

**OHIO**

**House**

**of**

**Representatives**

**JOURNAL**

**CORRECTED VERSION**  
**WEDNESDAY, MAY 11, 2011**

## FORTY-EIGHTH DAY

Hall of the House of Representatives, Columbus, Ohio

**Wednesday, May 11, 2011, 1:30 p.m.**

The House met pursuant to adjournment.

Prayer was offered by Pastor Kenneth Spink of the Berea Baptist Church in Berea, Ohio, followed by the Pledge of Allegiance to the Flag.

The journal of yesterday was read and approved.

The following guests of the House of Representatives were recognized by Speaker Batchelder prior to the commencement of business:

Ann's Raspberry Farm and Specialty Crops received H. R. 45, presented by Representative Ruhl-90th district.

The Ohio Tourism Leadership Academy class of 2011, guests of Representative Gardner-6th district.

Tiffany Wanzer and Jessica Underwood, guests of Representative Carney-22nd district.

Joshua Scythes and Demi Dunkle, guests of Representative Grossman-23rd district.

Woody Woodward and other members of the Ohio Parks and Recreation Association, guests of Representative Driehaus-31st district.

Dr. Ronald Maag, and Dr. Suzie Sun, son and guest of Representative Maag-35th district.

Members of the Butler County Women's Republican Club, guests of Representatives Coley-55th district, Combs-54th district, and Derickson-53rd district.

Kayla Kilar, a guest of Representative O'Brien-65th district.

Connie Bonnell and students from St. Anthony School in Columbus Grove, guests of Representative Wachtmann-75th district.

Connie Sprague, mother of Representative Sprague-76th district.

Dana Glassburn, a guest of Representative Carey-87th district.

Chris Shank and Vince Reiber, guests of Representative Phillips-92nd district.

**INTRODUCTION OF BILLS**

The following bills were introduced:

**H. B. No. 224**-Representatives Dovilla, Stinziano.

Cosponsors: Representatives Mecklenborg, Adams, J., Rosenberger, Pillich, Thompson, Wachtmann, Grossman, Combs, Murray, Butler, Maag, Uecker.

To amend sections 3511.02, 3511.021, 3511.04, and 3511.14 and to enact section 3511.15 of the Revised Code to permit uniformed services and overseas voters to request and receive absent voter's ballot applications and absent voter's ballots by electronic mail or internet delivery, to specify that a Federal Write-In Absentee Ballot submitted by such a person may be used as the person's voter registration form and absent voter's ballot, to establish emergency election procedures for such persons involved in armed conflicts, troop mobilizations, or other emergencies, and to add daughters-in-law and sons-in-law to the list of family members who may request an absent voter's ballot on behalf of a uniformed services or overseas voter.

**H. B. No. 225**-Representatives Peterson, Landis.

Cosponsors: Representatives Pillich, Grossman, Sears, Boose, Derickson, Carey, Thompson, Adams, J., Hayes, Stinziano, Ruhl, McClain, Balderson, Maag.

To amend sections 9.37, 5705.13, 5713.07, 5713.08, 5713.081, 5713.082, 5715.27, and 5717.02 of the Revised Code to vest in county auditors responsibility for reviewing and approving property tax exemption applications for some publicly owned property, to authorize county auditors and boards of township trustees to adopt a direct deposit payroll policy, and to authorize counties to increase the amount credited to "rainy day" reserve balance accounts to one-sixth of the expenditures made in the preceding fiscal year from the fund in which the reserve balance account is established.

**H. B. No. 226**-Representative Sprague.

To amend section 955.43 of the Revised Code to allow a police dog to accompany its handler in places to which the general public is invited.

Said bills were considered the first time.

**REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS  
FOR SECOND CONSIDERATION**

Representative Weddington submitted the following report:

The standing committee on Local Government to which was referred **H. B. No. 138**-Representative Gerberry, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: HUMANE SOCIETY AGENT CERTIFY TRAINING BEFORE APPOINTMENT

TERRY BLAIR  
W. CARLTON WEDDINGTON

TERRY BOOSE  
NAN BAKER

ANDREW BRENNER  
 TIMOTHY J. DEGEETER  
 MIKE DUFFEY  
 ROBERT HACKETT  
 TRACY HEARD  
 DALE MALLORY  
 CRAIG NEWBOLD  
 ALICIA REECE  
 KIRK SCHURING

JIM BUTLER  
 TIMOTHY DERICKSON  
 RON GERBERRY  
 DAVE HALL  
 MATT LUNDY  
 TODD MCKENNEY  
 MARK D. OKEY  
 MARGARET RUHL  
 VERNON SYKES

The following member voted "NO"

JARROD MARTIN

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Phillips reported for the Rules and Reference Committee recommending that the following House Bills be considered for the second time and referred to the following committees for consideration.

**H.B. No. 221 - Representatives Mecklenborg, Driehaus, et al**  
 TO PERMIT THE ESTABLISHMENT OF PUBLIC  
 COLLEGE-PREPARATORY BOARDING SCHOOLS FOR AT-RISK  
 STUDENTS TO BE OPERATED BY PRIVATE NONPROFIT ENTITIES  
 AND TO ESTABLISH THE COLLEGE-PREPARATORY BOARDING  
 SCHOOL FACILITIES PROGRAM.

To the committee on Education

**H.B. No. 222 - Representative Mecklenborg, et al**  
 TO REQUIRE THE LICENSURE OF, AND OTHERWISE REGULATE,  
 PROVIDERS OF DEBT SETTLEMENT SERVICES.

To the committee on Financial Institutions, Housing, and Urban Development

LOUIS W. BLESSING  
 ANDREW BRENNER  
 ANNE GONZALES  
 ARMOND BUDISH  
 DEBBIE PHILLIPS

JOHN ADAMS  
 DAVE BURKE  
 CHERYL GROSSMAN  
 TRACY HEARD  
 MATT SZOLLOSI

Representative Blessing moved that the House and Constitutional Rules requiring bills to be considered by each house on three different days be suspended as to the second consideration of House Bills contained in the report of the committee on Rules and Reference.

The motion was agreed to without objection.

The report was agreed to.

Said House Bills were considered the second time and referred as recommended.

### MOTIONS AND RESOLUTIONS

Representative Phillips reported for the Rules and Reference Committee recommending that the following House Resolutions be read by title only and approved:

**H.R. No. 95 - Speaker Batchelder**

Honoring the Shriners Hospitals for Children on their service to children.  
Add the names: Blessing, J. Adams, Burke, Brenner, Grossman, Gonzales, Budish, Heard, Phillips, Szollosi

**H.R. No. 96 - Representative Wachtmann**

Honoring the Ottoville High School cheerleading squad on winning the 2011 OASSA Division IV State Championship.

/s/ LOUIS BLESSING

Louis Blessing, Chair

Representative Blessing moved that the Rules and Reference Committee Report on resolutions be agreed to and that the resolutions contained therein be approved.

The motion was agreed to.

Representative Adams, J. moved that majority party members asking leave to be absent or absent the week of Tuesday, May 10, 2011, be excused, so long as a written request is on file in the majority leadership offices.

The motion was agreed to.

Representative Heard moved that minority party members asking leave to be absent or absent the week of Tuesday, May 10, 2011, be excused, so long as a written request is on file in the minority leadership offices.

The motion was agreed to.

### BILLS FOR THIRD CONSIDERATION

**H. B. No. 54-Representatives Maag, Martin.**

Cosponsors: Representatives Adams, J., Adams, R., Balderson, Beck, Boose, Bubp, Derickson, Grossman, Kozlowski, McGregor, Mecklenborg, Uecker, Young, Amstutz, Pillich, Hayes, Slaby.

To amend sections 2923.13 and 2923.14 of the Revised Code to conform the restoration of civil firearm rights with federal law and U.S. Supreme Court case law; to eliminate the prohibition against persons with certain

misdemeanor drug offense convictions acquiring or possessing firearms or dangerous ordnance; and to allow restoration of civil firearm rights for firearms that are dangerous ordnance, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 78, nays 18, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Ashford	Balderson	Beck	Blair
Blessing	Boose	Brenner	Bubp
Buchy	Budish	Burke	Butler
Carey	Carney	Clyde	Coley
Combs	Damschroder	DeGeeter	Derickson
Dovilla	Duffey	Fedor	Fende
Gardner	Garland	Gentile	Gerberry
Gonzales	Goodwin	Goyal	Grossman
Hackett	Hagan, C.	Hall	Hayes
Henne	Hottinger	Huffman	Johnson
Kozlowski	Landis	Letson	Lundy
Maag	Martin	McClain	McGregor
McKenney	Mecklenborg	Murray	Newbold
O'Brien	Okey	Peterson	Phillips
Roegner	Rosenberger	Ruhl	Schuring
Sears	Slaby	Sprague	Stautberg
Stebelton	Stinziano	Sykes	Szollasi
Thompson	Uecker	Wachtmann	Young
Yuko			Batchelder-78.

Those who voted in the negative were: Representatives

Antonio	Baker	Barnes	Celeste
Driehaus	Foley	Hagan, R.	Heard
Hollington	Mallory	Milkovich	Patmon
Ramos	Reece	Slesnick	Weddington
Williams			Winburn-18.

The bill passed.

Representative Maag moved to amend the title as follows:

Add the names: "Blair, Blessing, Brenner, Buchy, Butler, Combs, Dovilla, Goodwin, Hackett, Hagan, C., Hall, Henne, Johnson, Letson, Newbold, Roegner, Rosenberger, Ruhl, Sears, Stautberg, Batchelder."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

**H. B. No. 45**-Representatives Bubp, Johnson.

Cosponsors: Representatives Adams, J., Adams, R., Amstutz, Balderson, Beck, Blair, Blessing, Boose, Brenner, Burke, Damschroder, Derickson, Dovilla, Hackett, Hayes, Huffman, Kozlowski, Maag, Martin, Rosenberger, Ruhl, Sears, Slaby, Snitchler, Stautberg, Thompson, Uecker, Young.

To amend sections 2923.121, 2923.128, and 2923.16 of the Revised Code to permit a concealed carry licensee to possess a firearm in any liquor permit premises, or any open air arena, for which a D permit has been issued if the licensee is not consuming liquor or under the influence of alcohol or a drug of abuse and to modify the offense of improperly handling firearms in a motor vehicle as it applies to concealed carry licensees, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative McKenney moved to amend as follows:

In line 10, delete "2923.121,"; delete the second comma

Delete lines 12 through 106

In line 650, delete "2923.121,"; delete the second comma

In line 1 of the title, delete "2923.121,"; delete the second comma

In line 2 of the title, after "Code" delete the balance of the line

Delete lines 3 through 6 of the title

In line 7 of the title, delete "or a drug of abuse and"

The question being, "Shall the motion to amend be agreed to?"

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 58, nays 38, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Balderson	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Burke	Butler	Carey	Coley
Combs	Damschroder	Derickson	Dovilla
Gardner	Gentile	Gonzales	Goodwin
Grossman	Hackett	Hagan, C.	Hall
Hayes	Henne	Hottinger	Huffman
Johnson	Kozlowski	Landis	Maag
Martin	McClain	McGregor	Mecklenborg
Newbold	O'Brien	Peterson	Phillips
Roegner	Rosenberger	Ruhl	Schuring
Sears	Slaby	Sprague	Stautberg
Szollosi	Thompson	Uecker	Wachtmann
Young			Batchelder-58.

Those who voted in the negative were: Representatives

Antonio	Ashford	Baker	Barnes
Budish	Carney	Celeste	Clyde
DeGeeter	Driehaus	Duffey	Fedor
Fende	Foley	Garland	Gerberry
Goyal	Hagan, R.	Heard	Hollington
Letson	Lundy	Mallory	McKenney
Milkovich	Murray	Okey	Patmon
Ramos	Reece	Slesnick	Stebelton
Stinziano	Sykes	Weddington	Williams
Winburn			Yuko-38.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Celeste moved to amend as follows:

In line 58, strike through ", as long as the" and insert "if both of the following apply:

(i) The"

Between lines 60 and 61, insert:

" (ii) The owner or operator of the premises for which a D permit has been issued under Chapter 4303. of the Revised Code or the owner or operator of the open air arena for which a permit of that nature has been issued has posted a sign in a conspicuous location at the premises or arena authorizing a person to enter with a concealed handgun."

The question being, "Shall the motion to amend be agreed to?"

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 62, nays 34, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Blessing	Boose	Brenner	Bubp
Buchy	Burke	Butler	Carey
Coley	Combs	Damschroder	Derickson
Dovilla	Duffey	Fende	Gardner
Gentile	Gonzales	Goodwin	Grossman
Hackett	Hagan, C.	Hall	Hayes
Henne	Hollington	Hottinger	Huffman
Johnson	Kozlowski	Landis	Maag
Martin	McClain	McGregor	Mecklenborg
Newbold	O'Brien	Peterson	Phillips
Roegner	Rosenberger	Ruhl	Schuring
Sears	Slaby	Sprague	Stautberg
Stebelton	Thompson	Uecker	Wachtmann
Young			Batchelder-62.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Budish
Carney	Celeste	Clyde	DeGeeter
Driehaus	Fedor	Foley	Garland
Gerberry	Goyal	Hagan, R.	Heard
Letson	Lundy	Mallory	McKenney
Milkovich	Murray	Okey	Patmon
Ramos	Reece	Slesnick	Stinziano
Sykes	Szollosi	Weddington	Williams
Winburn			Yuko-34.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Foley moved to amend as follows:

Between lines 106 and 107, insert:

" (F) Not later than ninety days after the effective date of this amendment, the attorney general shall adopt rules in accordance with Chapter 119. of the Revised Code that establish all of the following:

(1) Staff training requirements applicable to the owner of each premises for which a D permit has been issued under Chapter 4303. of the Revised Code regarding the prohibition established by this section, exceptions to the prohibition, affirmative defenses to the prohibition, and penalties for violation of the prohibition;

(2) Staff training requirements applicable to the owner of each premises for which a D permit has been issued under Chapter 4303. of the Revised Code regarding the arrest authority established under section 2935.04 of the Revised Code;

(3) Procedures for the enforcement of the training requirements established under divisions (F)(1) and (2) of this section."

The question being, "Shall the motion to amend be agreed to?"

The yeas and nays were taken and resulted - yeas 23, nays 72, as follows:

Those who voted in the affirmative were: Representatives

Antonio	Celeste	DeGeeter	Driehaus
Fedor	Foley	Garland	Gerberry
Goyal	Hagan, R.	Heard	Letson
Lundy	McKenney	Milkovich	Murray
Okey	Ramos	Sykes	Weddington
Williams	Winburn		Yuko-23.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Ashford	Baker	Balderson	Barnes

Beck	Blair	Blessing	Boose
Brenner	Bubp	Buchy	Burke
Butler	Carey	Carney	Clyde
Coley	Combs	Damschroder	Derickson
Dovilla	Duffey	Fende	Gardner
Gentile	Gonzales	Goodwin	Grossman
Hackett	Hagan, C.	Hall	Hayes
Henne	Hollington	Hottinger	Huffman
Johnson	Kozlowski	Landis	Maag
Mallory	Martin	McClain	McGregor
Mecklenborg	Newbold	O'Brien	Patmon
Peterson	Phillips	Reece	Roegner
Rosenberger	Ruhl	Schuring	Sears
Slaby	Slesnick	Sprague	Stautberg
Stebelton	Stinziano	Szollosi	Thompson
Uecker	Wachtmann	Young	Batchelder-72.

The motion to amend was not agreed to.

The question recurring, "Shall the bill pass?"

Representative Williams moved to amend as follows:

In line 58, strike through "as long as the" and insert "if both of the following apply:

(i) The"

Between lines 60 and 61, insert:

" (ii) The premises for which a D permit has been issued under Chapter 4303. of the Revised Code is not located in a municipal corporation in which the legislative authority has adopted an ordinance under division (F) of this section."

Between lines 106 and 107, insert:

" (F) The legislative authority of a municipal corporation may adopt an ordinance prohibiting a concealed carry licensee from possessing a firearm in any room in which any person is consuming liquor in a premises for which a D permit has been issued under Chapter 4303. of the Revised Code or in an open air arena for which a permit of that nature has been issued.

As used in this division, "concealed carry licensee" means any person who is carrying a valid license or temporary emergency license to carry a concealed handgun issued to the person under section 2923.125 or 2923.1213 of the Revised Code or a license to carry a concealed handgun that was issued to the person by another state with which the attorney general has entered into a reciprocity agreement under section 109.69 of the Revised Code."

The question being, "Shall the motion to amend be agreed to?"

The yeas and nays were taken and resulted - yeas 32, nays 64, as follows:

Those who voted in the affirmative were: Representatives

Antonio	Barnes	Budish	Carney
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Celeste	Clyde	DeGeeter	Driehaus
Fedor	Foley	Garland	Gerberry
Goyal	Hagan, R.	Heard	Hollington
Letson	Lundy	Mallory	McKenney
Milkovich	Patmon	Ramos	Reece
Slesnick	Stinziano	Sykes	Szollosi
Weddington	Williams	Winburn	Yuko-32.

Those who voted in the negative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Ashford	Baker	Balderson	Beck
Blair	Blessing	Boose	Brenner
Bubp	Buchy	Burke	Butler
Carey	Coley	Combs	Damschroder
Derickson	Dovilla	Duffey	Fende
Gardner	Gentile	Gonzales	Goodwin
Grossman	Hackett	Hagan, C.	Hall
Hayes	Henne	Hottinger	Huffman
Johnson	Kozlowski	Landis	Maag
Martin	McClain	McGregor	Mecklenborg
Murray	Newbold	O'Brien	Okey
Peterson	Phillips	Roegner	Rosenberger
Ruhl	Schuring	Sears	Slaby
Sprague	Stautberg	Stebelton	Thompson
Uecker	Wachtmann	Young	Batchelder-64.

The motion to amend was not agreed to.

The question recurring, "Shall the bill pass?"

Representative Heard moved to amend as follows:

In line 10, after "2923.121," insert "2923.126,"

Strike through line 15

In line 16, strike through "issued"

In line 30, strike through "or"

In line 31, strike through "an open air arena"

In line 32, strike through "or open air arena"

In line 45, strike through "or open air"

In line 46, strike through "arena"

Between lines 106 and 107, insert:

**"Sec. 2923.126.** (A) A license to carry a concealed handgun that is issued under section 2923.125 of the Revised Code on or after March 14, 2007, shall expire five years after the date of issuance, and a license that is so issued prior to March 14, 2007, shall expire four 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 (B) and (C) of this section, a licensee who has been issued a license under section 2923.125 or 2923.1213 of the Revised Code may carry a concealed handgun anywhere in this state if the licensee also carries a valid license and valid identification when the licensee is in actual possession of a concealed handgun. The licensee shall give notice of any change in the licensee's residence address to the sheriff who issued the license within forty-five days after that change.

If a licensee is the driver or an occupant of a motor vehicle that is stopped as the result of a traffic stop or a stop for another law enforcement purpose and if the licensee is transporting or has a loaded handgun in the motor vehicle at that time, the licensee shall promptly inform any law enforcement officer who approaches the vehicle while stopped that the licensee has been issued a license or temporary emergency license to carry a concealed handgun and that the licensee currently possesses or has a loaded handgun; the licensee shall not knowingly disregard or fail to comply with lawful orders of a law enforcement officer given while the motor vehicle is stopped, knowingly fail to remain in the motor vehicle while stopped, or knowingly fail to keep the licensee's hands in plain sight after any law enforcement officer begins approaching the licensee while stopped and before the officer leaves, unless directed otherwise by a law enforcement officer; and the licensee shall not knowingly remove, attempt to remove, grasp, or hold the loaded handgun or knowingly have contact with the loaded handgun by touching it with the licensee's hands or fingers, in any manner in violation of division (E) of section 2923.16 of the Revised Code, after any law enforcement officer begins approaching the licensee while stopped and before the officer leaves. Additionally, if a licensee is the driver or an occupant of a commercial motor vehicle that is stopped by an employee of the motor carrier enforcement unit for the purposes defined in section 5503.04 of the Revised Code and if the licensee is transporting or has a loaded handgun in the commercial motor vehicle at that time, the licensee shall promptly inform the employee of the unit who approaches the vehicle while stopped that the licensee has been issued a license or temporary emergency license to carry a concealed handgun and that the licensee currently possesses or has a loaded handgun.

If a licensee is stopped for a law enforcement purpose and if the licensee is carrying a concealed handgun at the time the officer approaches, the licensee shall promptly inform any law enforcement officer who approaches the licensee while stopped that the licensee has been issued a license or temporary emergency license to carry a concealed handgun and that the licensee currently is carrying a concealed handgun; the licensee shall not knowingly disregard or fail to comply with lawful orders of a law enforcement officer given while the licensee is stopped or knowingly fail to keep the licensee's hands in plain sight after any law enforcement officer begins approaching the licensee while stopped and before the officer leaves, unless directed otherwise by a law enforcement officer; and the licensee shall not knowingly remove, attempt to remove, grasp, or hold the loaded handgun or knowingly have contact with the loaded handgun

by touching it with the licensee's hands or fingers, in any manner in violation of division (B) of section 2923.12 of the Revised Code, after any law enforcement officer begins approaching the licensee while stopped and before the officer leaves.

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

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

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

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

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

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

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

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

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

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

(10) A place in which federal law prohibits the carrying of handguns ;

(11) An open air arena or other arena.

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

(2)(a) A private employer shall be immune from liability in a civil action for any injury, death, or loss to person or property that allegedly was caused by or related to a licensee bringing a handgun onto the premises or property of the private employer, including motor vehicles owned by the private employer, unless the private employer acted with malicious purpose. A private employer is immune from liability in a civil action for any injury, death, or loss to person or property that allegedly was caused by or related to the private employer's decision to permit a licensee to bring, or prohibit a licensee from bringing, a handgun onto the premises or property of the private employer. As used in this division, "private employer" includes a private college, university, or other institution of higher education.

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

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

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

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

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

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

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

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

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

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

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

with that agency, satisfies all of the following:

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

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

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

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

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

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

(3) If a person retired from service as a peace officer with a public agency of this state or of a political subdivision of this state and the person satisfies the criteria set forth in divisions (F)(2)(a)(i) to (iv) of this section, the public agency may provide the retired peace officer with the opportunity to

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

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

(4) "Arena" means an enclosed building that contains aligned numbered seating and that is used primarily for sporting events or entertainment purposes.

(5) "Open air arena" means a building that contains open air aligned numbered seating and that is used primarily for sporting events or entertainment purposes."

In line 650, after "2923.121," insert "2923.126,"

In line 1 of the title, after "2923.121," insert "2923.126,"

In line 4 of the title, delete ", or open air arena,"

In line 7 of the title, after "abuse" insert ", to prohibit a concealed carry licensee from carrying a concealed handgun into an open air arena or other arena,"

The question being, "Shall the motion to amend be agreed to?"

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 61, nays 34, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Blessing	Boose	Brenner	Bubp
Buchy	Burke	Butler	Carey
Coley	Combs	Damschroder	Derickson
Dovilla	Duffey	Fende	Gardner
Gentile	Goodwin	Grossman	Hackett
Hagan, C.	Hall	Hayes	Henne
Hollington	Hottinger	Huffman	Johnson
Kozlowski	Landis	Maag	Martin
McClain	McGregor	McKenney	Mecklenborg
Newbold	O'Brien	Peterson	Roegner
Rosenberger	Ruhl	Schuring	Sears
Slaby	Sprague	Stautberg	Stebelton
Thompson	Uecker	Wachtmann	Young
			Batchelder-61.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Budish
Carney	Celeste	Clyde	DeGeeter
Driehaus	Fedor	Foley	Garland
Gerberry	Gonzales	Goyal	Hagan, R.
Heard	Letson	Lundy	Mallory
Milkovich	Murray	Okey	Patmon

Ramos  
Sykes  
Winburn

Reece  
Szollosi

Slesnick  
Weddington

Stinziano  
Williams  
Yuko-34.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

Representative Patmon moved to amend as follows:

In line 58, strike through "as long as the" and insert "if both of the following apply:

(i) The"

Between lines 60 and 61, insert:

" (ii) The person is not in an urban area."

Between lines 75 and 76, insert:

" (4) As used in division (B)(1)(e)(ii) of this section, "urban area" means a township with an unincorporated population of twenty thousand or more according to the most recent federal decennial census or a municipal corporation."

In line 7 of the title, after "abuse" insert "and is not in an urban area"

The question being, "Shall the motion to amend be agreed to?"

Representative Huffman moved that the motion be laid on the table.

The question being, "Shall the motion to amend be laid on the table?"

The yeas and nays were taken and resulted - yeas 64, nays 32, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Baker	Balderson	Beck	Blair
Blessing	Boose	Brenner	Bubp
Buchy	Burke	Butler	Carey
Coley	Combs	Damschroder	Derickson
Dovilla	Duffey	Fende	Gardner
Gentile	Gonzales	Goodwin	Grossman
Hackett	Hagan, C.	Hall	Hayes
Henne	Hollington	Hottinger	Huffman
Johnson	Kozlowski	Landis	Maag
Martin	McClain	McGregor	Mecklenborg
Murray	Newbold	O'Brien	Okey
Peterson	Phillips	Roegner	Rosenberger
Ruhl	Schuring	Sears	Slaby
Sprague	Stautberg	Stebelton	Thompson
Uecker	Wachtmann	Young	Batchelder-64.

Those who voted in the negative were: Representatives

Antonio	Ashford	Barnes	Budish
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Carney	Celeste	Clyde	DeGeeter
Driehaus	Fedor	Foley	Garland
Gerberry	Goyal	Hagan, R.	Heard
Letson	Lundy	Mallory	McKenney
Milkovich	Patmon	Ramos	Reece
Slesnick	Stinziano	Sykes	Szollosi
Weddington	Williams	Winburn	Yuko-32.

The motion to amend was laid on the table.

The question recurring, "Shall the bill pass?"

The yeas and nays were taken and resulted - yeas 56, nays 40, as follows:

Those who voted in the affirmative were: Representatives

Adams J.	Adams R.	Amstutz	Anielski
Balderson	Beck	Blair	Blessing
Boose	Brenner	Bubp	Buchy
Burke	Butler	Carey	Coley
Combs	Damschroder	Derickson	Dovilla
Gardner	Gentile	Gonzales	Goodwin
Grossman	Hackett	Hagan, C.	Hall
Hayes	Henne	Hottinger	Huffman
Johnson	Kozlowski	Landis	Maag
Martin	McClain	McGregor	Mecklenborg
Newbold	O'Brien	Peterson	Phillips
Roegner	Rosenberger	Ruhl	Sears
Slaby	Sprague	Stautberg	Thompson
Uecker	Wachtmann	Young	Batchelder-56.

Those who voted in the negative were: Representatives

Antonio	Ashford	Baker	Barnes
Budish	Carney	Celeste	Clyde
DeGeeter	Driehaus	Duffey	Fedor
Fende	Foley	Garland	Gerberry
Goyal	Hagan, R.	Heard	Hollington
Letson	Lundy	Mallory	McKenney
Milkovich	Murray	Okey	Patmon
Ramos	Reece	Schuring	Slesnick
Stebelton	Stinziano	Sykes	Szollosi
Weddington	Williams	Winburn	Yuko-40.

The bill passed.

Representative Bubp moved to amend the title as follows:

Add the names: "Buchy, Combs, Goodwin, Hall, Henne, Mecklenborg, Newbold, Wachtmann."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative Blessing, the House adjourned until Tuesday, May 17, 2011 at 11:00 o'clock a.m.

Attest:

LAURA P. CLEMENS,  
Clerk.