 2780

(4) Knowingly have contact with the loaded ~~handgun~~ firearm by 2781
touching it with the person's hands or fingers in the motor 2782
vehicle at any time after the law enforcement officer begins 2783
approaching and before the law enforcement officer leaves, unless 2784
the person has contact with the loaded ~~handgun~~ firearm pursuant to 2785
and in accordance with directions given by the law enforcement 2786
officer; 2787

(5) Knowingly disregard or fail to comply with any lawful order of any law enforcement officer given while the motor vehicle is stopped, including, but not limited to, a specific order to the person to keep the person's hands in plain sight.

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

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

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

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

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

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

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

(F)(2)(b) of this section, is the spouse or a child of another 2819
person who owns that real property, is a tenant of another person 2820
who owns that real property, or is the spouse or a child of a 2821
tenant of another person who owns that real property. 2822

(d) The person does not discharge the firearm in any of the 2823
following manners: 2824

(i) While under the influence of alcohol, a drug of abuse, or 2825
alcohol and a drug of abuse; 2826

(ii) In the direction of a street, highway, or other public 2827
or private property used by the public for vehicular traffic or 2828
parking; 2829

(iii) At or into an occupied structure that is a permanent or 2830
temporary habitation; 2831

(iv) In the commission of any violation of law, including, 2832
but not limited to, a felony that includes, as an essential 2833
element, purposely or knowingly causing or attempting to cause the 2834
death of or physical harm to another and that was committed by 2835
discharging a firearm from a motor vehicle. 2836

(3) Division (A) of this section does not apply to a person 2837
if all of the following apply: 2838

(a) The person possesses a valid electric-powered all-purpose 2839
vehicle permit issued under section 1533.103 of the Revised Code 2840
by the chief of the division of wildlife. 2841

(b) The person discharges a firearm at a wild quadruped or 2842
game bird as defined in section 1531.01 of the Revised Code during 2843
the open hunting season for the applicable wild quadruped or game 2844
bird. 2845

(c) The person discharges a firearm from a stationary 2846
electric-powered all-purpose vehicle as defined in section 1531.01 2847
of the Revised Code or a motor vehicle that is parked on a road 2848

that is owned or administered by the division of wildlife, 2849
provided that the road is identified by an electric-powered 2850
all-purpose vehicle sign. 2851

(d) The person does not discharge the firearm in any of the 2852
following manners: 2853

(i) While under the influence of alcohol, a drug of abuse, or 2854
alcohol and a drug of abuse; 2855

(ii) In the direction of a street, a highway, or other public 2856
or private property that is used by the public for vehicular 2857
traffic or parking; 2858

(iii) At or into an occupied structure that is a permanent or 2859
temporary habitation; 2860

(iv) In the commission of any violation of law, including, 2861
but not limited to, a felony that includes, as an essential 2862
element, purposely or knowingly causing or attempting to cause the 2863
death of or physical harm to another and that was committed by 2864
discharging a firearm from a motor vehicle. 2865

(4) Divisions (B) and (C) of this section do not apply to a 2866
person if all of the following circumstances apply: 2867

(a) At the time of the alleged violation of either of those 2868
divisions, the person is the operator of or a passenger in a motor 2869
vehicle. 2870

(b) The motor vehicle is on real property that is located in 2871
an unincorporated area of a township and that either is zoned for 2872
agriculture or is used for agriculture. 2873

(c) The person owns the real property described in division 2874
(D)(4)(b) of this section, is the spouse or a child of another 2875
person who owns that real property, is a tenant of another person 2876
who owns that real property, or is the spouse or a child of a 2877
tenant of another person who owns that real property. 2878

(d) The person, prior to arriving at the real property 2879
described in division (D)(4)(b) of this section, did not transport 2880
or possess a firearm in the motor vehicle in a manner prohibited 2881
by division (B) or (C) of this section while the motor vehicle was 2882
being operated on a street, highway, or other public or private 2883
property used by the public for vehicular traffic or parking. 2884

(5) Divisions (B) and (C) of this section do not apply to a 2885
person who transports or possesses a ~~handgun~~ firearm that is not a 2886
restricted firearm in a motor vehicle if, at the time of that 2887
transportation or possession, both of the following apply: 2888

(a) The person transporting or possessing the ~~handgun~~ firearm 2889
is carrying a valid concealed handgun license or is deemed under 2890
division (C) of section 2923.111 of the Revised Code to have been 2891
issued a concealed handgun license under section 2923.125 of the 2892
Revised Code. 2893

(b) The person transporting or possessing the ~~handgun~~ firearm 2894
is not knowingly in a an unauthorized place ~~described~~ specified in 2895
division (B) of section 2923.126 of the Revised Code and is not 2896
knowingly transporting or possessing the firearm in any prohibited 2897
manner listed in that division. 2898

(6) Divisions (B) and (C) of this section do not apply to a 2899
person if all of the following apply: 2900

(a) The person possesses a valid electric-powered all-purpose 2901
vehicle permit issued under section 1533.103 of the Revised Code 2902
by the chief of the division of wildlife. 2903

(b) The person is on or in an electric-powered all-purpose 2904
vehicle as defined in section 1531.01 of the Revised Code or a 2905
motor vehicle during the open hunting season for a wild quadruped 2906
or game bird. 2907

(c) The person is on or in an electric-powered all-purpose 2908
vehicle as defined in section 1531.01 of the Revised Code or a 2909

motor vehicle that is parked on a road that is owned or 2910
administered by the division of wildlife, provided that the road 2911
is identified by an electric-powered all-purpose vehicle sign. 2912

(7) Nothing in this section prohibits or restricts a person 2913
from possessing, storing, or leaving a firearm in a locked motor 2914
vehicle that is parked in the state underground parking garage at 2915
the state capitol building or in the parking garage at the Riffe 2916
center for government and the arts in Columbus, if the person's 2917
transportation and possession of the firearm in the motor vehicle 2918
while traveling to the premises or facility was not in violation 2919
of division (A), (B), (C), (D), or (E) of this section or any 2920
other provision of the Revised Code. 2921

(G)(1) The affirmative defenses authorized in divisions 2922
(D)(1) and (2) of section 2923.12 of the Revised Code are 2923
affirmative defenses to a charge under division (B) or (C) of this 2924
section that involves a firearm other than a handgun if division 2925
(E)(5) of this section does not apply to the person charged. 2926

(2) It is an affirmative defense to a charge under division 2927
(B) or (C) of this section of improperly handling firearms in a 2928
motor vehicle that the actor transported or had the firearm in the 2929
motor vehicle for any lawful purpose and while the motor vehicle 2930
was on the actor's own property, provided that this affirmative 2931
defense is not available unless the person, immediately prior to 2932
arriving at the actor's own property, did not transport or possess 2933
the firearm in a motor vehicle in a manner prohibited by division 2934
(B) or (C) of this section while the motor vehicle was being 2935
operated on a street, highway, or other public or private property 2936
used by the public for vehicular traffic. 2937

(H)(1) No person who is charged with a violation of division 2938
(B), (C), or (D) of this section shall be required to obtain a 2939
concealed handgun license as a condition for the dismissal of the 2940
charge. 2941

(2)(a) If a person is convicted of, was convicted of, pleads guilty to, or has pleaded guilty to a violation of division (E) of this section as it existed prior to September 30, 2011, and if the conduct that was the basis of the violation no longer would be a violation of division (E) of this section on or after September 30, 2011, the person may file an application under section 2953.37 of the Revised Code requesting the expungement of the record of conviction.

If a person is convicted of, was convicted of, pleads guilty to, or has pleaded guilty to a violation of division (B) or (C) of this section as the division existed prior to September 30, 2011, and if the conduct that was the basis of the violation no longer would be a violation of division (B) or (C) of this section on or after September 30, 2011, due to the application of division (F)(5) of this section as it exists on and after September 30, 2011, the person may file an application under section 2953.37 of the Revised Code requesting the expungement of the record of conviction.

(b) The attorney general shall develop a public media advisory that summarizes the expungement procedure established under section 2953.37 of the Revised Code and the offenders identified in division (H)(2)(a) of this section who are authorized to apply for the expungement. Within thirty days after September 30, 2011, the attorney general shall provide a copy of the advisory to each daily newspaper published in this state and each television station that broadcasts in this state. The attorney general may provide the advisory in a tangible form, an electronic form, or in both tangible and electronic forms.

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

degree. A violation of division (D) of this section is a felony of 2974
the fifth degree or, if the loaded handgun is concealed on the 2975
person's person, a felony of the fourth degree. Except as 2976
otherwise provided in this division, a violation of division 2977
(E)(1) or (2) of this section is a misdemeanor of the first 2978
degree, and, in addition to any other penalty or sanction imposed 2979
for the violation, if the offender has been issued a concealed 2980
handgun license, the offender's ~~concealed handgun~~ license shall be 2981
suspended pursuant to division (A)(2) of section 2923.128 of the 2982
Revised Code. If at the time of the stop of the offender for a 2983
traffic stop, for another law enforcement purpose, or for a 2984
purpose defined in section 5503.34 of the Revised Code that was 2985
the basis of the violation any law enforcement officer involved 2986
with the stop or the employee of the motor carrier enforcement 2987
unit who made the stop had actual knowledge ~~of that the offender's~~ 2988
~~status as a licensee~~ offender has been issued a concealed handgun 2989
license or that the offender is deemed under division (C) of 2990
section 2923.111 of the Revised Code to have been issued a 2991
concealed handgun license under section 2923.125 of the Revised 2992
Code, a violation of division (E)(1) or (2) of this section is a 2993
minor misdemeanor, and if the offender has been issued a concealed 2994
handgun license, the offender's ~~concealed handgun~~ license shall 2995
not be suspended pursuant to division (A)(2) of section 2923.128 2996
of the Revised Code. A violation of division (E)(4) of this 2997
section is a felony of the fifth degree. A violation of division 2998
(E)(3) or (5) of this section is a misdemeanor of the first degree 2999
or, if the offender previously has been convicted of or pleaded 3000
guilty to a violation of division (E)(3) or (5) of this section, a 3001
felony of the fifth degree. In addition to any other penalty or 3002
sanction imposed for a misdemeanor violation of division (E)(3) or 3003
(5) of this section, if the offender has been issued a concealed 3004
handgun license, the offender's ~~concealed handgun~~ license shall be 3005
suspended pursuant to division (A)(2) of section 2923.128 of the 3006

Revised Code. A violation of division (B) of this section is a 3007
felony of the fourth degree. 3008

(J) If a law enforcement officer stops a motor vehicle for a 3009
traffic stop or any other purpose, if any person in the motor 3010
vehicle surrenders a firearm to the officer, either voluntarily or 3011
pursuant to a request or demand of the officer, and if the officer 3012
does not charge the person with a violation of this section or 3013
arrest the person for any offense, the person is not otherwise 3014
prohibited by law from possessing the firearm, and the firearm is 3015
not contraband, the officer shall return the firearm to the person 3016
at the termination of the stop. If a court orders a law 3017
enforcement officer to return a firearm to a person pursuant to 3018
the requirement set forth in this division, division (B) of 3019
section 2923.163 of the Revised Code applies. 3020

(K) As used in this section: 3021

(1) "Motor vehicle," "street," and "highway" have the same 3022
meanings as in section 4511.01 of the Revised Code. 3023

(2) "Occupied structure" has the same meaning as in section 3024
2909.01 of the Revised Code. 3025

(3) "Agriculture" has the same meaning as in section 519.01 3026
of the Revised Code. 3027

(4) "Tenant" has the same meaning as in section 1531.01 of 3028
the Revised Code. 3029

(5)(a) "Unloaded" means, with respect to a firearm other than 3030
a firearm described in division (K)(6) of this section, that no 3031
ammunition is in the firearm in question, no magazine or speed 3032
loader containing ammunition is inserted into the firearm in 3033
question, and one of the following applies: 3034

(i) There is no ammunition in a magazine or speed loader that 3035
is in the vehicle in question and that may be used with the 3036

firearm in question. 3037

(ii) Any magazine or speed loader that contains ammunition 3038
and that may be used with the firearm in question is stored in a 3039
compartment within the vehicle in question that cannot be accessed 3040
without leaving the vehicle or is stored in a container that 3041
provides complete and separate enclosure. 3042

(b) For the purposes of division (K)(5)(a)(ii) of this 3043
section, a "container that provides complete and separate 3044
enclosure" includes, but is not limited to, any of the following: 3045

(i) A package, box, or case with multiple compartments, as 3046
long as the loaded magazine or speed loader and the firearm in 3047
question either are in separate compartments within the package, 3048
box, or case, or, if they are in the same compartment, the 3049
magazine or speed loader is contained within a separate enclosure 3050
in that compartment that does not contain the firearm and that 3051
closes using a snap, button, buckle, zipper, hook and loop closing 3052
mechanism, or other fastener that must be opened to access the 3053
contents or the firearm is contained within a separate enclosure 3054
of that nature in that compartment that does not contain the 3055
magazine or speed loader; 3056

(ii) A pocket or other enclosure on the person of the person 3057
in question that closes using a snap, button, buckle, zipper, hook 3058
and loop closing mechanism, or other fastener that must be opened 3059
to access the contents. 3060

(c) For the purposes of divisions (K)(5)(a) and (b) of this 3061
section, ammunition held in stripper-clips or in en-bloc clips is 3062
not considered ammunition that is loaded into a magazine or speed 3063
loader. 3064

(6) "Unloaded" means, with respect to a firearm employing a 3065
percussion cap, flintlock, or other obsolete ignition system, when 3066
the weapon is uncapped or when the priming charge is removed from 3067

the pan. 3068

(7) "Commercial motor vehicle" has the same meaning as in 3069
division (A) of section 4506.25 of the Revised Code. 3070

(8) "Motor carrier enforcement unit" means the motor carrier 3071
enforcement unit in the department of public safety, division of 3072
state highway patrol, that is created by section 5503.34 of the 3073
Revised Code. 3074

(L) Divisions (K)(5)(a) and (b) of this section do not affect 3075
the authority of a person who is carrying a valid concealed 3076
handgun license or who is deemed under division (C) of section 3077
2923.111 of the Revised Code to have been issued a concealed 3078
handgun license under section 2923.125 of the Revised Code to have 3079
one or more magazines or speed loaders containing ammunition 3080
anywhere in a vehicle, without being transported as described in 3081
those divisions, as long as no ammunition is in a firearm, other 3082
than a handgun, in the vehicle other than as permitted under any 3083
other provision of this chapter. A person who is carrying a valid 3084
concealed handgun license or who is deemed under division (C) of 3085
section 2923.111 of the Revised Code to have been issued a 3086
concealed handgun license under section 2923.125 of the Revised 3087
Code may have one or more magazines or speed loaders containing 3088
ammunition anywhere in a vehicle without further restriction, as 3089
long as no ammunition is in a firearm, other than a handgun, in 3090
the vehicle other than as permitted under any provision of this 3091
chapter. 3092

Sec. 4749.10. (A) No class A, B, or C licensee and no 3093
registered employee of a class A, B, or C licensee shall carry a 3094
firearm, as defined in section 2923.11 of the Revised Code, in the 3095
course of engaging in the business of private investigation, the 3096
business of security services, or both businesses, unless all of 3097
the following apply: 3098

(1) The licensee or employee either has successfully 3099
completed a basic firearm training program at a training school 3100
approved by the Ohio peace officer training commission, which 3101
program includes twenty hours of training in handgun use and, if 3102
any firearm other than a handgun is to be used, five hours of 3103
training in the use of other firearms, and has received a 3104
certificate of satisfactory completion of that program from the 3105
executive director of the commission; the licensee or employee 3106
has, within three years prior to November 27, 1985, satisfactorily 3107
completed firearms training that has been approved by the 3108
commission as being equivalent to such a program and has received 3109
written evidence of approval of that training from the executive 3110
director of the commission; or the licensee or employee is a 3111
former peace officer, as defined in section 109.71 of the Revised 3112
Code, who previously had successfully completed a firearms 3113
training course at a training school approved by the Ohio peace 3114
officer training commission and has received a certificate or 3115
other evidence of satisfactory completion of that course from the 3116
executive director of the commission. 3117

(2) The licensee or employee submits an application to the 3118
director of public safety, on a form prescribed by the director, 3119
in which the licensee or employee requests registration as a class 3120
A, B, or C licensee or employee who may carry a firearm. The 3121
application shall be accompanied by a copy of the certificate or 3122
the written evidence or other evidence described in division 3123
(A)(1) of this section, the identification card issued pursuant to 3124
section 4749.03 or 4749.06 of the Revised Code if one has 3125
previously been issued, a statement of the duties that will be 3126
performed while the licensee or employee is armed, and a fee the 3127
director determines, not to exceed fifteen dollars. In the case of 3128
a registered employee, the statement shall be prepared by the 3129
employing class A, B, or C licensee. 3130

(3) The licensee or employee receives a notation on the 3131
licensee's or employee's identification card that the licensee or 3132
employee is a firearm-bearer and carries the identification card 3133
whenever the licensee or employee carries a firearm in the course 3134
of engaging in the business of private investigation, the business 3135
of security services, or both businesses. 3136

(4) At any time within the immediately preceding twelve-month 3137
period, the licensee or employee has requalified in firearms use 3138
on a firearms training range at a firearms requalification program 3139
certified by the Ohio peace officer training commission or on a 3140
firearms training range under the supervision of an instructor 3141
certified by the commission and has received a certificate of 3142
satisfactory requalification from the certified program or 3143
certified instructor, provided that this division does not apply 3144
to any licensee or employee prior to the expiration of eighteen 3145
months after the licensee's or employee's completion of the 3146
program described in division (A)(1) of this section. A 3147
certificate of satisfactory requalification is valid and remains 3148
in effect for twelve months from the date of the requalification. 3149

(5) If division (A)(4) of this section applies to the 3150
licensee or employee, the licensee or employee carries the 3151
certificate of satisfactory requalification that then is in effect 3152
or any other evidence of requalification issued or provided by the 3153
director. 3154

(B)(1) The director of public safety shall register an 3155
applicant under division (A) of this section who satisfies 3156
divisions (A)(1) and (2) of this section, and place a notation on 3157
the applicant's identification card indicating that the applicant 3158
is a firearm-bearer and the date on which the applicant completed 3159
the program described in division (A)(1) of this section. 3160

(2) A firearms requalification training program or instructor 3161
certified by the commission for the annual requalification of 3162

class A, B, or C licensees or employees who are authorized to 3163
carry a firearm under section 4749.10 of the Revised Code shall 3164
award a certificate of satisfactory requalification to each class 3165
A, B, or C licensee or registered employee of a class A, B, or C 3166
licensee who satisfactorily requalifies in firearms training. The 3167
certificate shall identify the licensee or employee and indicate 3168
the date of the requalification. A licensee or employee who 3169
receives such a certificate shall submit a copy of it to the 3170
director of public safety. A licensee shall submit the copy of the 3171
requalification certificate at the same time that the licensee 3172
makes application for renewal of the licensee's class A, B, or C 3173
license. The director shall keep a record of all copies of 3174
requalification certificates the director receives under this 3175
division and shall establish a procedure for the updating of 3176
identification cards to provide evidence of compliance with the 3177
annual requalification requirement. The procedure for the updating 3178
of identification cards may provide for the issuance of a new card 3179
containing the evidence, the entry of a new notation containing 3180
the evidence on the existing card, the issuance of a separate card 3181
or paper containing the evidence, or any other procedure 3182
determined by the director to be reasonable. Each person who is 3183
issued a requalification certificate under this division promptly 3184
shall pay to the Ohio peace officer training commission 3185
established by section 109.71 of the Revised Code a fee the 3186
director determines, not to exceed fifteen dollars, which fee 3187
shall be transmitted to the treasurer of state for deposit in the 3188
peace officer private security fund established by section 109.78 3189
of the Revised Code. 3190

(C) Nothing in this section prohibits a private investigator 3191
or a security guard provider from carrying a concealed ~~handgun~~ 3192
firearm that is not a restricted firearm if the private 3193
investigator or security guard provider complies with sections 3194
2923.124 to 2923.1213 of the Revised Code. 3195

Section 2. That existing sections 109.69, 109.731, 1547.69, 3196
2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 2923.124, 3197
2923.125, 2923.126, 2923.128, 2923.129, 2923.1210, 2923.1213, 3198
2923.16, and 4749.10 of the Revised Code are hereby repealed. 3199

Section 3. That the versions of sections 2923.124 and 3200
2923.126 of the Revised Code that are scheduled to take effect on 3201
January 1, 2014, be amended to read as follows: 3202

Sec. 2923.124. As used in sections 2923.124 to 2923.1213 of 3203
the Revised Code: 3204

(A) "Application form" means the application form prescribed 3205
pursuant to division (A)(1) of section 109.731 of the Revised Code 3206
and includes a copy of that form. 3207

(B) "Competency certification" and "competency certificate" 3208
mean a document of the type described in division (B)(3) of 3209
section 2923.125 of the Revised Code. 3210

(C) "Detention facility" has the same meaning as in section 3211
2921.01 of the Revised Code. 3212

(D) "Licensee" means a person to whom a concealed handgun 3213
license has been issued under section 2923.125 of the Revised Code 3214
and, except when the context clearly indicates otherwise, includes 3215
a person to whom a concealed handgun license on a temporary 3216
emergency basis has been issued under section 2923.1213 of the 3217
Revised Code ~~and~~, a person to whom a concealed handgun license has 3218
been issued by another state, and a person who is deemed under 3219
division (C) of section 2923.111 of the Revised Code to have been 3220
issued a concealed handgun license under section 2923.125 of the 3221
Revised Code. 3222

(E) "License fee" or "license renewal fee" means the fee for 3223
a concealed handgun license or the fee to renew that license that 3224

is prescribed pursuant to division (C) of section 109.731 of the Revised Code and that is to be paid by an applicant for a license of that type.

(F) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code.

(G) "State correctional institution" has the same meaning as in section 2967.01 of the Revised Code.

(H) "Civil protection order" means a protection order issued, or consent agreement approved, under section 2903.214 or 3113.31 of the Revised Code.

(I) "Temporary protection order" means a protection order issued under section 2903.213 or 2919.26 of the Revised Code.

(J) "Protection order issued by a court of another state" has the same meaning as in section 2919.27 of the Revised Code.

(K) "Child day-care center," "type A family day-care home" and "type B family day-care home" have the same meanings as in section 5104.01 of the Revised Code.

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

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

(N) "Motor carrier enforcement unit" has the same meaning as in section 2923.16 of the Revised Code.

Sec. 2923.126. (A) A concealed handgun license that is issued under section 2923.125 of the Revised Code shall expire five years after the date of issuance. A licensee who has been issued a license under that section shall be granted a grace period of thirty days after the licensee's license expires during which the

licensee's license remains valid. Except as provided in divisions 3254
(B) and (C) of this section, a licensee who has been issued a 3255
concealed handgun license under section 2923.125 or 2923.1213 of 3256
the Revised Code, regardless of whether the license was issued 3257
prior to, on, or after the effective date of this amendment, may 3258
carry a concealed ~~handgun~~ firearm that is not a restricted firearm 3259
anywhere in this state if the licensee also carries a valid 3260
license and valid identification when the licensee is in actual 3261
possession of a the concealed handgun firearm. ~~The~~ A licensee who 3262
has been issued a concealed handgun license under section 2923.125 3263
or 2923.1213 of the Revised Code shall give notice of any change 3264
in the licensee's residence address to the sheriff who issued the 3265
license within forty-five days after that change. 3266

3267
If a licensee or a person who is deemed under division (C) of 3268
section 2923.111 of the Revised Code to have been issued a 3269
concealed handgun license under section 2923.125 of the Revised 3270
Code is the driver or an occupant of a motor vehicle that is 3271
stopped as the result of a traffic stop or a stop for another law 3272
enforcement purpose and if the licensee or person is transporting 3273
or has a loaded ~~handgun~~ firearm that is not a restricted firearm 3274
in the motor vehicle at that time, the licensee or person shall 3275
promptly inform any law enforcement officer who approaches the 3276
vehicle while stopped that the licensee has been issued a 3277
concealed handgun license and that the licensee or person 3278
currently possesses or has a loaded ~~handgun~~ firearm; the licensee 3279
or person shall not knowingly disregard or fail to comply with 3280
lawful orders of a law enforcement officer given while the motor 3281
vehicle is stopped, knowingly fail to remain in the motor vehicle 3282
while stopped, or knowingly fail to keep the licensee's or 3283
person's hands in plain sight after any law enforcement officer 3284
begins approaching the licensee or person while stopped and before 3285
the officer leaves, unless directed otherwise by a law enforcement 3286

officer; and the licensee or person shall not knowingly have 3287
contact with the loaded ~~handgun~~ firearm by touching it with the 3288
licensee's or person's hands or fingers, in any manner in 3289
violation of division (E) of section 2923.16 of the Revised Code, 3290
after any law enforcement officer begins approaching the licensee 3291
or person while stopped and before the officer leaves. 3292
Additionally, if a licensee or a person who is deemed under 3293
division (C) of section 2923.111 of the Revised Code to have been 3294
issued a concealed handgun license under section 2923.125 of the 3295
Revised Code is the driver or an occupant of a commercial motor 3296
vehicle that is stopped by an employee of the motor carrier 3297
enforcement unit for the purposes defined in section 5503.04 of 3298
the Revised Code and if the licensee or person is transporting or 3299
has a loaded ~~handgun~~ firearm that is not a restricted firearm in 3300
the commercial motor vehicle at that time, the licensee or person 3301
shall promptly inform the employee of the unit who approaches the 3302
vehicle while stopped that the licensee has been issued a 3303
concealed handgun license and that the licensee or person 3304
currently possesses or has a loaded ~~handgun~~ firearm. 3305

If a licensee or a person who is deemed under division (C) of 3306
section 2923.111 of the Revised Code to have been issued a 3307
concealed handgun license under section 2923.125 of the Revised 3308
Code is stopped for a law enforcement purpose and if the licensee 3309
or person is carrying a concealed ~~handgun~~ firearm that is not a 3310
restricted firearm at the time the officer approaches, the 3311
licensee or person shall promptly inform any law enforcement 3312
officer who approaches the licensee or person while stopped that 3313
the licensee has been issued a concealed handgun license and that 3314
the licensee or person currently is carrying a concealed ~~handgun~~ 3315
firearm; the licensee or person shall not knowingly disregard or 3316
fail to comply with lawful orders of a law enforcement officer 3317
given while the licensee or person is stopped or knowingly fail to 3318
keep the licensee's or person's hands in plain sight after any law 3319

enforcement officer begins approaching the licensee or person 3320
while stopped and before the officer leaves, unless directed 3321
otherwise by a law enforcement officer; and the licensee or person 3322
shall not knowingly remove, attempt to remove, grasp, or hold the 3323
loaded ~~handgun~~ firearm or knowingly have contact with the loaded 3324
~~handgun~~ firearm by touching it with the licensee's or person's 3325
hands or fingers, in any manner in violation of division (B) of 3326
section 2923.12 of the Revised Code, after any law enforcement 3327
officer begins approaching the licensee or person while stopped 3328
and before the officer leaves. 3329

(B) ~~A valid~~ The right to carry a concealed firearm that is 3330
granted under division (A) of this section to a licensee who has 3331
been issued a concealed handgun license or that is granted under 3332
division (A) of section 2923.111 of the Revised Code to a licensee 3333
who is deemed under division (C) of that section to have been 3334
issued a concealed handgun license under section 2923.125 of the 3335
Revised Code does not authorize the licensee to carry any 3336
restricted firearm, does not authorize the licensee to carry a 3337
firearm or a concealed ~~handgun~~ firearm in any manner prohibited 3338
under division (B) of section 2923.12 of the Revised Code or in 3339
any manner prohibited under section 1547.69, 2921.36, 2923.12, 3340
2923.121, 2923.122, 2923.123, 2923.13, 2923.131, 2923.15, or 3341
2923.16 of the Revised Code. ~~A valid license~~ and does not 3342
authorize the licensee to carry a concealed ~~handgun~~ firearm into 3343
any of the following places: 3344

(1) A police station, sheriff's office, or state highway 3345
patrol station, premises controlled by the bureau of criminal 3346
identification and investigation, a state correctional 3347
institution, jail, workhouse, or other detention facility, an 3348
airport passenger terminal, or an institution that is maintained, 3349
operated, managed, and governed pursuant to division (A) of 3350
section 5119.14 of the Revised Code or division (A)(1) of section 3351

5123.03 of the Revised Code; 3352

(2) A school safety zone if the licensee's carrying the 3353
concealed ~~handgun~~ firearm is in violation of section 2923.122 of 3354
the Revised Code; 3355

(3) A courthouse or another building or structure in which a 3356
courtroom is located, if the licensee's carrying the concealed 3357
firearm is in violation of section 2923.123 of the Revised Code; 3358

(4) Any premises or open air arena for which a D permit has 3359
been issued under Chapter 4303. of the Revised Code if the 3360
licensee's carrying the concealed ~~handgun~~ firearm is in violation 3361
of section 2923.121 of the Revised Code; 3362

(5) Any premises owned or leased by any public or private 3363
college, university, or other institution of higher education, 3364
unless the ~~handgun~~ firearm is in a locked motor vehicle or the 3365
licensee is in the immediate process of placing the ~~handgun~~ 3366
firearm in a locked motor vehicle; 3367

(6) Any church, synagogue, mosque, or other place of worship, 3368
unless the church, synagogue, mosque, or other place of worship 3369
posts or permits otherwise; 3370

(7) A child day-care center, a type A family day-care home, 3371
or a type B family day-care home, except that this division does 3372
not prohibit a licensee who resides in a type A family day-care 3373
home or a type B family day-care home from carrying a concealed 3374
~~handgun~~ firearm at any time in any part of the home that is not 3375
dedicated or used for day-care purposes, or from carrying a 3376
concealed ~~handgun~~ firearm in a part of the home that is dedicated 3377
or used for day-care purposes at any time during which no 3378
children, other than children of that licensee, are in the home; 3379

(8) An aircraft that is in, or intended for operation in, 3380
foreign air transportation, interstate air transportation, 3381
intrastate air transportation, or the transportation of mail by 3382

aircraft; 3383

(9) Any building that is a government facility of this state 3384
or a political subdivision of this state and that is not a 3385
building that is used primarily as a shelter, restroom, parking 3386
facility for motor vehicles, or rest facility and is not a 3387
courthouse or other building or structure in which a courtroom is 3388
located that is subject to division (B)(3) of this section; 3389

(10) A place in which federal law prohibits the carrying of 3390
~~handguns~~ any firearm. 3391

(C)(1) Nothing in this section or section 2923.111 of the 3392
Revised Code shall negate or restrict a rule, policy, or practice 3393
of a private employer that is not a private college, university, 3394
or other institution of higher education concerning or prohibiting 3395
the presence of firearms on the private employer's premises or 3396
property, including motor vehicles owned by the private employer. 3397
Nothing in this section or section 2923.111 of the Revised Code 3398
shall require a private employer of that nature to adopt a rule, 3399
policy, or practice concerning or prohibiting the presence of 3400
firearms on the private employer's premises or property, including 3401
motor vehicles owned by the private employer. 3402

(2)(a) A private employer shall be immune from liability in a 3403
civil action for any injury, death, or loss to person or property 3404
that allegedly was caused by or related to a licensee bringing a 3405
~~handgun~~ firearm onto the premises or property of the private 3406
employer, including motor vehicles owned by the private employer, 3407
unless the private employer acted with malicious purpose. A 3408
private employer is immune from liability in a civil action for 3409
any injury, death, or loss to person or property that allegedly 3410
was caused by or related to the private employer's decision to 3411
permit a licensee to bring, or prohibit a licensee from bringing, 3412
a ~~handgun~~ firearm onto the premises or property of the private 3413
employer. As used in this division, "private employer" includes a 3414

private college, university, or other institution of higher 3415
education. 3416

(b) A political subdivision shall be immune from liability in 3417
a civil action, to the extent and in the manner provided in 3418
Chapter 2744. of the Revised Code, for any injury, death, or loss 3419
to person or property that allegedly was caused by or related to a 3420
licensee bringing a ~~handgun~~ firearm onto any premises or property 3421
owned, leased, or otherwise under the control of the political 3422
subdivision. As used in this division, "political subdivision" has 3423
the same meaning as in section 2744.01 of the Revised Code. 3424

(3)(a) Except as provided in division (C)(3)(b) of this 3425
section, the owner or person in control of private land or 3426
premises, and a private person or entity leasing land or premises 3427
owned by the state, the United States, or a political subdivision 3428
of the state or the United States, may post a sign in a 3429
conspicuous location on that land or on those premises prohibiting 3430
persons from carrying firearms or concealed firearms on or onto 3431
that land or those premises. Except as otherwise provided in this 3432
division, a person who knowingly violates a posted prohibition of 3433
that nature is guilty of criminal trespass in violation of 3434
division (A)(4) of section 2911.21 of the Revised Code and is 3435
guilty of a misdemeanor of the fourth degree. If a person 3436
knowingly violates a posted prohibition of that nature and the 3437
posted land or premises primarily was a parking lot or other 3438
parking facility, the person is not guilty of criminal trespass in 3439
violation of division (A)(4) of section 2911.21 of the Revised 3440
Code and instead is subject only to a civil cause of action for 3441
trespass based on the violation. 3442

(b) A landlord may not prohibit or restrict a tenant who is a 3443
licensee and who on or after September 9, 2008, enters into a 3444
rental agreement with the landlord for the use of residential 3445
premises, and the tenant's guest while the tenant is present, from 3446

lawfully carrying or possessing a handgun on those residential 3447
premises. A landlord may not prohibit or restrict a tenant who is 3448
a licensee and who on or after the effective date of this 3449
amendment enters into a rental agreement with the landlord for the 3450
use of residential premises and the tenant's guest while the 3451
tenant is present from lawfully carrying or possessing a firearm 3452
that is not a restricted firearm on those premises. 3453

(c) As used in division (C)(3) of this section: 3454

(i) "Residential premises" has the same meaning as in section 3455
5321.01 of the Revised Code, except "residential premises" does 3456
not include a dwelling unit that is owned or operated by a college 3457
or university. 3458

(ii) "Landlord," "tenant," and "rental agreement" have the 3459
same meanings as in section 5321.01 of the Revised Code. 3460

(D) A person who holds a concealed handgun license issued by 3461
another state that is recognized by the attorney general pursuant 3462
to a reciprocity agreement entered into pursuant to section 109.69 3463
of the Revised Code and a person who is deemed under division (C) 3464
of section 2923.111 of the Revised Code to have been issued a 3465
concealed handgun license under section 2923.125 of the Revised 3466
Code has the same right to carry a concealed ~~handgun~~ firearm that 3467
is not a restricted firearm in this state as a person who was 3468
issued a concealed handgun license under section 2923.125 of the 3469
Revised Code and is subject to the same restrictions that apply to 3470
a person who carries a license issued under that section. 3471

(E) A peace officer has the same right to carry a concealed 3472
~~handgun~~ firearm that is not a restricted firearm in this state as 3473
a person who was issued a concealed handgun license under section 3474
2923.125 of the Revised Code. For purposes of reciprocity with 3475
other states, a peace officer shall be considered to be a licensee 3476
in this state who has been issued such a license under that 3477

section. 3478

(F)(1) A qualified retired peace officer who possesses a 3479
retired peace officer identification card issued pursuant to 3480
division (F)(2) of this section and a valid firearms 3481
requalification certification issued pursuant to division (F)(3) 3482
of this section has the same right to carry a concealed ~~handgun~~ 3483
firearm that is not a restricted firearm in this state as a person 3484
who was issued a concealed handgun license under section 2923.125 3485
of the Revised Code and is subject to the same restrictions that 3486
apply to a person who carries a license issued under that section. 3487
For purposes of reciprocity with other states, a qualified retired 3488
peace officer who possesses a retired peace officer identification 3489
card issued pursuant to division (F)(2) of this section and a 3490
valid firearms requalification certification issued pursuant to 3491
division (F)(3) of this section shall be considered to be a 3492
licensee in this state who has been issued such a license under 3493
that section. 3494

(2)(a) Each public agency of this state or of a political 3495
subdivision of this state that is served by one or more peace 3496
officers shall issue a retired peace officer identification card 3497
to any person who retired from service as a peace officer with 3498
that agency, if the issuance is in accordance with the agency's 3499
policies and procedures and if the person, with respect to the 3500
person's service with that agency, satisfies all of the following: 3501

(i) The person retired in good standing from service as a 3502
peace officer with the public agency, and the retirement was not 3503
for reasons of mental instability. 3504

(ii) Before retiring from service as a peace officer with 3505
that agency, the person was authorized to engage in or supervise 3506
the prevention, detection, investigation, or prosecution of, or 3507
the incarceration of any person for, any violation of law and the 3508
person had statutory powers of arrest. 3509

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

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

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

credentials so issued to retired peace officers are stamped with 3542
the word "RETIRED." 3543

(c) A public agency of this state or of a political 3544
subdivision of this state may charge persons who retired from 3545
service as a peace officer with the agency a reasonable fee for 3546
issuing to the person a retired peace officer identification card 3547
pursuant to division (F)(2)(a) of this section. 3548

(3) If a person retired from service as a peace officer with 3549
a public agency of this state or of a political subdivision of 3550
this state and the person satisfies the criteria set forth in 3551
divisions (F)(2)(a)(i) to (iv) of this section, the public agency 3552
may provide the retired peace officer with the opportunity to 3553
attend a firearms requalification program that is approved for 3554
purposes of firearms requalification required under section 3555
109.801 of the Revised Code. The retired peace officer may be 3556
required to pay the cost of the course. 3557

If a retired peace officer who satisfies the criteria set 3558
forth in divisions (F)(2)(a)(i) to (iv) of this section attends a 3559
firearms requalification program that is approved for purposes of 3560
firearms requalification required under section 109.801 of the 3561
Revised Code, the retired peace officer's successful completion of 3562
the firearms requalification program requalifies the retired peace 3563
officer for purposes of division (F) of this section for five 3564
years from the date on which the program was successfully 3565
completed, and the requalification is valid during that five-year 3566
period. If a retired peace officer who satisfies the criteria set 3567
forth in divisions (F)(2)(a)(i) to (iv) of this section 3568
satisfactorily completes such a firearms requalification program, 3569
the retired peace officer shall be issued a firearms 3570
requalification certification that identifies the retired peace 3571
officer by name, identifies the entity that taught the program, 3572
specifies that the retired peace officer successfully completed 3573

the program, specifies the date on which the course was 3574
successfully completed, and specifies that the requalification is 3575
valid for five years from that date of successful completion. The 3576
firearms requalification certification for a retired peace officer 3577
may be included in the retired peace officer identification card 3578
issued to the retired peace officer under division (F)(2) of this 3579
section. 3580

A retired peace officer who attends a firearms 3581
requalification program that is approved for purposes of firearms 3582
requalification required under section 109.801 of the Revised Code 3583
may be required to pay the cost of the program. 3584

(G) As used in this section: 3585

(1) "Qualified retired peace officer" means a person who 3586
satisfies all of the following: 3587

(a) The person satisfies the criteria set forth in divisions 3588
(F)(2)(a)(i) to (v) of this section. 3589

(b) The person is not under the influence of alcohol or 3590
another intoxicating or hallucinatory drug or substance. 3591

(c) The person is not prohibited by federal law from 3592
receiving firearms. 3593

(2) "Retired peace officer identification card" means an 3594
identification card that is issued pursuant to division (F)(2) of 3595
this section to a person who is a retired peace officer. 3596

(3) "Government facility of this state or a political 3597
subdivision of this state" means any of the following: 3598

(a) A building or part of a building that is owned or leased 3599
by the government of this state or a political subdivision of this 3600
state and where employees of the government of this state or the 3601
political subdivision regularly are present for the purpose of 3602
performing their official duties as employees of the state or 3603

political subdivision; 3604

(b) The office of a deputy registrar serving pursuant to 3605
Chapter 4503. of the Revised Code that is used to perform deputy 3606
registrar functions. 3607

Section 4. That the existing versions of sections 2923.124 3608
and 2923.126 of the Revised Code that are scheduled to take effect 3609
on January 1, 2014, are hereby repealed. 3610

Section 5. Sections 3 and 4 of this act shall take effect on 3611
January 1, 2014. 3612

Section 6. The amendments to sections 109.69, 109.731, 3613
1547.69, 2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 2923.124, 3614
2923.125, 2923.126, 2923.128, 2923.129, 2923.1210, 2923.1213, 3615
2923.16, and 4749.10 made in Sections 1 and 2 of this act, and the 3616
amendments to the versions of sections 2923.124 and 2923.126 of 3617
the Revised Code that are scheduled to take effect on January 1, 3618
2014, made in Sections 3 and 4 of this act, apply with respect to 3619
any concealed handgun license, as defined in section 2923.11 of 3620
the Revised Code, regardless of whether the license was issued 3621
prior to, on, or after the effective date of this act. 3622

Section 7. (A) Section 2923.122 of the Revised Code is 3623
presented in Section 1 of this act as a composite of the section 3624
as amended by both Am. Sub. H.B. 495 and Am. Sub. S.B. 337 of the 3625
129th General Assembly. The General Assembly, applying the 3626
principle stated in division (B) of section 1.52 of the Revised 3627
Code that amendments are to be harmonized if reasonably capable of 3628
simultaneous operation, finds that the composite is the resulting 3629
version of the section in effect prior to the effective date of 3630
the section as presented in this act. 3631

(B) Section 2923.124 of the Revised Code is presented in 3632

Section 3 of this act as a composite of the section as amended by 3633
both Am. Sub. H.B. 495 and Am. Sub. S.B. 316 of the 129th General 3634
Assembly. The General Assembly, applying the principle stated in 3635
division (B) of section 1.52 of the Revised Code that amendments 3636
are to be harmonized if reasonably capable of simultaneous 3637
operation, finds that the composite is the resulting version of 3638
the section in effect prior to the effective date of the section 3639
as presented in this act. 3640