

**As Reported by the House Government Oversight Committee**

**134th General Assembly**

**Regular Session**

**2021-2022**

**Sub. H. B. No. 227**

**Representatives Brinkman, Jordan**

**Cosponsors: Representatives Loychik, Vitale, Dean, Wiggam, Riedel, Merrin, Click, Gross, Stoltzfus, Wilkin, McClain, Zeltwanger, Powell, Manchester, Hall, Fowler Arthur, Creech, Cross, Schmidt, Edwards**

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**A BILL**

To amend sections 311.42, 1547.69, 2923.12, 1  
2923.121, 2923.122, 2923.123, 2923.125, 2  
2923.126, 2923.128, 2923.1210, 2923.1213, and 3  
2923.16 of the Revised Code to generally extend 4  
the firearm possession provisions that apply to 5  
a concealed handgun licensee to also apply to a 6  
person who is age 21 or older and not prohibited 7  
by Ohio or federal law from possessing a firearm 8  
without need for the person obtaining a license. 9

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

**Section 1.** That sections 311.42, 1547.69, 2923.12, 10  
2923.121, 2923.122, 2923.123, 2923.125, 2923.126, 2923.128, 11  
2923.1210, 2923.1213, and 2923.16 of the Revised Code be amended 12  
to read as follows: 13

**Sec. 311.42.** (A) Each county shall establish in the county 14  
treasury a sheriff's concealed handgun license issuance expense 15  
fund. The sheriff of that county shall deposit into that fund 16  
all fees paid by applicants for the issuance or renewal of a 17

concealed handgun license or duplicate concealed handgun license 18  
under section 2923.125 of the Revised Code and all fees paid by 19  
the person seeking a concealed handgun license on a temporary 20  
emergency basis under section 2923.1213 of the Revised Code. The 21  
county shall distribute all fees deposited into the fund except 22  
forty dollars of each fee paid by an applicant under division 23  
(B) of section 2923.125 of the Revised Code, fifteen dollars of 24  
each fee paid under section 2923.1213 of the Revised Code, and 25  
thirty-five dollars of each fee paid under division (F) of 26  
section 2923.125 of the Revised Code to the attorney general to 27  
be used to pay the cost of background checks performed by the 28  
bureau of criminal identification and investigation and the 29  
federal bureau of investigation and to cover administrative 30  
costs associated with issuing the license. 31

(B) The sheriff, with the approval of the board of county 32  
commissioners, may expend any county portion of the fees 33  
deposited into the sheriff's concealed handgun license issuance 34  
expense fund for any of the following: 35

(1) Any costs incurred by the sheriff in connection with 36  
performing any administrative functions related to the issuance 37  
of concealed handgun licenses under section 2923.125 or 38  
2923.1213 of the Revised Code, including, but not limited to, 39  
personnel expenses and any costs associated with a firearm 40  
safety education program, or a firearm training or qualification 41  
program that the sheriff chooses to fund; 42

(2) Ammunition and firearms to be used by the sheriff and 43  
the sheriff's employees; 44

(3) Any costs incurred in constructing, maintaining, or 45  
renovating a shooting range to be used by the sheriff or the 46  
sheriff's employees, including costs incurred for equipment 47

associated with the shooting range; 48

(4) Any costs incurred for nonlethal weapons and supplies 49  
to be used by the sheriff or the sheriff's employees, including 50  
costs incurred for training on the use of nonlethal weapons; 51

(5) Any costs incurred for a sheriff's employee to attend 52  
a basic peace officer training academy or a basic correction 53  
officer academy approved by the Ohio peace officer training 54  
commission. 55

**Sec. 1547.69.** (A) As used in this section: 56

(1) "Firearm," "concealed handgun license," "handgun," 57  
"valid concealed handgun license," and "active duty" have the 58  
same meanings as in section 2923.11 of the Revised Code. 59

(2) "Unloaded" has the same meanings as in divisions (K) 60  
(5) and (6) of section 2923.16 of the Revised Code, except that 61  
all references in the definition in division (K) (5) of that 62  
section to "vehicle" shall be construed for purposes of this 63  
section to be references to "vessel." 64

(B) No person shall knowingly discharge a firearm while in 65  
or on a vessel. 66

(C) No person shall knowingly transport or have a loaded 67  
firearm in a vessel in a manner that the firearm is accessible 68  
to the operator or any passenger. 69

(D) No person shall knowingly transport or have a firearm 70  
in a vessel unless it is unloaded and is carried in one of the 71  
following ways: 72

(1) In a closed package, box, or case; 73

(2) In plain sight with the action opened or the weapon 74

stripped, or, if the firearm is of a type on which the action 75  
will not stay open or that cannot easily be stripped, in plain 76  
sight. 77

(E) (1) The affirmative defenses authorized in divisions 78  
(D) (1) and (2) of section 2923.12 of the Revised Code are 79  
affirmative defenses to a charge under division (C) or (D) of 80  
this section that involves a firearm other than a handgun. It is 81  
an affirmative defense to a charge under division (C) or (D) of 82  
this section of transporting or having a firearm of any type, 83  
including a handgun, in a vessel that the actor transported or 84  
had the firearm in the vessel for any lawful purpose and while 85  
the vessel was on the actor's own property, provided that this 86  
affirmative defense is not available unless the actor, prior to 87  
arriving at the vessel on the actor's own property, did not 88  
transport or possess the firearm in the vessel or in a motor 89  
vehicle in a manner prohibited by this section or division (B) 90  
or (C) of section 2923.16 of the Revised Code while the vessel 91  
was being operated on a waterway that was not on the actor's own 92  
property or while the motor vehicle was being operated on a 93  
street, highway, or other public or private property used by the 94  
public for vehicular traffic. 95

(2) No person who is charged with a violation of division 96  
(C) or (D) of this section shall be required to obtain a license 97  
or temporary emergency license to carry a concealed handgun 98  
under section 2923.125 or 2923.1213 of the Revised Code as a 99  
condition for the dismissal of the charge. 100

(F) Divisions (B), (C), and (D) of this section do not 101  
apply to the possession or discharge of a United States coast 102  
guard approved signaling device required to be carried aboard a 103  
vessel under section 1547.251 of the Revised Code when the 104

signaling device is possessed or used for the purpose of giving 105  
a visual distress signal. No person shall knowingly transport or 106  
possess any signaling device of that nature in or on a vessel in 107  
a loaded condition at any time other than immediately prior to 108  
the discharge of the signaling device for the purpose of giving 109  
a visual distress signal. 110

(G) No person shall operate or permit to be operated any 111  
vessel on the waters in this state in violation of this section. 112

(H) (1) This section does not apply to any of the 113  
following: 114

(a) An officer, agent, or employee of this or any other 115  
state or of the United States, or to a law enforcement officer, 116  
when authorized to carry or have loaded or accessible firearms 117  
in a vessel and acting within the scope of the officer's, 118  
agent's, or employee's duties; 119

(b) Any person who is employed in this state, who is 120  
authorized to carry or have loaded or accessible firearms in a 121  
vessel, and who is subject to and in compliance with the 122  
requirements of section 109.801 of the Revised Code, unless the 123  
appointing authority of the person has expressly specified that 124  
the exemption provided in division (H) (1) (b) of this section 125  
does not apply to the person; 126

(c) Any person legally engaged in hunting. 127

(2) (a) Divisions (C) and (D) of this section do not apply 128  
to a person who transports or possesses a handgun in a vessel 129  
and to whom, at the time of that transportation or possession, 130  
any of the following applies: 131

(i) The person who transports or possesses a handgun in a 132  
vessel and who, at the time of that transportation or 133

~~possession, either is carrying a valid~~ has been issued a 134  
concealed handgun license that is valid at the time of the 135  
transportation or possession ~~or;~~ 136

(ii) The person is an active duty member of the armed 137  
forces of the United States and ~~is carrying~~ has been issued a 138  
valid military identification card and documentation of 139  
successful completion of firearms training that meets or exceeds 140  
the training requirements described in division (G) (1) of 141  
section 2923.125 of the Revised Code, ~~unless~~ that are valid at 142  
the time of the transportation or possession; 143

(iii) The person is at least twenty-one years of age and 144  
is not prohibited under the law of this state or the United 145  
States from possessing a firearm. 146

(b) The exemptions specified in division (H) (2) (a) of this 147  
section do not apply to a person if, at the time of the person's 148  
transport or possession of a firearm, the person knowingly is in 149  
a place on the vessel described in division (B) of section 150  
2923.126 of the Revised Code. 151

(I) If a law enforcement officer stops a vessel for a 152  
violation of this section or any other law enforcement purpose, 153  
if any person on the vessel surrenders a firearm to the officer, 154  
either voluntarily or pursuant to a request or demand of the 155  
officer, and if the officer does not charge the person with a 156  
violation of this section or arrest the person for any offense, 157  
the person is not otherwise prohibited by law from possessing 158  
the firearm, and the firearm is not contraband, the officer 159  
shall return the firearm to the person at the termination of the 160  
stop. 161

(J) Division (L) of section 2923.16 of the Revised Code 162

applies with respect to division (A) (2) of this section, except 163  
that all references in division (L) of section 2923.16 of the 164  
Revised Code to "vehicle," to "this chapter," or to "division 165  
(K) (5) (a) or (b) of this section" shall be construed for 166  
purposes of this section to be, respectively, references to 167  
"vessel," to "section 1547.69 of the Revised Code," and to 168  
divisions (K) (5) (a) and (b) of section 2923.16 of the Revised 169  
Code as incorporated under the definition of firearm adopted 170  
under division (A) (2) of this section. 171

**Sec. 2923.12.** (A) No person shall knowingly carry or have, 172  
concealed on the person's person or concealed ready at hand, any 173  
of the following: 174

(1) A deadly weapon other than a handgun; 175

(2) A handgun other than a dangerous ordnance; 176

(3) A dangerous ordnance. 177

(B) No person who has been issued a concealed handgun 178  
license or who is at least twenty-one years of age and is not 179  
prohibited under the law of this state or the United States from 180  
possessing a firearm, shall do any of the following: 181

(1) If the person is stopped for a law enforcement purpose 182  
and is carrying a concealed handgun, before or at the time a law 183  
enforcement officer asks if the person is carrying a concealed 184  
handgun, ~~fail to promptly inform any law enforcement officer who~~ 185  
~~approaches the person after the person has been stopped that the~~ 186  
~~person has been issued a concealed handgun license and~~ disclose 187  
that the person then is carrying a concealed handgun; 188

(2) If the person is stopped for a law enforcement purpose 189  
and is carrying a concealed handgun, knowingly fail to keep the 190  
person's hands in plain sight at any time after any law 191

enforcement officer begins approaching the person while stopped 192  
and before the law enforcement officer leaves, unless the 193  
failure is pursuant to and in accordance with directions given 194  
by a law enforcement officer; 195

(3) If the person is stopped for a law enforcement 196  
purpose, if the person is carrying a concealed handgun, and if 197  
the person is approached by any law enforcement officer while 198  
stopped, knowingly remove or attempt to remove the loaded 199  
handgun from the holster, pocket, or other place in which the 200  
person is carrying it, knowingly grasp or hold the loaded 201  
handgun, or knowingly have contact with the loaded handgun by 202  
touching it with the person's hands or fingers at any time after 203  
the law enforcement officer begins approaching and before the 204  
law enforcement officer leaves, unless the person removes, 205  
attempts to remove, grasps, holds, or has contact with the 206  
loaded handgun pursuant to and in accordance with directions 207  
given by the law enforcement officer; 208

(4) If the person is stopped for a law enforcement purpose 209  
and is carrying a concealed handgun, knowingly disregard or fail 210  
to comply with any lawful order of any law enforcement officer 211  
given while the person is stopped, including, but not limited 212  
to, a specific order to the person to keep the person's hands in 213  
plain sight. 214

(C) (1) This section does not apply to any of the 215  
following: 216

(a) An officer, agent, or employee of this or any other 217  
state or the United States, or to a law enforcement officer, who 218  
is authorized to carry concealed weapons or dangerous ordnance 219  
or is authorized to carry handguns and is acting within the 220  
scope of the officer's, agent's, or employee's duties; 221

(b) Any person who is employed in this state, who is 222  
authorized to carry concealed weapons or dangerous ordnance or 223  
is authorized to carry handguns, and who is subject to and in 224  
compliance with the requirements of section 109.801 of the 225  
Revised Code, unless the appointing authority of the person has 226  
expressly specified that the exemption provided in division (C) 227  
(1)(b) of this section does not apply to the person; 228

(c) A person's transportation or storage of a firearm, 229  
other than a firearm described in divisions (G) to (M) of 230  
section 2923.11 of the Revised Code, in a motor vehicle for any 231  
lawful purpose if the firearm is not on the actor's person; 232

(d) A person's storage or possession of a firearm, other 233  
than a firearm described in divisions (G) to (M) of section 234  
2923.11 of the Revised Code, in the actor's own home for any 235  
lawful purpose. 236

~~(2)~~ (2)(a) Division (A) (2) of this section does not apply 237  
to any person ~~who~~ to whom, at the time of the alleged carrying or 238  
possession of a handgun, ~~either any of the following applies:~~ 239

(i) The person is carrying has been issued a valid 240  
concealed handgun license ~~or~~ that is valid at the time of the 241  
transportation or possession. 242

(ii) The person is an active duty member of the armed 243  
forces of the United States and is carrying has been issued a 244  
valid military identification card and documentation of 245  
successful completion of firearms training that meets or exceeds 246  
the training requirements described in division (G) (1) of 247  
section 2923.125 of the Revised Code, ~~unless the person~~ 248  
~~knowingly is in a place described in division (B) of section~~ 249  
2923.126 of the Revised Code that are valid at the time of the 250

transportation or possession. 251

(iii) The person is at least twenty-one years of age and 252  
is not prohibited under the law of this state or the United 253  
States from possessing a firearm. 254

(b) The exemptions specified in division (C) (2) (a) of this 255  
section do not apply to a person if, at the time of the alleged 256  
carrying or possession of a handgun, the person knowingly is in 257  
a place described in division (B) of section 2923.126 of the 258  
Revised Code. 259

(D) It is an affirmative defense to a charge under 260  
division (A) (1) of this section of carrying or having control of 261  
a weapon other than a handgun and other than a dangerous 262  
ordnance that the actor was not otherwise prohibited by law from 263  
having the weapon and that any of the following applies: 264

(1) The weapon was carried or kept ready at hand by the 265  
actor for defensive purposes while the actor was engaged in or 266  
was going to or from the actor's lawful business or occupation, 267  
which business or occupation was of a character or was 268  
necessarily carried on in a manner or at a time or place as to 269  
render the actor particularly susceptible to criminal attack, 270  
such as would justify a prudent person in going armed. 271

(2) The weapon was carried or kept ready at hand by the 272  
actor for defensive purposes while the actor was engaged in a 273  
lawful activity and had reasonable cause to fear a criminal 274  
attack upon the actor, a member of the actor's family, or the 275  
actor's home, such as would justify a prudent person in going 276  
armed. 277

(3) The weapon was carried or kept ready at hand by the 278  
actor for any lawful purpose and while in the actor's own home. 279

(E) No person who is charged with a violation of this 280  
section shall be required to obtain a concealed handgun license 281  
as a condition for the dismissal of the charge. 282

(F) (1) Whoever violates this section is guilty of carrying 283  
concealed weapons. 284

(2) Except as otherwise provided in this division ~~or~~ 285  
~~divisions (F) (2), (6), and (7) of this section,~~ carrying 286  
concealed weapons in violation of division (A) of this section 287  
is a misdemeanor of the first degree. Except as otherwise 288  
provided in this division, if the offender is a concealed 289  
handgun licensee and has been issued a concealed handgun license 290  
that is valid at the time of the violation, is an active duty 291  
member of the armed forces of the United States and has been 292  
issued a valid military identification card and documentation of 293  
successful completion of firearms training that meets or exceeds 294  
the training requirements described in division (G) (1) of 295  
section 2923.125 of the Revised Code that are valid at the time 296  
of the violation, or is at least twenty-one years of age and is 297  
not prohibited under the law of this state or the United States 298  
from possessing a firearm, carrying concealed deadly weapons in 299  
violation of division (A) of this section is a minor 300  
misdemeanor. ~~Except as otherwise provided in this division~~ ~~or~~ 301  
~~divisions (F) (2), (6), and (7) of this section,~~ if the offender 302  
previously has been convicted of a violation of this section or 303  
of any offense of violence, if the weapon involved is a firearm 304  
that is either loaded or for which the offender has ammunition 305  
ready at hand, or if the weapon involved is dangerous ordnance, 306  
carrying concealed weapons in violation of division (A) of this 307  
section is a felony of the fourth degree. Except as otherwise 308  
provided in ~~divisions (F) (2) and (6) of this section~~ this 309  
division, if the offense is committed aboard an aircraft, or 310

with purpose to carry a concealed weapon aboard an aircraft, 311  
regardless of the weapon involved, carrying concealed weapons in 312  
violation of division (A) of this section is a felony of the 313  
third degree. 314

~~(2) Except as provided in division (F) (6) of this section, 315  
if a person being arrested for a violation of division (A) (2) of 316  
this section promptly produces a valid concealed handgun 317  
license, and if at the time of the violation the person was not 318  
knowingly in a place described in division (B) of section 319  
2923.126 of the Revised Code, the officer shall not arrest the 320  
person for a violation of that division. If the person is not 321  
able to promptly produce any concealed handgun license and if 322  
the person is not in a place described in that section, the 323  
officer may arrest the person for a violation of that division, 324  
and the offender shall be punished as follows: 325~~

~~(a) The offender shall be guilty of a minor misdemeanor if 326  
both of the following apply: 327~~

~~(i) Within ten days after the arrest, the offender 328  
presents a concealed handgun license, which license was valid at 329  
the time of the arrest to the law enforcement agency that 330  
employs the arresting officer. 331~~

~~(ii) At the time of the arrest, the offender was not 332  
knowingly in a place described in division (B) of section 333  
2923.126 of the Revised Code. 334~~

~~(b) The offender shall be guilty of a misdemeanor and 335  
shall be fined five hundred dollars if all of the following 336  
apply: 337~~

~~(i) The offender previously had been issued a concealed 338  
handgun license, and that license expired within the two years 339~~

~~immediately preceding the arrest.~~ 340

~~(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.~~ 341  
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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.~~ 347  
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~~(e) If divisions (F) (2) (a) and (b) and (F) (6) of this  
section do not apply, the offender shall be punished under  
division (F) (1) or (7) of this section.~~ 350  
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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, 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, carrying  
concealed weapons in violation of division (B) (1) of this  
section is a minor misdemeanor, and the offender's concealed  
handgun license shall not be suspended pursuant to division (A)  
(2) of section 2923.128 of the Revised Code.~~ 353  
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~~(4)~~ (3) Carrying concealed weapons in violation of 368

division (B) (2) or (4) of this section is a misdemeanor of the 369  
first degree or, if the offender previously has been convicted 370  
of or pleaded guilty to a violation of division (B) (2) or (4) of 371  
this section, a felony of the fifth degree. In addition to any 372  
other penalty or sanction imposed for a misdemeanor violation of 373  
division (B) (2) or (4) of this section, if the offender has been 374  
issued a concealed handgun license, the offender's ~~concealed-~~ 375  
~~handgun-~~license shall be suspended pursuant to division (A) (2) 376  
of section 2923.128 of the Revised Code. 377

~~(5)-(4)~~ Carrying concealed weapons in violation of 378  
division (B) (3) of this section is a felony of the fifth degree. 379

~~(6) If a person being arrested for a violation of division-~~ 380  
~~(A) (2) of this section is an active duty member of the armed-~~ 381  
~~forces of the United States and is carrying a valid military-~~ 382  
~~identification card and documentation of successful completion-~~ 383  
~~of firearms training that meets or exceeds the training-~~ 384  
~~requirements described in division (G) (1) of section 2923.125 of~~ 385  
~~the Revised Code, and if at the time of the violation the person-~~ 386  
~~was not knowingly in a place described in division (B) of-~~ 387  
~~section 2923.126 of the Revised Code, the officer shall not-~~ 388  
~~arrest the person for a violation of that division. If the-~~ 389  
~~person is not able to promptly produce a valid military-~~ 390  
~~identification card and documentation of successful completion-~~ 391  
~~of firearms training that meets or exceeds the training-~~ 392  
~~requirements described in division (G) (1) of section 2923.125 of~~ 393  
~~the Revised Code and if the person is not in a place described-~~ 394  
~~in division (B) of section 2923.126 of the Revised Code, the-~~ 395  
~~officer shall issue a citation and the offender shall be-~~ 396  
~~assessed a civil penalty of not more than five hundred dollars.-~~ 397  
~~The citation shall be automatically dismissed and the civil-~~ 398  
~~penalty shall not be assessed if both of the following apply:~~ 399

~~(a) Within ten days after the issuance of the citation, the offender presents a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in division (G) (1) of section 2923.125 of the Revised Code, which were both valid at the time of the issuance of the citation to the law enforcement agency that employs the citing officer.~~ 400  
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~~(b) At the time of the citation, the offender was not knowingly in a place described in division (B) of section 2923.126 of the Revised Code.;~~ 407  
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~~(7) If a person being arrested for a violation of division (A) (2) of this section is knowingly in a place described in division (B) (5) of section 2923.126 of the Revised Code and is not authorized to carry a handgun or have a handgun concealed on the person's person or concealed ready at hand under that division, the penalty shall be as follows:~~ 410  
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~~(a) Except as otherwise provided in this division, if the person produces a valid concealed handgun license within ten days after the arrest and has not previously been convicted or pleaded guilty to a violation of division (A) (2) of this section, the person is guilty of a minor misdemeanor;~~ 416  
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~~(b) Except as otherwise provided in this division, if the person has previously been convicted of or pleaded guilty to a violation of division (A) (2) of this section, the person is guilty of a misdemeanor of the fourth degree;~~ 421  
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~~(c) Except as otherwise provided in this division, if the person has previously been convicted of or pleaded guilty to two violations of division (A) (2) of this section, the person is guilty of a misdemeanor of the third degree;~~ 425  
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~~(d) Except as otherwise provided in this division, if the person has previously been convicted of or pleaded guilty to three or more violations of division (A) (2) of this section, or convicted of or pleaded guilty to any offense of violence, if the weapon involved is a firearm that is either loaded or for which the offender has ammunition ready at hand, or if the weapon involved is a dangerous ordnance, the person is guilty of a misdemeanor of the second degree.~~

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

(H) For purposes of this section, "deadly weapon" or "weapon" does not include any knife, razor, or cutting instrument if the instrument was not used as a weapon.

**Sec. 2923.121.** (A) No person shall possess a firearm in any room in which any person is consuming beer or intoxicating 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.

(B) (1) This section does not apply to any of the 459  
following: 460

(a) An officer, agent, or employee of this or any other 461  
state or the United States, or a law enforcement officer, who is 462  
authorized to carry firearms and is acting within the scope of 463  
the officer's, agent's, or employee's duties; 464

(b) A law enforcement officer or investigator who is 465  
authorized to carry firearms but is not acting within the scope 466  
of the officer's or investigator's duties, as long as all of the 467  
following apply: 468

(i) The officer or investigator is carrying validating 469  
identification. 470

(ii) If the firearm the officer or investigator possesses 471  
is a firearm issued or approved by the law enforcement agency 472  
served by the officer or by the bureau of criminal 473  
identification and investigation with respect to an 474  
investigator, the agency or bureau does not have a restrictive 475  
firearms carrying policy. 476

(iii) The officer or investigator is not consuming beer or 477  
intoxicating liquor and is not under the influence of alcohol or 478  
a drug of abuse. 479

(c) Any room used for the accommodation of guests of a 480  
hotel, as defined in section 4301.01 of the Revised Code; 481

(d) The principal holder of a D permit issued for a 482  
premises or an open air arena under Chapter 4303. of the Revised 483  
Code while in the premises or open air arena for which the 484  
permit was issued if ~~the principal~~ any of the following applies: 485

(i) The holder of the D permit also possesses has been 486

issued a ~~valid~~-concealed handgun license that is valid at the 487  
time of the possession and as long as the principal holder is 488  
not consuming beer or intoxicating liquor or under the influence 489  
of alcohol or a drug of abuse, ~~or any.~~ 490

(ii) The holder is an active duty member of the armed 491  
forces of the United States and has been issued a valid military 492  
identification card and documentation of successful completion 493  
of firearms training that meets or exceeds the training 494  
requirements described in division (G) (1) of section 2923.125 of 495  
the Revised Code that are valid at the time of the possession, 496  
and is not consuming beer or intoxicating liquor or under the 497  
influence of alcohol or a drug of abuse. 498

(iii) The holder is at least twenty-one years of age, is 499  
not prohibited under the law of this state or the United States 500  
from possessing a firearm, and is not consuming beer or 501  
intoxicating liquor or under the influence of alcohol or a drug 502  
of abuse. 503

(e) An agent or employee of ~~that~~ the principal holder 504  
who of a D permit issued for a premises or an open air arena 505  
under Chapter 4303. of the Revised Code if the agent or employee 506  
also is a peace officer, as defined in section 2151.3515 of the 507  
Revised Code, who is off duty, and who otherwise is authorized 508  
to carry firearms while in the course of the officer's official 509  
duties and while in the premises or open air arena for which the 510  
permit was issued and as long as the agent or employee of that 511  
holder is not consuming beer or intoxicating liquor or under the 512  
influence of alcohol or a drug of abuse. 513

~~(e)~~ (f) Any person who ~~is carrying~~ has been issued a valid- 514  
concealed handgun license ~~or~~ that is valid at the time of the 515  
possession, any person who is an active duty member of the armed 516

forces of the United States and ~~is carrying~~ has been issued a 517  
valid military identification card and documentation of 518  
successful completion of firearms training that meets or exceeds 519  
the training requirements described in division (G) (1) of 520  
section 2923.125 of the Revised Code that are valid at the time 521  
of the possession, or any person who is at least twenty-one 522  
years of age and is not prohibited under the law of this state 523  
or the United States from possessing a firearm, as long as the 524  
person is not consuming beer or intoxicating liquor or under the 525  
influence of alcohol or a drug of abuse. 526

(2) This section does not prohibit any person who is a 527  
member of a veteran's organization, as defined in section 528  
2915.01 of the Revised Code, from possessing a rifle in any room 529  
in any premises owned, leased, or otherwise under the control of 530  
the veteran's organization, if the rifle is not loaded with live 531  
ammunition and if the person otherwise is not prohibited by law 532  
from having the rifle. 533

(3) This section does not apply to any person possessing 534  
or displaying firearms in any room used to exhibit unloaded 535  
firearms for sale or trade in a soldiers' memorial established 536  
pursuant to Chapter 345. of the Revised Code, in a convention 537  
center, or in any other public meeting place, if the person is 538  
an exhibitor, trader, purchaser, or seller of firearms and is 539  
not otherwise prohibited by law from possessing, trading, 540  
purchasing, or selling the firearms. 541

(C) It is an affirmative defense to a charge under this 542  
section of illegal possession of a firearm in a liquor permit 543  
premises that involves the possession of a firearm other than a 544  
handgun, that the actor was not otherwise prohibited by law from 545  
having the firearm, and that any of the following apply: 546

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

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

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

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

(F) As used in this section:

(1) "Beer" and "intoxicating liquor" have the same meanings as in section 4301.01 of the Revised Code.

(2) "Investigator" has the same meaning as in section

109.541 of the Revised Code.	576
(3) "Restrictive firearms carrying policy" means a	577
specific policy of a law enforcement agency or the bureau of	578
criminal identification and investigation that prohibits all	579
officers of the agency or all investigators of the bureau, while	580
not acting within the scope of the officer's or investigator's	581
duties, from doing either of the following:	582
(a) Carrying a firearm issued or approved by the agency or	583
bureau in any room, premises, or arena described in division (A)	584
of this section;	585
(b) Carrying a firearm issued or approved by the agency or	586
bureau in premises described in division (A) of section	587
2923.1214 of the Revised Code.	588
(4) "Law enforcement officer" has the same meaning as in	589
section 9.69 of the Revised Code.	590
(5) "Validating identification" means one of the	591
following:	592
(a) Photographic identification issued by the law	593
enforcement agency for which an individual serves as a law	594
enforcement officer that identifies the individual as a law	595
enforcement officer of the agency;	596
(b) Photographic identification issued by the bureau of	597
criminal identification and investigation that identifies an	598
individual as an investigator of the bureau.	599
<b>Sec. 2923.122.</b> (A) No person shall knowingly convey, or	600
attempt to convey, a deadly weapon or dangerous ordnance into a	601
school safety zone.	602
(B) No person shall knowingly possess a deadly weapon or	603

dangerous ordnance in a school safety zone. 604

(C) No person shall knowingly possess an object in a 605  
school safety zone if both of the following apply: 606

(1) The object is indistinguishable from a firearm, 607  
whether or not the object is capable of being fired. 608

(2) The person indicates that the person possesses the 609  
object and that it is a firearm, or the person knowingly 610  
displays or brandishes the object and indicates that it is a 611  
firearm. 612

(D) (1) This section does not apply to any of the 613  
following: 614

(a) An officer, agent, or employee of this or any other 615  
state or the United States who is authorized to carry deadly 616  
weapons or dangerous ordnance and is acting within the scope of 617  
the officer's, agent's, or employee's duties, a law enforcement 618  
officer who is authorized to carry deadly weapons or dangerous 619  
ordnance, a security officer employed by a board of education or 620  
governing body of a school during the time that the security 621  
officer is on duty pursuant to that contract of employment, or 622  
any other person who has written authorization from the board of 623  
education or governing body of a school to convey deadly weapons 624  
or dangerous ordnance into a school safety zone or to possess a 625  
deadly weapon or dangerous ordnance in a school safety zone and 626  
who conveys or possesses the deadly weapon or dangerous ordnance 627  
in accordance with that authorization; 628

(b) Any person who is employed in this state, who is 629  
authorized to carry deadly weapons or dangerous ordnance, and 630  
who is subject to and in compliance with the requirements of 631  
section 109.801 of the Revised Code, unless the appointing 632

authority of the person has expressly specified that the 633  
exemption provided in division (D) (1) (b) of this section does 634  
not apply to the person. 635

(2) Division (C) of this section does not apply to 636  
premises upon which home schooling is conducted. Division (C) of 637  
this section also does not apply to a school administrator, 638  
teacher, or employee who possesses an object that is 639  
indistinguishable from a firearm for legitimate school purposes 640  
during the course of employment, a student who uses an object 641  
that is indistinguishable from a firearm under the direction of 642  
a school administrator, teacher, or employee, or any other 643  
person who with the express prior approval of a school 644  
administrator possesses an object that is indistinguishable from 645  
a firearm for a legitimate purpose, including the use of the 646  
object in a ceremonial activity, a play, reenactment, or other 647  
dramatic presentation, school safety training, or a ROTC 648  
activity or another similar use of the object. 649

(3) This section does not apply to a person who conveys or 650  
attempts to convey a handgun into, or possesses a handgun in, a 651  
school safety zone if, at the time of that conveyance, attempted 652  
conveyance, or possession of the handgun, all of the following 653  
apply: 654

(a) The person does not enter into a school building or 655  
onto school premises and is not at a school activity. 656

(b) The person ~~is carrying~~ has been issued a valid 657  
concealed handgun license that is valid at the time of the 658  
conveyance, attempted conveyance, or possession ~~or~~, the person 659  
is an active duty member of the armed forces of the United 660  
States and ~~is carrying~~ has been issued a valid military 661  
identification card and documentation of successful completion 662

of firearms training that meets or exceeds the training 663  
requirements described in division (G) (1) of section 2923.125 of 664  
the Revised Code that are valid at the time of the conveyance, 665  
attempted conveyance, or possession, or the person is at least 666  
twenty-one years of age and is not prohibited under the law of 667  
this state or the United States from possessing a firearm. 668

(c) ~~The~~ One of the following applies: 669

(i) The person is in the school safety zone in accordance 670  
with 18 U.S.C. 922(q) (2) (B). 671

~~(d) The person~~ and is not knowingly in a place described 672  
in division (B) (1) or (B) (3) to (8) of section 2923.126 of the 673  
Revised Code. 674

~~(4) This section does not apply to a person who conveys or~~ 675  
~~attempts to convey a handgun into, or possesses a handgun in, a~~ 676  
~~school safety zone if at the time of that conveyance, attempted~~ 677  
~~conveyance, or possession of the handgun all of the following~~ 678  
~~apply:~~ 679

~~(a) The person is carrying a valid concealed handgun~~ 680  
~~license or the person is an active duty member of the armed~~ 681  
~~forces of the United States and is carrying a valid military~~ 682  
~~identification card and documentation of successful completion~~ 683  
~~of firearms training that meets or exceeds the training~~ 684  
~~requirements described in division (G) (1) of section 2923.125 of~~ 685  
~~the Revised Code.~~ 686

~~(b) (ii) The person leaves the handgun in a motor vehicle.~~ 687

~~(c) The, the handgun does not leave the motor vehicle.~~ 688

~~(d) If, and, if the person exits the motor vehicle, the~~ 689  
person locks the motor vehicle. 690

(E) (1) Whoever violates division (A) or (B) of this 691  
section is guilty of illegal conveyance or possession of a 692  
deadly weapon or dangerous ordnance in a school safety zone. 693  
Except as otherwise provided in this division, illegal 694  
conveyance or possession of a deadly weapon or dangerous 695  
ordnance in a school safety zone is a felony of the fifth 696  
degree. If the offender previously has been convicted of a 697  
violation of this section, illegal conveyance or possession of a 698  
deadly weapon or dangerous ordnance in a school safety zone is a 699  
felony of the fourth degree. 700

(2) Whoever violates division (C) of this section is 701  
guilty of illegal possession of an object indistinguishable from 702  
a firearm in a school safety zone. Except as otherwise provided 703  
in this division, illegal possession of an object 704  
indistinguishable from a firearm in a school safety zone is a 705  
misdemeanor of the first degree. If the offender previously has 706  
been convicted of a violation of this section, illegal 707  
possession of an object indistinguishable from a firearm in a 708  
school safety zone is a felony of the fifth degree. 709

(F) (1) In addition to any other penalty imposed upon a 710  
person who is convicted of or pleads guilty to a violation of 711  
this section and subject to division (F) (2) of this section, if 712  
the offender has not attained nineteen years of age, regardless 713  
of whether the offender is attending or is enrolled in a school 714  
operated by a board of education or for which the state board of 715  
education prescribes minimum standards under section 3301.07 of 716  
the Revised Code, the court shall impose upon the offender a 717  
class four suspension of the offender's probationary driver's 718  
license, restricted license, driver's license, commercial 719  
driver's license, temporary instruction permit, or probationary 720  
commercial driver's license that then is in effect from the 721

range specified in division (A) (4) of section 4510.02 of the Revised Code and shall deny the offender the issuance of any permit or license of that type during the period of the suspension.

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

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

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

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

(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.	751
(C) This section does not apply to any of the following:	752
(1) Except as provided in division (E) of this section, a judge of a court of record of this state or a magistrate;	753 754
(2) A peace officer, officer of a law enforcement agency, or person who is in either of the following categories:	755 756
(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;	757 758 759 760 761 762 763 764 765
(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.	766 767 768 769 770 771 772 773 774 775
(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;	776 777 778 779

(4) Except as provided in division (E) of this section, a  
bailiff or deputy bailiff of a court of record of this state who  
is authorized to carry a firearm pursuant to section 109.77 of  
the Revised Code, who possesses or has under that individual's  
control a firearm 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;

(5) Except as provided in division (E) of this section, a  
prosecutor, or a secret service officer appointed by a county  
prosecuting attorney, who is authorized to carry a deadly weapon  
or dangerous ordnance in the performance of the individual's  
duties, 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;

(6) Except as provided in division (E) of this section, a  
person who conveys or attempts to convey a handgun into a  
courthouse or into another building or structure in which a  
courtroom is located, and who, at the time of the conveyance or  
attempt, ~~either is carrying has been issued a valid~~ concealed  
handgun license that is valid at the time of the conveyance or  
attempt or, is an active duty member of the armed forces of the  
United States and ~~is carrying has been issued a~~ valid military  
identification card and documentation of successful completion  
of firearms training that meets or exceeds the training  
requirements described in division (G) (1) of section 2923.125 of  
the Revised Code that are valid at the time of the conveyance or  
attempt, or is at least twenty-one years of age and is not  
prohibited under the law of this state or the United States from  
possessing a firearm, and who transfers possession of the  
handgun to the officer or officer's designee who has charge of

the courthouse or building. The officer shall secure the handgun 811  
until the licensee or other person who transferred it is 812  
prepared to leave the premises. The exemption described in this 813  
division applies only if the officer who has charge of the 814  
courthouse or building provides services of the nature described 815  
in this division. An officer who has charge of the courthouse or 816  
building is not required to offer services of the nature 817  
described in this division. 818

(D) (1) Whoever violates division (A) of this section is 819  
guilty of illegal conveyance of a deadly weapon or dangerous 820  
ordnance into a courthouse. Except as otherwise provided in this 821  
division, illegal conveyance of a deadly weapon or dangerous 822  
ordnance into a courthouse is a felony of the fifth degree. If 823  
the offender previously has been convicted of a violation of 824  
division (A) or (B) of this section, illegal conveyance of a 825  
deadly weapon or dangerous ordnance into a courthouse is a 826  
felony of the fourth degree. 827

(2) Whoever violates division (B) of this section is 828  
guilty of illegal possession or control of a deadly weapon or 829  
dangerous ordnance in a courthouse. Except as otherwise provided 830  
in this division, illegal possession or control of a deadly 831  
weapon or dangerous ordnance in a courthouse is a felony of the 832  
fifth degree. If the offender previously has been convicted of a 833  
violation of division (A) or (B) of this section, illegal 834  
possession or control of a deadly weapon or dangerous ordnance 835  
in a courthouse is a felony of the fourth degree. 836

(E) The exemptions described in divisions (C) (1), (2) (a), 837  
(2) (b), (4), (5), and (6) of this section do not apply to any 838  
judge, magistrate, peace officer, officer of a law enforcement 839  
agency, bailiff, deputy bailiff, prosecutor, secret service 840

officer, or other person described in any of those divisions if 841  
a rule of superintendence or another type of rule adopted by the 842  
supreme court pursuant to Article IV, Ohio Constitution, or an 843  
applicable local rule of court prohibits all persons from 844  
conveying or attempting to convey a deadly weapon or dangerous 845  
ordnance into a courthouse or into another building or structure 846  
in which a courtroom is located or from possessing or having 847  
under one's control a deadly weapon or dangerous ordnance in a 848  
courthouse or in another building or structure in which a 849  
courtroom is located. 850

(F) As used in this section: 851

(1) "Magistrate" means an individual who is appointed by a 852  
court of record of this state and who has the powers and may 853  
perform the functions specified in Civil Rule 53, Criminal Rule 854  
19, or Juvenile Rule 40. 855

(2) "Peace officer" and "prosecutor" have the same 856  
meanings as in section 2935.01 of the Revised Code. 857

**Sec. 2923.125. (A)(1)** It is the intent of the general 858  
assembly that Ohio concealed handgun license law be compliant 859  
with the national instant criminal background check system, that 860  
the bureau of alcohol, tobacco, firearms, and explosives is able 861  
to determine that Ohio law is compliant with the national 862  
instant criminal background check system, and that no person 863  
shall be eligible to receive a concealed handgun license permit 864  
under section 2923.125 or 2923.1213 of the Revised Code unless 865  
the person is eligible lawfully to receive or possess a firearm 866  
in the United States. 867

~~(A)(2)~~ This section applies with respect to the 868  
application for and issuance by this state of concealed handgun 869

licenses other than concealed handgun licenses on a temporary 870  
emergency basis that are issued under section 2923.1213 of the 871  
Revised Code. Upon the request of a person who wishes to obtain 872  
a concealed handgun license with respect to which this section 873  
applies or to renew a concealed handgun license with respect to 874  
which this section applies, a sheriff, as provided in division 875  
(I) of this section, shall provide to the person free of charge 876  
an application form and the web site address at which a 877  
printable version of the application form that can be downloaded 878  
and the pamphlet described in division (B) of section 109.731 of 879  
the Revised Code may be found. A sheriff shall accept a 880  
completed application form and the fee, items, materials, and 881  
information specified in divisions (B) (1) to (5) of this section 882  
at the times and in the manners described in division (I) of 883  
this section. 884

(B) An applicant for a concealed handgun license who is a 885  
resident of this state shall submit a completed application form 886  
and all of the material and information described in divisions 887  
(B) (1) to (6) of this section to the sheriff of ~~the county in~~ 888  
~~which the applicant resides or to the sheriff of any county~~ 889  
~~adjacent to the county in which the applicant resides.~~ An 890  
applicant for a license who resides in another state shall 891  
submit a completed application form and all of the material and 892  
information described in divisions (B) (1) to (7) of this section 893  
to the sheriff of the county in which the applicant is employed 894  
or to the sheriff of any county adjacent to the county in which 895  
the applicant is employed: 896

(1) (a) A nonrefundable license fee as described in either 897  
of the following: 898

(i) For an applicant who has been a resident of this state 899

for five or more years, a fee of sixty-seven dollars; 900

(ii) For an applicant who has been a resident of this 901  
state for less than five years or who is not a resident of this 902  
state, but who is employed in this state, a fee of sixty-seven 903  
dollars plus the actual cost of having a background check 904  
performed by the federal bureau of investigation. 905

(b) No sheriff shall require an applicant to pay for the 906  
cost of a background check performed by the bureau of criminal 907  
identification and investigation. 908

(c) A sheriff shall waive the payment of the license fee 909  
described in division (B) (1) (a) of this section in connection 910  
with an initial or renewal application for a license that is 911  
submitted by an applicant who is an active or reserve member of 912  
the armed forces of the United States or has retired from or was 913  
honorably discharged from military service in the active or 914  
reserve armed forces of the United States, a retired peace 915  
officer, a retired person described in division (B) (1) (b) of 916  
section 109.77 of the Revised Code, or a retired federal law 917  
enforcement officer who, prior to retirement, was authorized 918  
under federal law to carry a firearm in the course of duty, 919  
unless the retired peace officer, person, or federal law 920  
enforcement officer retired as the result of a mental 921  
disability. 922

(d) The sheriff shall deposit all fees paid by an 923  
applicant under division (B) (1) (a) of this section into the 924  
sheriff's concealed handgun license issuance fund established 925  
pursuant to section 311.42 of the Revised Code. The county shall 926  
distribute the fees in accordance with section 311.42 of the 927  
Revised Code. 928

(2) A color photograph of the applicant that was taken	929
within thirty days prior to the date of the application;	930
(3) One or more of the following competency	931
certifications, each of which shall reflect that, regarding a	932
certification described in division (B) (3) (a), (b), (c), (e), or	933
(f) of this section, within the three years immediately	934
preceding the application the applicant has performed that to	935
which the competency certification relates and that, regarding a	936
certification described in division (B) (3) (d) of this section,	937
the applicant currently is an active or reserve member of the	938
armed forces of the United States, the applicant has retired	939
from or was honorably discharged from military service in the	940
active or reserve armed forces of the United States, or within	941
the ten years immediately preceding the application the	942
retirement of the peace officer, person described in division	943
(B) (1) (b) of section 109.77 of the Revised Code, or federal law	944
enforcement officer to which the competency certification	945
relates occurred:	946
(a) An original or photocopy of a certificate of	947
completion of a firearms safety, training, or requalification or	948
firearms safety instructor course, class, or program that was	949
offered by or under the auspices of a national gun advocacy	950
organization and that complies with the requirements set forth	951
in division (G) of this section;	952
(b) An original or photocopy of a certificate of	953
completion of a firearms safety, training, or requalification or	954
firearms safety instructor course, class, or program that	955
satisfies all of the following criteria:	956
(i) It was open to members of the general public.	957

(ii) It utilized qualified instructors who were certified 958  
by a national gun advocacy organization, the executive director 959  
of the Ohio peace officer training commission pursuant to 960  
section 109.75 or 109.78 of the Revised Code, or a governmental 961  
official or entity of another state. 962

(iii) It was offered by or under the auspices of a law 963  
enforcement agency of this or another state or the United 964  
States, a public or private college, university, or other 965  
similar postsecondary educational institution located in this or 966  
another state, a firearms training school located in this or 967  
another state, or another type of public or private entity or 968  
organization located in this or another state. 969

(iv) It complies with the requirements set forth in 970  
division (G) of this section. 971

(c) An original or photocopy of a certificate of 972  
completion of a state, county, municipal, or department of 973  
natural resources peace officer training school that is approved 974  
by the executive director of the Ohio peace officer training 975  
commission pursuant to section 109.75 of the Revised Code and 976  
that complies with the requirements set forth in division (G) of 977  
this section, or the applicant has satisfactorily completed and 978  
been issued a certificate of completion of a basic firearms 979  
training program, a firearms requalification training program, 980  
or another basic training program described in section 109.78 or 981  
109.801 of the Revised Code that complies with the requirements 982  
set forth in division (G) of this section; 983

(d) A document that evidences both of the following: 984

(i) That the applicant is an active or reserve member of 985  
the armed forces of the United States, has retired from or was 986

honorably discharged from military service in the active or 987  
reserve armed forces of the United States, is a retired trooper 988  
of the state highway patrol, or is a retired peace officer or 989  
federal law enforcement officer described in division (B) (1) of 990  
this section or a retired person described in division (B) (1) (b) 991  
of section 109.77 of the Revised Code and division (B) (1) of 992  
this section; 993

(ii) That, through participation in the military service 994  
or through the former employment described in division (B) (3) (d) 995  
(i) of this section, the applicant acquired experience with 996  
handling handguns or other firearms, and the experience so 997  
acquired was equivalent to training that the applicant could 998  
have acquired in a course, class, or program described in 999  
division (B) (3) (a), (b), or (c) of this section. 1000

(e) A certificate or another similar document that 1001  
evidences satisfactory completion of a firearms training, 1002  
safety, or requalification or firearms safety instructor course, 1003  
class, or program that is not otherwise described in division 1004  
(B) (3) (a), (b), (c), or (d) of this section, that was conducted 1005  
by an instructor who was certified by an official or entity of 1006  
the government of this or another state or the United States or 1007  
by a national gun advocacy organization, and that complies with 1008  
the requirements set forth in division (G) of this section; 1009

(f) An affidavit that attests to the applicant's 1010  
satisfactory completion of a course, class, or program described 1011  
in division (B) (3) (a), (b), (c), or (e) of this section and that 1012  
is subscribed by the applicant's instructor or an authorized 1013  
representative of the entity that offered the course, class, or 1014  
program or under whose auspices the course, class, or program 1015  
was offered; 1016

(g) A document that evidences that the applicant has 1017  
successfully completed the Ohio peace officer training program 1018  
described in section 109.79 of the Revised Code. 1019

(4) A certification by the applicant that the applicant 1020  
has read the pamphlet prepared by the Ohio peace officer 1021  
training commission pursuant to section 109.731 of the Revised 1022  
Code that reviews firearms, dispute resolution, and use of 1023  
deadly force matters. 1024

(5) A set of fingerprints of the applicant provided as 1025  
described in section 311.41 of the Revised Code through use of 1026  
an electronic fingerprint reading device or, if the sheriff to 1027  
whom the application is submitted does not possess and does not 1028  
have ready access to the use of such a reading device, on a 1029  
standard impression sheet prescribed pursuant to division (C) (2) 1030  
of section 109.572 of the Revised Code. 1031

(6) If the applicant is not a citizen or national of the 1032  
United States, the name of the applicant's country of 1033  
citizenship and the applicant's alien registration number issued 1034  
by the United States citizenship and immigration services 1035  
agency. 1036

(7) If the applicant resides in another state, adequate 1037  
proof of employment in Ohio. 1038

(C) Upon receipt of the completed application form, 1039  
supporting documentation, and, if not waived, license fee of an 1040  
applicant under this section, a sheriff, in the manner specified 1041  
in section 311.41 of the Revised Code, shall conduct or cause to 1042  
be conducted the criminal records check and the incompetency 1043  
records check described in section 311.41 of the Revised Code. 1044

(D) (1) Except as provided in division (D) (3) of this 1045

section, within forty-five days after a sheriff's receipt of an 1046  
applicant's completed application form for a concealed handgun 1047  
license under this section, the supporting documentation, and, 1048  
if not waived, the license fee, the sheriff shall make available 1049  
through the law enforcement automated data system in accordance 1050  
with division (H) of this section the information described in 1051  
that division and, upon making the information available through 1052  
the system, shall issue to the applicant a concealed handgun 1053  
license that shall expire as described in division (D) (2) (a) of 1054  
this section if all of the following apply: 1055

(a) The applicant is legally living in the United States. 1056  
For purposes of division (D) (1) (a) of this section, if a person 1057  
is absent from the United States in compliance with military or 1058  
naval orders as an active or reserve member of the armed forces 1059  
of the United States and if prior to leaving the United States 1060  
the person was legally living in the United States, the person, 1061  
solely by reason of that absence, shall not be considered to 1062  
have lost the person's status as living in the United States. 1063

(b) The applicant is at least twenty-one years of age. 1064

(c) The applicant is not a fugitive from justice. 1065

(d) The applicant is not under indictment for or otherwise 1066  
charged with a felony; an offense under Chapter 2925., 3719., or 1067  
4729. of the Revised Code that involves the illegal possession, 1068  
use, sale, administration, or distribution of or trafficking in 1069  
a drug of abuse; a misdemeanor offense of violence; or a 1070  
violation of section 2903.14 or 2923.1211 of the Revised Code. 1071

(e) Except as otherwise provided in division (D) (4) or (5) 1072  
of this section, the applicant has not been convicted of or 1073  
pleaded guilty to a felony or an offense under Chapter 2925., 1074

3719., or 4729. of the Revised Code that involves the illegal 1075  
possession, use, sale, administration, or distribution of or 1076  
trafficking in a drug of abuse; has not been adjudicated a 1077  
delinquent child for committing an act that if committed by an 1078  
adult would be a felony or would be an offense under Chapter 1079  
2925., 3719., or 4729. of the Revised Code that involves the 1080  
illegal possession, use, sale, administration, or distribution 1081  
of or trafficking in a drug of abuse; has not been convicted of, 1082  
pleaded guilty to, or adjudicated a delinquent child for 1083  
committing a violation of section 2903.13 of the Revised Code 1084  
when the victim of the violation is a peace officer, regardless 1085  
of whether the applicant was sentenced under division (C) (4) of 1086  
that section; and has not been convicted of, pleaded guilty to, 1087  
or adjudicated a delinquent child for committing any other 1088  
offense that is not previously described in this division that 1089  
is a misdemeanor punishable by imprisonment for a term exceeding 1090  
one year. 1091

(f) Except as otherwise provided in division (D) (4) or (5) 1092  
of this section, the applicant, within three years of the date 1093  
of the application, has not been convicted of or pleaded guilty 1094  
to a misdemeanor offense of violence other than a misdemeanor 1095  
violation of section 2921.33 of the Revised Code or a violation 1096  
of section 2903.13 of the Revised Code when the victim of the 1097  
violation is a peace officer, or a misdemeanor violation of 1098  
section 2923.1211 of the Revised Code; and has not been 1099  
adjudicated a delinquent child for committing an act that if 1100  
committed by an adult would be a misdemeanor offense of violence 1101  
other than a misdemeanor violation of section 2921.33 of the 1102  
Revised Code or a violation of section 2903.13 of the Revised 1103  
Code when the victim of the violation is a peace officer or for 1104  
committing an act that if committed by an adult would be a 1105

misdemeanor violation of section 2923.1211 of the Revised Code. 1106

(g) Except as otherwise provided in division (D)(1)(e) of 1107  
this section, the applicant, within five years of the date of 1108  
the application, has not been convicted of, pleaded guilty to, 1109  
or adjudicated a delinquent child for committing two or more 1110  
violations of section 2903.13 or 2903.14 of the Revised Code. 1111

(h) Except as otherwise provided in division (D)(4) or (5) 1112  
of this section, the applicant, within ten years of the date of 1113  
the application, has not been convicted of, pleaded guilty to, 1114  
or adjudicated a delinquent child for committing a violation of 1115  
section 2921.33 of the Revised Code. 1116

(i) The applicant has not been adjudicated as a mental 1117  
defective, has not been committed to any mental institution, is 1118  
not under adjudication of mental incompetence, has not been 1119  
found by a court to be a mentally ill person subject to court 1120  
order, and is not an involuntary patient other than one who is a 1121  
patient only for purposes of observation. As used in this 1122  
division, "mentally ill person subject to court order" and 1123  
"patient" have the same meanings as in section 5122.01 of the 1124  
Revised Code. 1125

(j) The applicant is not currently subject to a civil 1126  
protection order, a temporary protection order, or a protection 1127  
order issued by a court of another state. 1128

(k) The applicant certifies that the applicant desires a 1129  
legal means to carry a concealed handgun for defense of the 1130  
applicant or a member of the applicant's family while engaged in 1131  
lawful activity. 1132

(l) The applicant submits a competency certification of 1133  
the type described in division (B)(3) of this section and 1134

submits a certification of the type described in division (B) (4) 1135  
of this section regarding the applicant's reading of the 1136  
pamphlet prepared by the Ohio peace officer training commission 1137  
pursuant to section 109.731 of the Revised Code. 1138

(m) The applicant currently is not subject to a suspension 1139  
imposed under division (A) (2) of section 2923.128 of the Revised 1140  
Code of a concealed handgun license that previously was issued 1141  
to the applicant under this section or section 2923.1213 of the 1142  
Revised Code or a similar suspension imposed by another state 1143  
regarding a concealed handgun license issued by that state. 1144

(n) If the applicant resides in another state, the 1145  
applicant is employed in this state. 1146

(o) The applicant certifies that the applicant is not an 1147  
unlawful user of or addicted to any controlled substance as 1148  
defined in 21 U.S.C. 802. 1149

(p) If the applicant is not a United States citizen, the 1150  
applicant is an alien and has not been admitted to the United 1151  
States under a nonimmigrant visa, as defined in the "Immigration 1152  
and Nationality Act," 8 U.S.C. 1101(a) (26). 1153

(q) The applicant has not been discharged from the armed 1154  
forces of the United States under dishonorable conditions. 1155

(r) The applicant certifies that the applicant has not 1156  
renounced the applicant's United States citizenship, if 1157  
applicable. 1158

(s) The applicant has not been convicted of, pleaded 1159  
guilty to, or adjudicated a delinquent child for committing a 1160  
violation of section 2919.25 of the Revised Code or a similar 1161  
violation in another state. 1162

(2) (a) A concealed handgun license that a sheriff issues 1163  
under division (D) (1) of this section shall expire five years 1164  
after the date of issuance. 1165

If a sheriff issues a license under this section, the 1166  
sheriff shall place on the license a unique combination of 1167  
letters and numbers identifying the license in accordance with 1168  
the procedure prescribed by the Ohio peace officer training 1169  
commission pursuant to section 109.731 of the Revised Code. 1170

(b) If a sheriff denies an application under this section 1171  
because the applicant does not satisfy the criteria described in 1172  
division (D) (1) of this section, the sheriff shall specify the 1173  
grounds for the denial in a written notice to the applicant. The 1174  
applicant may appeal the denial pursuant to section 119.12 of 1175  
the Revised Code in the county served by the sheriff who denied 1176  
the application. If the denial was as a result of the criminal 1177  
records check conducted pursuant to section 311.41 of the 1178  
Revised Code and if, pursuant to section 2923.127 of the Revised 1179  
Code, the applicant challenges the criminal records check 1180  
results using the appropriate challenge and review procedure 1181  
specified in that section, the time for filing the appeal 1182  
pursuant to section 119.12 of the Revised Code and this division 1183  
is tolled during the pendency of the request or the challenge 1184  
and review. 1185

(c) If the court in an appeal under section 119.12 of the 1186  
Revised Code and division (D) (2) (b) of this section enters a 1187  
judgment sustaining the sheriff's refusal to grant to the 1188  
applicant a concealed handgun license, the applicant may file a 1189  
new application beginning one year after the judgment is 1190  
entered. If the court enters a judgment in favor of the 1191  
applicant, that judgment shall not restrict the authority of a 1192

sheriff to suspend or revoke the license pursuant to section 1193  
2923.128 or 2923.1213 of the Revised Code or to refuse to renew 1194  
the license for any proper cause that may occur after the date 1195  
the judgment is entered. In the appeal, the court shall have 1196  
full power to dispose of all costs. 1197

(3) If the sheriff with whom an application for a 1198  
concealed handgun license was filed under this section becomes 1199  
aware that the applicant has been arrested for or otherwise 1200  
charged with an offense that would disqualify the applicant from 1201  
holding the license, the sheriff shall suspend the processing of 1202  
the application until the disposition of the case arising from 1203  
the arrest or charge. 1204

(4) If an applicant has been convicted of or pleaded 1205  
guilty to an offense identified in division (D)(1)(e), (f), or 1206  
(h) of this section or has been adjudicated a delinquent child 1207  
for committing an act or violation identified in any of those 1208  
divisions, and if a court has ordered the sealing or expungement 1209  
of the records of that conviction, guilty plea, or adjudication 1210  
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 1211  
2953.36, or section 2953.37 of the Revised Code or the applicant 1212  
has been relieved under operation of law or legal process from 1213  
the disability imposed pursuant to section 2923.13 of the 1214  
Revised Code relative to that conviction, guilty plea, or 1215  
adjudication, the sheriff with whom the application was 1216  
submitted shall not consider the conviction, guilty plea, or 1217  
adjudication in making a determination under division (D)(1) or 1218  
(F) of this section or, in relation to an application for a 1219  
concealed handgun license on a temporary emergency basis 1220  
submitted under section 2923.1213 of the Revised Code, in making 1221  
a determination under division (B)(2) of that section. 1222

(5) If an applicant has been convicted of or pleaded 1223  
guilty to a minor misdemeanor offense or has been adjudicated a 1224  
delinquent child for committing an act or violation that is a 1225  
minor misdemeanor offense, the sheriff with whom the application 1226  
was submitted shall not consider the conviction, guilty plea, or 1227  
adjudication in making a determination under division (D)(1) or 1228  
(F) of this section or, in relation to an application for a 1229  
concealed handgun license on a temporary basis submitted under 1230  
section 2923.1213 of the Revised Code, in making a determination 1231  
under division (B)(2) of that section. 1232

(E) If a concealed handgun license issued under this 1233  
section is lost or is destroyed, the licensee may obtain from 1234  
the sheriff who issued that license a duplicate license upon the 1235  
payment of a fee of fifteen dollars and the submission of an 1236  
affidavit attesting to the loss or destruction of the license. 1237  
The sheriff, in accordance with the procedures prescribed in 1238  
section 109.731 of the Revised Code, shall place on the 1239  
replacement license a combination of identifying numbers 1240  
different from the combination on the license that is being 1241  
replaced. 1242

(F)(1)(a) Except as provided in division (F)(1)(b) of this 1243  
section, a licensee who wishes to renew a concealed handgun 1244  
license issued under this section may do so at any time before 1245  
the expiration date of the license or at any time after the 1246  
expiration date of the license by filing with ~~the any county~~ 1247  
~~sheriff of the county in which the applicant resides or with the~~ 1248  
~~sheriff of an adjacent county~~, or in the case of an applicant 1249  
who resides in another state with the sheriff of the county that 1250  
issued the applicant's previous concealed handgun license an 1251  
application for renewal of the license obtained pursuant to 1252  
division (D) of this section, a certification by the applicant 1253

that, subsequent to the issuance of the license, the applicant 1254  
has reread the pamphlet prepared by the Ohio peace officer 1255  
training commission pursuant to section 109.731 of the Revised 1256  
Code that reviews firearms, dispute resolution, and use of 1257  
deadly force matters, and a nonrefundable license renewal fee in 1258  
an amount determined pursuant to division (F) (4) of this section 1259  
unless the fee is waived. 1260

(b) A person on active duty in the armed forces of the 1261  
United States or in service with the peace corps, volunteers in 1262  
service to America, or the foreign service of the United States 1263  
is exempt from the license requirements of this section for the 1264  
period of the person's active duty or service and for six months 1265  
thereafter, provided the person was a licensee under this 1266  
section at the time the person commenced the person's active 1267  
duty or service or had obtained a license while on active duty 1268  
or service. The spouse or a dependent of any such person on 1269  
active duty or in service also is exempt from the license 1270  
requirements of this section for the period of the person's 1271  
active duty or service and for six months thereafter, provided 1272  
the spouse or dependent was a licensee under this section at the 1273  
time the person commenced the active duty or service or had 1274  
obtained a license while the person was on active duty or 1275  
service, and provided further that the person's active duty or 1276  
service resulted in the spouse or dependent relocating outside 1277  
of this state during the period of the active duty or service. 1278  
This division does not prevent such a person or the person's 1279  
spouse or dependent from making an application for the renewal 1280  
of a concealed handgun license during the period of the person's 1281  
active duty or service. 1282

(2) A sheriff shall accept a completed renewal 1283  
application, the license renewal fee, and the information 1284

specified in division (F)(1) of this section at the times and in 1285  
the manners described in division (I) of this section. Upon 1286  
receipt of a completed renewal application, of certification 1287  
that the applicant has reread the specified pamphlet prepared by 1288  
the Ohio peace officer training commission, and of a license 1289  
renewal fee unless the fee is waived, a sheriff, in the manner 1290  
specified in section 311.41 of the Revised Code shall conduct or 1291  
cause to be conducted the criminal records check and the 1292  
incompetency records check described in section 311.41 of the 1293  
Revised Code. The sheriff shall renew the license if the sheriff 1294  
determines that the applicant continues to satisfy the 1295  
requirements described in division (D)(1) of this section, 1296  
except that the applicant is not required to meet the 1297  
requirements of division (D)(1)(1) of this section. A renewed 1298  
license shall expire five years after the date of issuance. A 1299  
renewed license is subject to division (E) of this section and 1300  
sections 2923.126 and 2923.128 of the Revised Code. A sheriff 1301  
shall comply with divisions (D)(2) and (3) of this section when 1302  
the circumstances described in those divisions apply to a 1303  
requested license renewal. If a sheriff denies the renewal of a 1304  
concealed handgun license, the applicant may appeal the denial, 1305  
or challenge the criminal record check results that were the 1306  
basis of the denial if applicable, in the same manner as 1307  
specified in division (D)(2)(b) of this section and in section 1308  
2923.127 of the Revised Code, regarding the denial of a license 1309  
under this section. 1310

(3) A renewal application submitted pursuant to division 1311  
(F) of this section shall only require the licensee to list on 1312  
the application form information and matters occurring since the 1313  
date of the licensee's last application for a license pursuant 1314  
to division (B) or (F) of this section. A sheriff conducting the 1315

criminal records check and the incompetency records check 1316  
described in section 311.41 of the Revised Code shall conduct 1317  
the check only from the date of the licensee's last application 1318  
for a license pursuant to division (B) or (F) of this section 1319  
through the date of the renewal application submitted pursuant 1320  
to division (F) of this section. 1321

(4) An applicant for a renewal concealed handgun license 1322  
under this section shall submit to ~~the any county sheriff of the~~ 1323  
~~county in which the applicant resides or to the sheriff of any~~ 1324  
~~county adjacent to the county in which the applicant resides, or~~ 1325  
in the case of an applicant who resides in another state to the 1326  
sheriff of the county that issued the applicant's previous 1327  
concealed handgun license, a nonrefundable license fee as 1328  
described in either of the following: 1329

(a) For an applicant who has been a resident of this state 1330  
for five or more years, a fee of fifty dollars; 1331

(b) For an applicant who has been a resident of this state 1332  
for less than five years or who is not a resident of this state 1333  
but who is employed in this state, a fee of fifty dollars plus 1334  
the actual cost of having a background check performed by the 1335  
federal bureau of investigation. 1336

(5) The concealed handgun license of a licensee who is no 1337  
longer a resident of this state or no longer employed in this 1338  
state, as applicable, is valid until the date of expiration on 1339  
the license, and the licensee is prohibited from renewing the 1340  
concealed handgun license. 1341

(G) (1) Each course, class, or program described in 1342  
division (B) (3) (a), (b), (c), or (e) of this section shall 1343  
provide to each person who takes the course, class, or program 1344

the web site address at which the pamphlet prepared by the Ohio  
peace officer training commission pursuant to section 109.731 of  
the Revised Code that reviews firearms, dispute resolution, and  
use of deadly force matters may be found. Each such course,  
class, or program described in one of those divisions shall  
include at least eight hours of training in the safe handling  
and use of a firearm that shall include training, provided as  
described in division (G) (3) of this section, on all of the  
following:

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

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

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

(d) Gun handling training;

(e) A minimum of two hours of in-person training that  
consists of range time and live-fire training.

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

(a) A written section, provided as described in division  
(G) (3) of this section, on the ability to name and explain the  
rules for the safe handling of a handgun and proper storage  
practices for handguns and ammunition;

(b) An in-person physical demonstration of competence in

the use of a handgun and in the rules for safe handling and 1373  
storage of a handgun and a physical demonstration of the 1374  
attitude necessary to shoot a handgun in a safe manner. 1375

(3) (a) Except as otherwise provided in this division, the 1376  
training specified in division (G) (1) (a) of this section shall 1377  
be provided to the person receiving the training in person by an 1378  
instructor. If the training specified in division (G) (1) (a) of 1379  
this section is provided by a course, class, or program 1380  
described in division (B) (3) (a) of this section, or it is 1381  
provided by a course, class, or program described in division 1382  
(B) (3) (b), (c), or (e) of this section and the instructor is a 1383  
qualified instructor certified by a national gun advocacy 1384  
organization, the training so specified, other than the training 1385  
that requires the person receiving the training to demonstrate 1386  
handling abilities, may be provided online or as a combination 1387  
of in-person and online training, as long as the online training 1388  
includes an interactive component that regularly engages the 1389  
person. 1390

(b) Except as otherwise provided in this division, the 1391  
written section of the competency examination specified in 1392  
division (G) (2) (a) of this section shall be administered to the 1393  
person taking the competency examination in person by an 1394  
instructor. If the training specified in division (G) (1) (a) of 1395  
this section is provided to the person receiving the training by 1396  
a course, class, or program described in division (B) (3) (a) of 1397  
this section, or it is provided by a course, class, or program 1398  
described in division (B) (3) (b), (c), or (e) of this section and 1399  
the instructor is a qualified instructor certified by a national 1400  
gun advocacy organization, the written section of the competency 1401  
examination specified in division (G) (2) (a) of this section may 1402  
be administered online, as long as the online training includes 1403

an interactive component that regularly engages the person. 1404

(4) The competency certification described in division (B) 1405  
(3) (a), (b), (c), or (e) of this section shall be dated and 1406  
shall attest that the course, class, or program the applicant 1407  
successfully completed met the requirements described in 1408  
division (G) (1) of this section and that the applicant passed 1409  
the competency examination described in division (G) (2) of this 1410  
section. 1411

(H) Upon deciding to issue a concealed handgun license, 1412  
deciding to issue a replacement concealed handgun license, or 1413  
deciding to renew a concealed handgun license pursuant to this 1414  
section, and before actually issuing or renewing the license, 1415  
the sheriff shall make available through the law enforcement 1416  
automated data system all information contained on the license. 1417  
If the license subsequently is suspended under division (A) (1) 1418  
or (2) of section 2923.128 of the Revised Code, revoked pursuant 1419  
to division (B) (1) of section 2923.128 of the Revised Code, or 1420  
lost or destroyed, the sheriff also shall make available through 1421  
the law enforcement automated data system a notation of that 1422  
fact. The superintendent of the state highway patrol shall 1423  
ensure that the law enforcement automated data system is so 1424  
configured as to permit the transmission through the system of 1425  
the information specified in this division. 1426

~~(I) (1)~~ (I) (1) (a) A sheriff shall accept a completed 1427  
application form or renewal application, and the fee, items, 1428  
materials, and information specified in divisions (B) (1) to (5) 1429  
or division (F) of this section, whichever is applicable, and 1430  
shall provide an application form or renewal application to any 1431  
person during at least fifteen hours a week and shall provide 1432  
the web site address at which a printable version of the 1433

application form that can be downloaded and the pamphlet 1434  
described in division (B) of section 109.731 of the Revised Code 1435  
may be found at any time, upon request. A sheriff may provide up 1436  
to eight hours outside of the fifteen hours required in this 1437  
division during which the sheriff is available to accept or 1438  
provide the information described in this division only from or 1439  
to county residents. For each hour in a week that the sheriff is 1440  
available to accept or provide the information described in this 1441  
division only from or to county residents, the sheriff must 1442  
provide an additional hour outside of the fifteen hours required 1443  
in this division during which the sheriff is available to accept 1444  
or provide the information described in this division from or to 1445  
any person. The sheriff shall post notice of the hours during 1446  
which the sheriff is available to accept or provide the 1447  
information described in this division. 1448

(b) Nothing in division (I)(1)(a) of this section shall be 1449  
construed to prohibit the sheriff from offering more hours than 1450  
are required by division (I)(1)(a) of this section during which 1451  
the sheriff is available to accept or provide the information 1452  
described in division (I)(1)(a) of this section from or to any 1453  
person. 1454

(2) A sheriff shall transmit a notice to the attorney 1455  
general, in a manner determined by the attorney general, every 1456  
time a license is issued that waived payment under division (B) 1457  
(1)(c) of this section for an applicant who is an active or 1458  
reserve member of the armed forces of the United States or has 1459  
retired from or was honorably discharged from military service 1460  
in the active or reserve armed forces of the United States. The 1461  
attorney general shall monitor and inform sheriffs issuing 1462  
licenses under this section when the amount of license fee 1463  
payments waived and transmitted to the attorney general reach 1464

one million five hundred thousand dollars each year. Once a 1465  
sheriff is informed that the payments waived reached one million 1466  
five hundred thousand dollars in any year, a sheriff shall no 1467  
longer waive payment of a license fee for an applicant who is an 1468  
active or reserve member of the armed forces of the United 1469  
States or has retired from or was honorably discharged from 1470  
military service in the active or reserve armed forces of the 1471  
United States for the remainder of that year. 1472

(J) The availability of a concealed handgun license under 1473  
this section or section 2923.1213 of the Revised Code shall not 1474  
be construed to prohibit or restrict a person from possessing, 1475  
carrying, or transporting a firearm in a vehicle or on or about 1476  
the person's person, whether concealed or unconcealed, loaded or 1477  
unloaded, without a valid concealed handgun license if the 1478  
possession, carrying, or transport in the manner in question is 1479  
otherwise permitted by the Revised Code or any other provision 1480  
of law. 1481

**Sec. 2923.126.** (A) A concealed handgun license that is 1482  
issued under section 2923.125 of the Revised Code shall expire 1483  
five years after the date of issuance. A licensee who has been 1484  
issued a license under that section shall be granted a grace 1485  
period of thirty days after the licensee's license expires 1486  
during which the licensee's license remains valid. Except as 1487  
provided in divisions (B) and (C) of this section, a licensee 1488  
who has been issued a concealed handgun license under section 1489  
2923.125 or 2923.1213 of the Revised Code may carry a concealed 1490  
handgun anywhere in this state if the ~~licensee also carries a~~ 1491  
license is valid license when the licensee is in actual 1492  
possession of a concealed handgun. The licensee shall give 1493  
notice of any change in the licensee's residence address to the 1494  
sheriff who issued the license within forty-five days after that 1495

change. 1496

~~If a licensee is the driver or an occupant of a motor 1497  
vehicle that is stopped as the result of a traffic stop or a 1498  
stop for another law enforcement purpose and if the licensee is 1499  
transporting or has a loaded handgun in the motor vehicle at 1500  
that time, the licensee shall promptly inform any law 1501  
enforcement officer who approaches the vehicle while stopped 1502  
that the licensee has been issued a concealed handgun license 1503  
and that the licensee currently possesses or has a loaded 1504  
handgun; the licensee shall not knowingly disregard or fail to 1505  
comply with lawful orders of a law enforcement officer given 1506  
while the motor vehicle is stopped, knowingly fail to remain in 1507  
the motor vehicle while stopped, or knowingly fail to keep the 1508  
licensee's hands in plain sight after any law enforcement 1509  
officer begins approaching the licensee while stopped and before 1510  
the officer leaves, unless directed otherwise by a law 1511  
enforcement officer; and the licensee shall not knowingly have 1512  
contact with the loaded handgun by touching it with the 1513  
licensee's hands or fingers, in any manner in violation of 1514  
division (E) of section 2923.16 of the Revised Code, after any 1515  
law enforcement officer begins approaching the licensee while 1516  
stopped and before the officer leaves. Additionally, if a 1517  
licensee is the driver or an occupant of a commercial motor 1518  
vehicle that is stopped by an employee of the motor carrier 1519  
enforcement unit for the purposes defined in section 5503.34 of 1520  
the Revised Code and the licensee is transporting or has a 1521  
loaded handgun in the commercial motor vehicle at that time, the 1522  
licensee shall promptly inform the employee of the unit who 1523  
approaches the vehicle while stopped that the licensee has been 1524  
issued a concealed handgun license and that the licensee 1525  
currently possesses or has a loaded handgun. 1526~~

~~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 concealed handgun license  
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 concealed handgun license 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; any  
area of an airport passenger terminal that is beyond a passenger  
or property screening checkpoint or to which access is

restricted through security measures by the airport authority or 1558  
a public agency; or an institution that is maintained, operated, 1559  
managed, and governed pursuant to division (A) of section 1560  
5119.14 of the Revised Code or division (A) (1) of section 1561  
5123.03 of the Revised Code; 1562

(2) A school safety zone if the licensee's carrying the 1563  
concealed handgun is in violation of section 2923.122 of the 1564  
Revised Code; 1565

(3) A courthouse or another building or structure in which 1566  
a courtroom is located if the licensee's carrying the concealed 1567  
handgun is in violation of section 2923.123 of the Revised Code; 1568

(4) Any premises or open air arena for which a D permit 1569  
has been issued under Chapter 4303. of the Revised Code if the 1570  
licensee's carrying the concealed handgun is in violation of 1571  
section 2923.121 of the Revised Code; 1572

(5) Any premises owned or leased by any public or private 1573  
college, university, or other institution of higher education, 1574  
unless the handgun is in a locked motor vehicle or the licensee 1575  
is in the immediate process of placing the handgun in a locked 1576  
motor vehicle or unless the licensee is carrying the concealed 1577  
handgun pursuant to a written policy, rule, or other 1578  
authorization that is adopted by the institution's board of 1579  
trustees or other governing body and that authorizes specific 1580  
individuals or classes of individuals to carry a concealed 1581  
handgun on the premises; 1582

(6) Any church, synagogue, mosque, or other place of 1583  
worship, unless the church, synagogue, mosque, or other place of 1584  
worship posts or permits otherwise; 1585

(7) Any building that is a government facility of this 1586

state or a political subdivision of this state and that is not a 1587  
building that is used primarily as a shelter, restroom, parking 1588  
facility for motor vehicles, or rest facility and is not a 1589  
courthouse or other building or structure in which a courtroom 1590  
is located that is subject to division (B)(3) of this section, 1591  
unless the governing body with authority over the building has 1592  
enacted a statute, ordinance, or policy that permits a licensee 1593  
to carry a concealed handgun into the building; 1594

(8) A place in which federal law prohibits the carrying of 1595  
handguns. 1596

(C)(1) Nothing in this section shall negate or restrict a 1597  
rule, policy, or practice of a private employer that is not a 1598  
private college, university, or other institution of higher 1599  
education concerning or prohibiting the presence of firearms on 1600  
the private employer's premises or property, including motor 1601  
vehicles owned by the private employer. Nothing in this section 1602  
shall require a private employer of that nature to adopt a rule, 1603  
policy, or practice concerning or prohibiting the presence of 1604  
firearms on the private employer's premises or property, 1605  
including motor vehicles owned by the private employer. 1606

(2)(a) A private employer shall be immune from liability 1607  
in a civil action for any injury, death, or loss to person or 1608  
property that allegedly was caused by or related to a licensee 1609  
bringing a handgun onto the premises or property of the private 1610  
employer, including motor vehicles owned by the private 1611  
employer, unless the private employer acted with malicious 1612  
purpose. A private employer is immune from liability in a civil 1613  
action for any injury, death, or loss to person or property that 1614  
allegedly was caused by or related to the private employer's 1615  
decision to permit a licensee to bring, or prohibit a licensee 1616

from bringing, a handgun onto the premises or property of the 1617  
private employer. 1618

(b) A political subdivision shall be immune from liability 1619  
in a civil action, to the extent and in the manner provided in 1620  
Chapter 2744. of the Revised Code, for any injury, death, or 1621  
loss to person or property that allegedly was caused by or 1622  
related to a licensee bringing a handgun onto any premises or 1623  
property owned, leased, or otherwise under the control of the 1624  
political subdivision. As used in this division, "political 1625  
subdivision" has the same meaning as in section 2744.01 of the 1626  
Revised Code. 1627

(c) An institution of higher education shall be immune 1628  
from liability in a civil action for any injury, death, or loss 1629  
to person or property that allegedly was caused by or related to 1630  
a licensee bringing a handgun onto the premises of the 1631  
institution, including motor vehicles owned by the institution, 1632  
unless the institution acted with malicious purpose. An 1633  
institution of higher education is immune from liability in a 1634  
civil action for any injury, death, or loss to person or 1635  
property that allegedly was caused by or related to the 1636  
institution's decision to permit a licensee or class of 1637  
licensees to bring a handgun onto the premises of the 1638  
institution. 1639

(d) A nonprofit corporation shall be immune from liability 1640  
in a civil action for any injury, death, or loss to person or 1641  
property that allegedly was caused by or related to a licensee 1642  
bringing a handgun onto the premises of the nonprofit 1643  
corporation, including any motor vehicle owned by the nonprofit 1644  
corporation, or to any event organized by the nonprofit 1645  
corporation, unless the nonprofit corporation acted with 1646

malicious purpose. A nonprofit corporation is immune from 1647  
liability in a civil action for any injury, death, or loss to 1648  
person or property that allegedly was caused by or related to 1649  
the nonprofit corporation's decision to permit a licensee to 1650  
bring a handgun onto the premises of the nonprofit corporation 1651  
or to any event organized by the nonprofit corporation. 1652

(3) (a) Except as provided in division (C) (3) (b) of this 1653  
section and section 2923.1214 of the Revised Code, the owner or 1654  
person in control of private land or premises, and a private 1655  
person or entity leasing land or premises owned by the state, 1656  
the United States, or a political subdivision of the state or 1657  
the United States, may post a sign in a conspicuous location on 1658  
that land or on those premises prohibiting persons from carrying 1659  
firearms or concealed firearms on or onto that land or those 1660  
premises. Except as otherwise provided in this division, a 1661  
person who knowingly violates a posted prohibition of that 1662  
nature is guilty of criminal trespass in violation of division 1663  
(A) (4) of section 2911.21 of the Revised Code and is guilty of a 1664  
misdemeanor of the fourth degree. If a person knowingly violates 1665  
a posted prohibition of that nature and the posted land or 1666  
premises primarily was a parking lot or other parking facility, 1667  
the person is not guilty of criminal trespass under section 1668  
2911.21 of the Revised Code or under any other criminal law of 1669  
this state or criminal law, ordinance, or resolution of a 1670  
political subdivision of this state, and instead is subject only 1671  
to a civil cause of action for trespass based on the violation. 1672

If a person knowingly violates a posted prohibition of the 1673  
nature described in this division and the posted land or 1674  
premises is a child day-care center, type A family day-care 1675  
home, or type B family day-care home, unless the person is a 1676  
licensee who resides in a type A family day-care home or type B 1677

family day-care home, the person is guilty of aggravated 1678  
trespass in violation of section 2911.211 of the Revised Code. 1679  
Except as otherwise provided in this division, the offender is 1680  
guilty of a misdemeanor of the first degree. If the person 1681  
previously has been convicted of a violation of this division or 1682  
of any offense of violence, if the weapon involved is a firearm 1683  
that is either loaded or for which the offender has ammunition 1684  
ready at hand, or if the weapon involved is dangerous ordnance, 1685  
the offender is guilty of a felony of the fourth degree. 1686

(b) A landlord may not prohibit or restrict a tenant who 1687  
is a licensee and who on or after September 9, 2008, enters into 1688  
a rental agreement with the landlord for the use of residential 1689  
premises, and the tenant's guest while the tenant is present, 1690  
from lawfully carrying or possessing a handgun on those 1691  
residential premises. 1692

(c) As used in division (C)(3) of this section: 1693

(i) "Residential premises" has the same meaning as in 1694  
section 5321.01 of the Revised Code, except "residential 1695  
premises" does not include a dwelling unit that is owned or 1696  
operated by a college or university. 1697

(ii) "Landlord," "tenant," and "rental agreement" have the 1698  
same meanings as in section 5321.01 of the Revised Code. 1699

(D) A person who holds a valid concealed handgun license 1700  
issued by another state that is recognized by the attorney 1701  
general pursuant to a reciprocity agreement entered into 1702  
pursuant to section 109.69 of the Revised Code or a person who 1703  
holds a valid concealed handgun license under the circumstances 1704  
described in division (B) of section 109.69 of the Revised Code 1705  
has the same right to carry a concealed handgun in this state as 1706

a person who was issued a concealed handgun license under 1707  
section 2923.125 of the Revised Code and is subject to the same 1708  
restrictions that apply to a person who ~~carries~~ was issued a 1709  
concealed handgun license issued under that section. 1710

(E) (1) A peace officer has the same right to carry a 1711  
concealed handgun in this state as a person who was issued a 1712  
concealed handgun license under section 2923.125 of the Revised 1713  
Code, provided that the officer when carrying a concealed 1714  
handgun under authority of this division is carrying validating 1715  
identification. For purposes of reciprocity with other states, a 1716  
peace officer shall be considered to be a licensee in this 1717  
state. 1718

(2) An active duty member of the armed forces of the 1719  
United States who ~~is carrying~~ has been issued a valid military 1720  
identification card and documentation of successful completion 1721  
of firearms training that meets or exceeds the training 1722  
requirements described in division (G) (1) of section 2923.125 of 1723  
the Revised Code that are valid at the time of the carrying or 1724  
possession has the same right to carry a concealed handgun in 1725  
this state as a person who was issued a concealed handgun 1726  
license under section 2923.125 of the Revised Code and is 1727  
subject to the same restrictions as specified in this section. 1728

(3) A tactical medical professional who is qualified to 1729  
carry firearms while on duty under section 109.771 of the 1730  
Revised Code has the same right to carry a concealed handgun in 1731  
this state as a person who was issued a concealed handgun 1732  
license under section 2923.125 of the Revised Code. 1733

(4) A person who is at least twenty-one years of age and 1734  
is not prohibited under the law of this state or the United 1735  
States from possessing a firearm has the same right to carry a 1736

concealed handgun in this state as a person who was issued a 1737  
concealed handgun license under section 2923.125 of the Revised 1738  
Code and is subject to the same restrictions as specified in 1739  
this section. 1740

(F) (1) A qualified retired peace officer who possesses a 1741  
retired peace officer identification card issued pursuant to 1742  
division (F) (2) of this section and a valid firearms 1743  
requalification certification issued pursuant to division (F) (3) 1744  
of this section has the same right to carry a concealed handgun 1745  
in this state as a person who was issued a concealed handgun 1746  
license under section 2923.125 of the Revised Code and is 1747  
subject to the same restrictions that apply to a person who 1748  
~~carries~~ was issued a concealed handgun license issued under that 1749  
section. For purposes of reciprocity with other states, a 1750  
qualified retired peace officer who possesses a retired peace 1751  
officer identification card issued pursuant to division (F) (2) 1752  
of this section and a valid firearms requalification 1753  
certification issued pursuant to division (F) (3) of this section 1754  
shall be considered to be a licensee in this state. 1755

(2) (a) Each public agency of this state or of a political 1756  
subdivision of this state that is served by one or more peace 1757  
officers shall issue a retired peace officer identification card 1758  
to any person who retired from service as a peace officer with 1759  
that agency, if the issuance is in accordance with the agency's 1760  
policies and procedures and if the person, with respect to the 1761  
person's service with that agency, satisfies all of the 1762  
following: 1763

(i) The person retired in good standing from service as a 1764  
peace officer with the public agency, and the retirement was not 1765  
for reasons of mental instability. 1766

(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 1797  
firearms requalification certification for the retired peace 1798  
officer. If the issuing public agency issues credentials to 1799  
active law enforcement officers who serve the agency, the agency 1800  
may comply with division (F)(2)(a) of this section by issuing 1801  
the same credentials to persons who retired from service as a 1802  
peace officer with the agency and who satisfy the criteria set 1803  
forth in divisions (F)(2)(a)(i) to (iv) of this section, 1804  
provided that the credentials so issued to retired peace 1805  
officers are stamped with the word "RETIRED." 1806

(c) A public agency of this state or of a political 1807  
subdivision of this state may charge persons who retired from 1808  
service as a peace officer with the agency a reasonable fee for 1809  
issuing to the person a retired peace officer identification 1810  
card pursuant to division (F)(2)(a) of this section. 1811

(3) If a person retired from service as a peace officer 1812  
with a public agency of this state or of a political subdivision 1813  
of this state and the person satisfies the criteria set forth in 1814  
divisions (F)(2)(a)(i) to (iv) of this section, the public 1815  
agency may provide the retired peace officer with the 1816  
opportunity to attend a firearms requalification program that is 1817  
approved for purposes of firearms requalification required under 1818  
section 109.801 of the Revised Code. The retired peace officer 1819  
may be required to pay the cost of the course. 1820

If a retired peace officer who satisfies the criteria set 1821  
forth in divisions (F)(2)(a)(i) to (iv) of this section attends 1822  
a firearms requalification program that is approved for purposes 1823  
of firearms requalification required under section 109.801 of 1824  
the Revised Code, the retired peace officer's successful 1825  
completion of the firearms requalification program requalifies 1826

the retired peace officer for purposes of division (F) of this 1827  
section for five years from the date on which the program was 1828  
successfully completed, and the requalification is valid during 1829  
that five-year period. If a retired peace officer who satisfies 1830  
the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 1831  
section satisfactorily completes such a firearms requalification 1832  
program, the retired peace officer shall be issued a firearms 1833  
requalification certification that identifies the retired peace 1834  
officer by name, identifies the entity that taught the program, 1835  
specifies that the retired peace officer successfully completed 1836  
the program, specifies the date on which the course was 1837  
successfully completed, and specifies that the requalification 1838  
is valid for five years from that date of successful completion. 1839  
The firearms requalification certification for a retired peace 1840  
officer may be included in the retired peace officer 1841  
identification card issued to the retired peace officer under 1842  
division (F) (2) of this section. 1843

A retired peace officer who attends a firearms 1844  
requalification program that is approved for purposes of 1845  
firearms requalification required under section 109.801 of the 1846  
Revised Code may be required to pay the cost of the program. 1847

(G) As used in this section: 1848

(1) "Qualified retired peace officer" means a person who 1849  
satisfies all of the following: 1850

(a) The person satisfies the criteria set forth in 1851  
divisions (F) (2) (a) (i) to (v) of this section. 1852

(b) The person is not under the influence of alcohol or 1853  
another intoxicating or hallucinatory drug or substance. 1854

(c) The person is not prohibited by federal law from 1855

receiving firearms. 1856

(2) "Retired peace officer identification card" means an 1857  
identification card that is issued pursuant to division (F) (2) 1858  
of this section to a person who is a retired peace officer. 1859

(3) "Government facility of this state or a political 1860  
subdivision of this state" means any of the following: 1861

(a) A building or part of a building that is owned or 1862  
leased by the government of this state or a political 1863  
subdivision of this state and where employees of the government 1864  
of this state or the political subdivision regularly are present 1865  
for the purpose of performing their official duties as employees 1866  
of the state or political subdivision; 1867

(b) The office of a deputy registrar serving pursuant to 1868  
Chapter 4503. of the Revised Code that is used to perform deputy 1869  
registrar functions. 1870

(4) "Governing body" has the same meaning as in section 1871  
154.01 of the Revised Code. 1872

(5) "Tactical medical professional" has the same meaning 1873  
as in section 109.71 of the Revised Code. 1874

(6) "Validating identification" means photographic 1875  
identification issued by the agency for which an individual 1876  
serves as a peace officer that identifies the individual as a 1877  
peace officer of the agency. 1878

(7) "Nonprofit corporation" means any private organization 1879  
that is exempt from federal income taxation pursuant to 1880  
subsection 501(a) and described in subsection 501(c) of the 1881  
Internal Revenue Code. 1882

**Sec. 2923.128.** (A) (1) (a) If a licensee holding a valid 1883

concealed handgun license is arrested for or otherwise charged 1884  
with an offense described in division (D) (1) (d) of section 1885  
2923.125 of the Revised Code or with a violation of section 1886  
2923.15 of the Revised Code or becomes subject to a temporary 1887  
protection order or to a protection order issued by a court of 1888  
another state that is substantially equivalent to a temporary 1889  
protection order, the sheriff who issued the license shall 1890  
suspend it and shall comply with division (A) (3) of this section 1891  
upon becoming aware of the arrest, charge, or protection order. 1892  
Upon suspending the license, the sheriff also shall comply with 1893  
division (H) of section 2923.125 of the Revised Code. 1894

(b) A suspension under division (A) (1) (a) of this section 1895  
shall be considered as beginning on the date that the licensee 1896  
is arrested for or otherwise charged with an offense described 1897  
in that division or on the date the appropriate court issued the 1898  
protection order described in that division, irrespective of 1899  
when the sheriff notifies the licensee under division (A) (3) of 1900  
this section. The suspension shall end on the date on which the 1901  
charges are dismissed or the licensee is found not guilty of the 1902  
offense described in division (A) (1) (a) of this section or, 1903  
subject to division (B) of this section, on the date the 1904  
appropriate court terminates the protection order described in 1905  
that division. If the suspension so ends, the sheriff shall 1906  
return the license or temporary emergency license to the 1907  
licensee. 1908

(2) (a) If a licensee holding a valid concealed handgun 1909  
license is convicted of or pleads guilty to a misdemeanor 1910  
violation of division (B) ~~(1), (2),~~ or (4) of section 2923.12 of 1911  
the Revised Code or of division (E) ~~(1), (2), (3),~~ or (5) of 1912  
section 2923.16 of the Revised Code, ~~except as provided in~~ 1913  
~~division (A) (2) (c) of this section and~~ subject to division (C) 1914

of this section, the sheriff who issued the license shall 1915  
suspend it and shall comply with division (A) (3) of this section 1916  
upon becoming aware of the conviction or guilty plea. Upon 1917  
suspending the license, the sheriff also shall comply with 1918  
division (H) of section 2923.125 of the Revised Code. 1919

(b) A suspension under division (A) (2) (a) of this section 1920  
shall be considered as beginning on the date that the licensee 1921  
is convicted of or pleads guilty to the offense described in 1922  
that division, irrespective of when the sheriff notifies the 1923  
licensee under division (A) (3) of this section. If the 1924  
suspension is imposed for a misdemeanor violation of division 1925  
(B) ~~(1) or~~ (2) of section 2923.12 of the Revised Code or of 1926  
division (E) ~~(1), (2), or~~ (3) of section 2923.16 of the Revised 1927  
Code, it shall end on the date that is one year after the date 1928  
that the licensee is convicted of or pleads guilty to that 1929  
violation. If the suspension is imposed for a misdemeanor 1930  
violation of division (B) (4) of section 2923.12 of the Revised 1931  
Code or of division (E) (5) of section 2923.16 of the Revised 1932  
Code, it shall end on the date that is two years after the date 1933  
that the licensee is convicted of or pleads guilty to that 1934  
violation. If the licensee's license was issued under section 1935  
2923.125 of the Revised Code and the license remains valid after 1936  
the suspension ends as described in this division, when the 1937  
suspension ends, the sheriff shall return the license to the 1938  
licensee. If the licensee's license was issued under section 1939  
2923.125 of the Revised Code and the license expires before the 1940  
suspension ends as described in this division, or if the 1941  
licensee's license was issued under section 2923.1213 of the 1942  
Revised Code, the licensee is not eligible to apply for a new 1943  
license under section 2923.125 or 2923.1213 of the Revised Code 1944  
or to renew the license under section 2923.125 of the Revised 1945

Code until after the suspension ends as described in this 1946  
division. 1947

~~(c) The license of a licensee who is convicted of or 1948  
pleads guilty to a violation of division (B) (1) of section 1949  
2923.12 or division (E) (1) or (2) of section 2923.16 of the 1950  
Revised Code shall not be suspended pursuant to division (A) (2) 1951  
(a) of this section if, at the time of the stop of the licensee 1952  
for a law enforcement purpose, for a traffic stop, or for a 1953  
purpose defined in section 5503.34 of the Revised Code that was 1954  
the basis of the violation, any law enforcement officer involved 1955  
with the stop or the employee of the motor carrier enforcement 1956  
unit who made the stop had actual knowledge of the licensee's 1957  
status as a licensee. 1958~~

(3) Upon becoming aware of an arrest, charge, or 1959  
protection order described in division (A) (1) (a) of this section 1960  
with respect to a licensee who was issued a concealed handgun 1961  
license, or a conviction of or plea of guilty to a misdemeanor 1962  
offense described in division (A) (2) (a) of this section with 1963  
respect to a licensee who was issued a concealed handgun license 1964  
and with respect to which ~~division (A) (2) (c) of this section 1965  
does not apply~~, subject to division (C) of this section, the 1966  
sheriff who issued the licensee's license shall notify the 1967  
licensee, by certified mail, return receipt requested, at the 1968  
licensee's last known residence address that the license has 1969  
been suspended and that the licensee is required to surrender 1970  
the license at the sheriff's office within ten days of the date 1971  
on which the notice was mailed. If the suspension is pursuant to 1972  
division (A) (2) of this section, the notice shall identify the 1973  
date on which the suspension ends. 1974

(B) (1) A sheriff who issues a concealed handgun license to 1975

a licensee shall revoke the license in accordance with division 1976  
(B) (2) of this section upon becoming aware that the licensee 1977  
satisfies any of the following: 1978

(a) The licensee is under twenty-one years of age. 1979

(b) Subject to division (C) of this section, at the time 1980  
of the issuance of the license, the licensee did not satisfy the 1981  
eligibility requirements of division (D) (1) (c), (d), (e), (f), 1982  
(g), or (h) of section 2923.125 of the Revised Code. 1983

(c) Subject to division (C) of this section, on or after 1984  
the date on which the license was issued, the licensee is 1985  
convicted of or pleads guilty to a violation of section 2923.15 1986  
of the Revised Code or an offense described in division (D) (1) 1987  
(e), (f), (g), or (h) of section 2923.125 of the Revised Code. 1988

(d) On or after the date on which the license was issued, 1989  
the licensee becomes subject to a civil protection order or to a 1990  
protection order issued by a court of another state that is 1991  
substantially equivalent to a civil protection order. 1992

(e) The licensee knowingly carries a concealed handgun 1993  
into a place that the licensee knows is an unauthorized place 1994  
specified in division (B) of section 2923.126 of the Revised 1995  
Code. 1996

(f) On or after the date on which the license was issued, 1997  
the licensee is adjudicated as a mental defective or is 1998  
committed to a mental institution. 1999

(g) At the time of the issuance of the license, the 2000  
licensee did not meet the residency requirements described in 2001  
division (D) (1) of section 2923.125 of the Revised Code and 2002  
currently does not meet the residency requirements described in 2003  
that division. 2004

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

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

(C) If a sheriff who issues a concealed handgun license to a licensee becomes aware that at the time of the issuance of the license the licensee had been convicted of or pleaded guilty to an offense identified in division (D)(1)(e), (f), or (h) of section 2923.125 of the Revised Code or had been adjudicated a delinquent child for committing an act or violation identified in any of those divisions or becomes aware that on or after the

date on which the license was issued the licensee has been 2036  
convicted of or pleaded guilty to an offense identified in 2037  
division (A) (2) (a) or (B) (1) (c) of this section, the sheriff 2038  
shall not consider that conviction, guilty plea, or adjudication 2039  
as having occurred for purposes of divisions (A) (2), (A) (3), (B) 2040  
(1), and (B) (2) of this section if a court has ordered the 2041  
sealing or expungement of the records of that conviction, guilty 2042  
plea, or adjudication pursuant to sections 2151.355 to 2151.358 2043  
or sections 2953.31 to 2953.36 of the Revised Code or the 2044  
licensee has been relieved under operation of law or legal 2045  
process from the disability imposed pursuant to section 2923.13 2046  
of the Revised Code relative to that conviction, guilty plea, or 2047  
adjudication. 2048

(D) As used in this section, "motor carrier enforcement 2049  
unit" has the same meaning as in section 2923.16 of the Revised 2050  
Code. 2051

**Sec. 2923.1210.** (A) A business entity, property owner, or 2052  
public or private employer may not establish, maintain, or 2053  
enforce a policy or rule that prohibits or has the effect of 2054  
prohibiting a person who has been issued a ~~valid~~-concealed 2055  
handgun license, who is an active duty member of the armed 2056  
forces of the United States and has been issued a valid military 2057  
identification card and documentation of successful completion 2058  
of firearms training that meets or exceeds the training 2059  
requirements described in division (G) (1) of section 2923.125 of 2060  
the Revised Code, or who is at least twenty-one years of age and 2061  
is not prohibited under the law of this state or the United 2062  
States from possessing a firearm, from transporting or storing a 2063  
firearm or ammunition when both of the following conditions are 2064  
met: 2065

(1) Each firearm and all of the ammunition remains inside 2066  
the person's privately owned motor vehicle while the person is 2067  
physically present inside the motor vehicle, or each firearm and 2068  
all of the ammunition is locked within the trunk, glove box, or 2069  
other enclosed compartment or container within or on the 2070  
person's privately owned motor vehicle; 2071

(2) The vehicle is in a location where it is otherwise 2072  
permitted to be. 2073

(B) A business entity, property owner, or public or 2074  
private employer that violates division (A) of this section may 2075  
be found liable in a civil action for injunctive relief brought 2076  
by any individual injured by the violation. The court may grant 2077  
any injunctive relief it finds appropriate. 2078

(C) No business entity, property owner, or public or 2079  
private employer shall be held liable in any civil action for 2080  
damages, injuries, or death resulting from or arising out of 2081  
another person's actions involving a firearm or ammunition 2082  
transported or stored pursuant to division (A) of this section 2083  
including the theft of a firearm from an employee's or invitee's 2084  
automobile, unless the business entity, property owner, or 2085  
public or private employer intentionally solicited or procured 2086  
the other person's injurious actions. 2087

**Sec. 2923.1213.** (A) As used in this section: 2088

(1) "Evidence of imminent danger" means any of the 2089  
following: 2090

(a) A statement sworn by the person seeking to carry a 2091  
concealed handgun that is made under threat of perjury and that 2092  
states that the person has reasonable cause to fear a criminal 2093  
attack upon the person or a member of the person's family, such 2094

as would justify a prudent person in going armed; 2095

(b) A written document prepared by a governmental entity 2096  
or public official describing the facts that give the person 2097  
seeking to carry a concealed handgun reasonable cause to fear a 2098  
criminal attack upon the person or a member of the person's 2099  
family, such as would justify a prudent person in going armed. 2100  
Written documents of this nature include, but are not limited 2101  
to, any temporary protection order, civil protection order, 2102  
protection order issued by another state, or other court order, 2103  
any court report, and any report filed with or made by a law 2104  
enforcement agency or prosecutor. 2105

(2) "Prosecutor" has the same meaning as in section 2106  
2935.01 of the Revised Code. 2107

(B) (1) A person seeking a concealed handgun license on a 2108  
temporary emergency basis shall submit to the sheriff of ~~the any~~ 2109  
county ~~in which the person resides~~ or, if the person usually 2110  
resides in another state, to the sheriff of the county in which 2111  
the person is temporarily staying, all of the following: 2112

(a) Evidence of imminent danger to the person or a member 2113  
of the person's family; 2114

(b) A sworn affidavit that contains all of the information 2115  
required to be on the license and attesting that the person is 2116  
legally living in the United States; is at least twenty-one 2117  
years of age; is not a fugitive from justice; is not under 2118  
indictment for or otherwise charged with an offense identified 2119  
in division (D) (1) (d) of section 2923.125 of the Revised Code; 2120  
has not been convicted of or pleaded guilty to an offense, and 2121  
has not been adjudicated a delinquent child for committing an 2122  
act, identified in division (D) (1) (e) of that section and to 2123

which division (B) (3) of this section does not apply; within 2124  
three years of the date of the submission, has not been 2125  
convicted of or pleaded guilty to an offense, and has not been 2126  
adjudicated a delinquent child for committing an act, identified 2127  
in division (D) (1) (f) of that section and to which division (B) 2128  
(3) of this section does not apply; within five years of the 2129  
date of the submission, has not been convicted of, pleaded 2130  
guilty, or adjudicated a delinquent child for committing two or 2131  
more violations identified in division (D) (1) (g) of that 2132  
section; within ten years of the date of the submission, has not 2133  
been convicted of, pleaded guilty, or adjudicated a delinquent 2134  
child for committing a violation identified in division (D) (1) 2135  
(h) of that section and to which division (B) (3) of this section 2136  
does not apply; has not been adjudicated as a mental defective, 2137  
has not been committed to any mental institution, is not under 2138  
adjudication of mental incompetence, has not been found by a 2139  
court to be a mentally ill person subject to court order, and is 2140  
not an involuntary patient other than one who is a patient only 2141  
for purposes of observation, as described in division (D) (1) (i) 2142  
of that section; is not currently subject to a civil protection 2143  
order, a temporary protection order, or a protection order 2144  
issued by a court of another state, as described in division (D) 2145  
(1) (j) of that section; is not currently subject to a suspension 2146  
imposed under division (A) (2) of section 2923.128 of the Revised 2147  
Code of a concealed handgun license that previously was issued 2148  
to the person or a similar suspension imposed by another state 2149  
regarding a concealed handgun license issued by that state; is 2150  
not an unlawful user of or addicted to any controlled substance 2151  
as defined in 21 U.S.C. 802; if applicable, is an alien and has 2152  
not been admitted to the United States under a nonimmigrant 2153  
visa, as defined in the "Immigration and Nationality Act," 8 2154  
U.S.C. 1101(a) (26); has not been discharged from the armed 2155

forces of the United States under dishonorable conditions; if 2156  
applicable, has not renounced the applicant's United States 2157  
citizenship; and has not been convicted of, pleaded guilty to, 2158  
or been adjudicated a delinquent child for committing a 2159  
violation identified in division (D) (1) (s) of section 2923.125 2160  
of the Revised Code; 2161

(c) A nonrefundable temporary emergency license fee as 2162  
described in either of the following: 2163

(i) For an applicant who has been a resident of this state 2164  
for five or more years, a fee of fifteen dollars plus the actual 2165  
cost of having a background check performed by the bureau of 2166  
criminal identification and investigation pursuant to section 2167  
311.41 of the Revised Code; 2168

(ii) For an applicant who has been a resident of this 2169  
state for less than five years or who is not a resident of this 2170  
state, but is temporarily staying in this state, a fee of 2171  
fifteen dollars plus the actual cost of having background checks 2172  
performed by the federal bureau of investigation and the bureau 2173  
of criminal identification and investigation pursuant to section 2174  
311.41 of the Revised Code. 2175

(d) A set of fingerprints of the applicant provided as 2176  
described in section 311.41 of the Revised Code through use of 2177  
an electronic fingerprint reading device or, if the sheriff to 2178  
whom the application is submitted does not possess and does not 2179  
have ready access to the use of an electronic fingerprint 2180  
reading device, on a standard impression sheet prescribed 2181  
pursuant to division (C) (2) of section 109.572 of the Revised 2182  
Code. If the fingerprints are provided on a standard impression 2183  
sheet, the person also shall provide the person's social 2184  
security number to the sheriff. 2185

(2) A sheriff shall accept the evidence of imminent 2186  
danger, the sworn affidavit, the fee, and the set of 2187  
fingerprints required under division (B) (1) of this section at 2188  
the times and in the manners described in division (I) of this 2189  
section. Upon receipt of the evidence of imminent danger, the 2190  
sworn affidavit, the fee, and the set of fingerprints required 2191  
under division (B) (1) of this section, the sheriff, in the 2192  
manner specified in section 311.41 of the Revised Code, 2193  
immediately shall conduct or cause to be conducted the criminal 2194  
records check and the incompetency records check described in 2195  
section 311.41 of the Revised Code. Immediately upon receipt of 2196  
the results of the records checks, the sheriff shall review the 2197  
information and shall determine whether the criteria set forth 2198  
in divisions (D) (1) (a) to (j) and (m) to (s) of section 2923.125 2199  
of the Revised Code apply regarding the person. If the sheriff 2200  
determines that all of the criteria set forth in divisions (D) 2201  
(1) (a) to (j) and (m) to (s) of section 2923.125 of the Revised 2202  
Code apply regarding the person, the sheriff shall immediately 2203  
make available through the law enforcement automated data system 2204  
all information that will be contained on the temporary 2205  
emergency license for the person if one is issued, and the 2206  
superintendent of the state highway patrol shall ensure that the 2207  
system is so configured as to permit the transmission through 2208  
the system of that information. Upon making that information 2209  
available through the law enforcement automated data system, the 2210  
sheriff shall immediately issue to the person a concealed 2211  
handgun license on a temporary emergency basis. 2212

If the sheriff denies the issuance of a license on a 2213  
temporary emergency basis to the person, the sheriff shall 2214  
specify the grounds for the denial in a written notice to the 2215  
person. The person may appeal the denial, or challenge criminal 2216

records check results that were the basis of the denial if 2217  
applicable, in the same manners specified in division (D) (2) of 2218  
section 2923.125 and in section 2923.127 of the Revised Code, 2219  
regarding the denial of an application for a concealed handgun 2220  
license under that section. 2221

The license on a temporary emergency basis issued under 2222  
this division shall be in the form, and shall include all of the 2223  
information, described in divisions (A) (2) (a) and (d) of section 2224  
109.731 of the Revised Code, and also shall include a unique 2225  
combination of identifying letters and numbers in accordance 2226  
with division (A) (2) (c) of that section. 2227

The license on a temporary emergency basis issued under 2228  
this division is valid for ninety days and may not be renewed. A 2229  
person who has been issued a license on a temporary emergency 2230  
basis under this division shall not be issued another license on 2231  
a temporary emergency basis unless at least four years has 2232  
expired since the issuance of the prior license on a temporary 2233  
emergency basis. 2234

(3) If a person seeking a concealed handgun license on a 2235  
temporary emergency basis has been convicted of or pleaded 2236  
guilty to an offense identified in division (D) (1) (e), (f), or 2237  
(h) of section 2923.125 of the Revised Code or has been 2238  
adjudicated a delinquent child for committing an act or 2239  
violation identified in any of those divisions, and if a court 2240  
has ordered the sealing or expungement of the records of that 2241  
conviction, guilty plea, or adjudication pursuant to sections 2242  
2151.355 to 2151.358 or sections 2953.31 to 2953.36 of the 2243  
Revised Code or the applicant has been relieved under operation 2244  
of law or legal process from the disability imposed pursuant to 2245  
section 2923.13 of the Revised Code relative to that conviction, 2246

guilty plea, or adjudication, the conviction, guilty plea, or 2247  
adjudication shall not be relevant for purposes of the sworn 2248  
affidavit described in division (B) (1) (b) of this section, and 2249  
the person may complete, and swear to the truth of, the 2250  
affidavit as if the conviction, guilty plea, or adjudication 2251  
never had occurred. 2252

(4) The sheriff shall waive the payment pursuant to 2253  
division (B) (1) (c) of this section of the license fee in 2254  
connection with an application that is submitted by an applicant 2255  
who is a retired peace officer, a retired person described in 2256  
division (B) (1) (b) of section 109.77 of the Revised Code, or a 2257  
retired federal law enforcement officer who, prior to 2258  
retirement, was authorized under federal law to carry a firearm 2259  
in the course of duty, unless the retired peace officer, person, 2260  
or federal law enforcement officer retired as the result of a 2261  
mental disability. 2262

The sheriff shall deposit all fees paid by an applicant 2263  
under division (B) (1) (c) of this section into the sheriff's 2264  
concealed handgun license issuance fund established pursuant to 2265  
section 311.42 of the Revised Code. 2266

(C) A person who holds a concealed handgun license on a 2267  
temporary emergency basis has the same right to carry a 2268  
concealed handgun as a person who was issued a concealed handgun 2269  
license under section 2923.125 of the Revised Code, and any 2270  
exceptions to the prohibitions contained in section 1547.69 and 2271  
sections 2923.12 to 2923.16 of the Revised Code for a licensee 2272  
under section 2923.125 of the Revised Code apply to a licensee 2273  
under this section. The person is subject to the same 2274  
restrictions, and to all other procedures, duties, and 2275  
sanctions, that apply to a person who ~~carries~~ has been issued a 2276

license issued under section 2923.125 of the Revised Code, other 2277  
than the license renewal procedures set forth in that section. 2278

(D) A sheriff who issues a concealed handgun license on a 2279  
temporary emergency basis under this section shall not require a 2280  
person seeking to carry a concealed handgun in accordance with 2281  
this section to submit a competency certificate as a 2282  
prerequisite for issuing the license and shall comply with 2283  
division (H) of section 2923.125 of the Revised Code in regards 2284  
to the license. The sheriff shall suspend or revoke the license 2285  
in accordance with section 2923.128 of the Revised Code. In 2286  
addition to the suspension or revocation procedures set forth in 2287  
section 2923.128 of the Revised Code, the sheriff may revoke the 2288  
license upon receiving information, verifiable by public 2289  
documents, that the person is not eligible to possess a firearm 2290  
under either the laws of this state or of the United States or 2291  
that the person committed perjury in obtaining the license; if 2292  
the sheriff revokes a license under this additional authority, 2293  
the sheriff shall notify the person, by certified mail, return 2294  
receipt requested, at the person's last known residence address 2295  
that the license has been revoked and that the person is 2296  
required to surrender the license at the sheriff's office within 2297  
ten days of the date on which the notice was mailed. Division 2298  
(H) of section 2923.125 of the Revised Code applies regarding 2299  
any suspension or revocation of a concealed handgun license on a 2300  
temporary emergency basis. 2301

(E) A sheriff who issues a concealed handgun license on a 2302  
temporary emergency basis under this section shall retain, for 2303  
the entire period during which the license is in effect, the 2304  
evidence of imminent danger that the person submitted to the 2305  
sheriff and that was the basis for the license, or a copy of 2306  
that evidence, as appropriate. 2307

(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 attorney general shall prescribe, and shall make available to sheriffs, a standard form to be used under division (B) of this section by a person who applies for a concealed handgun license on a temporary emergency basis on the basis of imminent danger of a type described in division (A)(1)(a) of this section. The attorney general shall design the form to enable applicants to provide the information that is required by law to be collected, and shall update the form as necessary. Burdens or restrictions to obtaining a concealed handgun license that are not expressly prescribed in law shall not be incorporated into the form. The attorney general shall post a printable version of the form on the web site of the attorney general and shall provide the address of the web site to any person who requests the form.

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

(I) A sheriff shall accept evidence of imminent danger, a sworn affidavit, the fee, and the set of fingerprints specified

in division (B)(1) of this section at any time during normal 2338  
business hours. In no case shall a sheriff require an 2339  
appointment, or designate a specific period of time, for the 2340  
submission or acceptance of evidence of imminent danger, a sworn 2341  
affidavit, the fee, and the set of fingerprints specified in 2342  
division (B)(1) of this section, or for the provision to any 2343  
person of a standard form to be used for a person to apply for a 2344  
concealed handgun license on a temporary emergency basis. 2345

(J) The availability of a concealed handgun license under 2346  
this section or section 2923.125 of the Revised Code shall not 2347  
be construed to prohibit or restrict a person from possessing, 2348  
carrying, or transporting a firearm in a vehicle or on or about 2349  
the person's person, whether concealed or unconcealed, loaded or 2350  
unloaded, without a valid concealed handgun license if the 2351  
possession, carrying, or transport in the manner in question is 2352  
otherwise permitted by the Revised Code or any other provision 2353  
of law. 2354

**Sec. 2923.16.** (A) No person shall knowingly discharge a 2355  
firearm while in or on a motor vehicle. 2356

(B) No person shall knowingly transport or have a loaded 2357  
firearm in a motor vehicle in such a manner that the firearm is 2358  
accessible to the operator or any passenger without leaving the 2359  
vehicle. 2360

(C) No person shall knowingly transport or have a firearm 2361  
in a motor vehicle, unless the person may lawfully possess that 2362  
firearm under applicable law of this state or the United States, 2363  
the firearm is unloaded, and the firearm is carried in one of 2364  
the following ways: 2365

(1) In a closed package, box, or case; 2366

(2) In a compartment that can be reached only by leaving the vehicle; 2367  
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(3) In plain sight and secured in a rack or holder made for the purpose; 2369  
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(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. 2371  
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(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: 2378  
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(1) The person is under the influence of alcohol, a drug of abuse, or a combination of them. 2381  
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(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. 2383  
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(E) No person who has been issued a concealed handgun license ~~or~~, who is an active duty member of the armed forces of the United States and ~~is carrying~~ has been issued a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the 2391  
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training requirements described in division (G) (1) of section 2396  
2923.125 of the Revised Code, or who is at least twenty-one 2397  
years of age and is not prohibited under the law of this state 2398  
or the United States from possessing a firearm, who in any of 2399  
those cases is the driver or an occupant of a motor vehicle that 2400  
is stopped as a result of a traffic stop or a stop for another 2401  
law enforcement purpose or is the driver or an occupant of a 2402  
commercial motor vehicle that is stopped by an employee of the 2403  
motor carrier enforcement unit for the purposes defined in 2404  
section 5503.34 of the Revised Code, and who is transporting or 2405  
has a loaded handgun in the motor vehicle or commercial motor 2406  
vehicle in any manner, shall do any of the following: 2407

(1) ~~Fail to promptly inform any law enforcement officer~~ 2408  
~~who approaches the vehicle while stopped that the person has~~ 2409  
~~been issued a concealed handgun license or is authorized to~~ 2410  
~~carry a concealed handgun as an active duty member of the armed~~ 2411  
~~forces of the United States~~ Before or at the time a law 2412  
enforcement officer asks if the person is carrying a concealed 2413  
handgun, fail to disclose and that the person then possesses or 2414  
has a loaded handgun in the motor vehicle; 2415

(2) ~~Fail to promptly inform the employee of the unit who~~ 2416  
~~approaches the vehicle while stopped that the person has been~~ 2417  
~~issued a concealed handgun license or is authorized to carry a~~ 2418  
~~concealed handgun as an active duty member of the armed forces~~ 2419  
~~of the United States and~~ Before or at the time an employee of 2420  
the motor carrier enforcement unit asks if the person is 2421  
carrying a concealed handgun, fail to disclose that the person 2422  
then possesses or has a loaded handgun in the commercial motor 2423  
vehicle; 2424

(3) Knowingly fail to remain in the motor vehicle while 2425

stopped or knowingly fail to keep the person's hands in plain 2426  
sight at any time after any law enforcement officer begins 2427  
approaching the person while stopped and before the law 2428  
enforcement officer leaves, unless the failure is pursuant to 2429  
and in accordance with directions given by a law enforcement 2430  
officer; 2431

(4) Knowingly have contact with the loaded handgun by 2432  
touching it with the person's hands or fingers in the motor 2433  
vehicle at any time after the law enforcement officer begins 2434  
approaching and before the law enforcement officer leaves, 2435  
unless the person has contact with the loaded handgun pursuant 2436  
to and in accordance with directions given by the law 2437  
enforcement officer; 2438

(5) Knowingly disregard or fail to comply with any lawful 2439  
order of any law enforcement officer given while the motor 2440  
vehicle is stopped, including, but not limited to, a specific 2441  
order to the person to keep the person's hands in plain sight. 2442

(F) (1) Divisions (A), (B), (C), and (E) of this section do 2443  
not apply to any of the following: 2444

(a) An officer, agent, or employee of this or any other 2445  
state or the United States, or a law enforcement officer, when 2446  
authorized to carry or have loaded or accessible firearms in 2447  
motor vehicles and acting within the scope of the officer's, 2448  
agent's, or employee's duties; 2449

(b) Any person who is employed in this state, who is 2450  
authorized to carry or have loaded or accessible firearms in 2451  
motor vehicles, and who is subject to and in compliance with the 2452  
requirements of section 109.801 of the Revised Code, unless the 2453  
appointing authority of the person has expressly specified that 2454

the exemption provided in division (F) (1) (b) of this section 2455  
does not apply to the person. 2456

(2) Division (A) of this section does not apply to a 2457  
person if all of the following circumstances apply: 2458

(a) The person discharges a firearm from a motor vehicle 2459  
at a coyote or groundhog, the discharge is not during the deer 2460  
gun hunting season as set by the chief of the division of 2461  
wildlife of the department of natural resources, and the 2462  
discharge at the coyote or groundhog, but for the operation of 2463  
this section, is lawful. 2464

(b) The motor vehicle from which the person discharges the 2465  
firearm is on real property that is located in an unincorporated 2466  
area of a township and that either is zoned for agriculture or 2467  
is used for agriculture. 2468

(c) The person owns the real property described in 2469  
division (F) (2) (b) of this section, is the spouse or a child of 2470  
another person who owns that real property, is a tenant of 2471  
another person who owns that real property, or is the spouse or 2472  
a child of a tenant of another person who owns that real 2473  
property. 2474

(d) The person does not discharge the firearm in any of 2475  
the following manners: 2476

(i) While under the influence of alcohol, a drug of abuse, 2477  
or alcohol and a drug of abuse; 2478

(ii) In the direction of a street, highway, or other 2479  
public or private property used by the public for vehicular 2480  
traffic or parking; 2481

(iii) At or into an occupied structure that is a permanent 2482

or temporary habitation;	2483
(iv) In the commission of any violation of law, including,	2484
but not limited to, a felony that includes, as an essential	2485
element, purposely or knowingly causing or attempting to cause	2486
the death of or physical harm to another and that was committed	2487
by discharging a firearm from a motor vehicle.	2488
(3) Division (A) of this section does not apply to a	2489
person if all of the following apply:	2490
(a) The person possesses a valid all-purpose vehicle	2491
permit issued under section 1533.103 of the Revised Code by the	2492
chief of the division of wildlife.	2493
(b) The person discharges a firearm at a wild quadruped or	2494
game bird as defined in section 1531.01 of the Revised Code	2495
during the open hunting season for the applicable wild quadruped	2496
or game bird.	2497
(c) The person discharges a firearm from a stationary all-	2498
purpose vehicle as defined in section 1531.01 of the Revised	2499
Code from private or publicly owned lands or from a motor	2500
vehicle that is parked on a road that is owned or administered	2501
by the division of wildlife.	2502
(d) The person does not discharge the firearm in any of	2503
the following manners:	2504
(i) While under the influence of alcohol, a drug of abuse,	2505
or alcohol and a drug of abuse;	2506
(ii) In the direction of a street, a highway, or other	2507
public or private property that is used by the public for	2508
vehicular traffic or parking;	2509
(iii) At or into an occupied structure that is a permanent	2510

or temporary habitation; 2511

(iv) In the commission of any violation of law, including, 2512  
but not limited to, a felony that includes, as an essential 2513  
element, purposely or knowingly causing or attempting to cause 2514  
the death of or physical harm to another and that was committed 2515  
by discharging a firearm from a motor vehicle. 2516

(4) Divisions (B) and (C) of this section do not apply to 2517  
a person if all of the following circumstances apply: 2518

(a) At the time of the alleged violation of either of 2519  
those divisions, the person is the operator of or a passenger in 2520  
a motor vehicle. 2521

(b) The motor vehicle is on real property that is located 2522  
in an unincorporated area of a township and that either is zoned 2523  
for agriculture or is used for agriculture. 2524

(c) The person owns the real property described in 2525  
division (D) (4) (b) of this section, is the spouse or a child of 2526  
another person who owns that real property, is a tenant of 2527  
another person who owns that real property, or is the spouse or 2528  
a child of a tenant of another person who owns that real 2529  
property. 2530

(d) The person, prior to arriving at the real property 2531  
described in division (D) (4) (b) of this section, did not 2532  
transport or possess a firearm in the motor vehicle in a manner 2533  
prohibited by division (B) or (C) of this section while the 2534  
motor vehicle was being operated on a street, highway, or other 2535  
public or private property used by the public for vehicular 2536  
traffic or parking. 2537

(5) Divisions (B) and (C) of this section do not apply to 2538  
a person who transports or possesses a handgun in a motor 2539

vehicle if, at the time of that transportation or possession, 2540  
both of the following apply: 2541

(a) The person ~~transporting or possessing the handgun is~~ 2542  
~~either carrying has been issued a valid~~ concealed handgun 2543  
~~license or that is valid at the time of the transporting or~~ 2544  
~~possessing,~~ is an active duty member of the armed forces of the 2545  
United States and ~~is carrying has been issued a~~ valid military 2546  
identification card and documentation of successful completion 2547  
of firearms training that meets or exceeds the training 2548  
requirements described in division (G) (1) of section 2923.125 of 2549  
the Revised Code that are valid at the time of the transporting 2550  
or possessing, or is at least twenty-one years of age and is not 2551  
prohibited under the law of this state or the United States from 2552  
possessing a firearm. 2553

(b) The person transporting or possessing the handgun is 2554  
not knowingly in a place described in division (B) of section 2555  
2923.126 of the Revised Code. 2556

(6) Divisions (B) and (C) of this section do not apply to 2557  
a person if all of the following apply: 2558

(a) The person possesses a valid all-purpose vehicle 2559  
permit issued under section 1533.103 of the Revised Code by the 2560  
chief of the division of wildlife. 2561

(b) The person is on or in an all-purpose vehicle as 2562  
defined in section 1531.01 of the Revised Code or a motor 2563  
vehicle during the open hunting season for a wild quadruped or 2564  
game bird. 2565

(c) The person is on or in an all-purpose vehicle as 2566  
defined in section 1531.01 of the Revised Code on private or 2567  
publicly owned lands or on or in a motor vehicle that is parked 2568

on a road that is owned or administered by the division of 2569  
wildlife. 2570

(7) Nothing in this section prohibits or restricts a 2571  
person from possessing, storing, or leaving a firearm in a 2572  
locked motor vehicle that is parked in the state underground 2573  
parking garage at the state capitol building or in the parking 2574  
garage at the Riffe center for government and the arts in 2575  
Columbus, if the person's transportation and possession of the 2576  
firearm in the motor vehicle while traveling to the premises or 2577  
facility was not in violation of division (A), (B), (C), (D), or 2578  
(E) of this section or any other provision of the Revised Code. 2579

(G) (1) The affirmative defenses authorized in divisions 2580  
(D) (1) and (2) of section 2923.12 of the Revised Code are 2581  
affirmative defenses to a charge under division (B) or (C) of 2582  
this section that involves a firearm other than a handgun. 2583

(2) It is an affirmative defense to a charge under 2584  
division (B) or (C) of this section of improperly handling 2585  
firearms in a motor vehicle that the actor transported or had 2586  
the firearm in the motor vehicle for any lawful purpose and 2587  
while the motor vehicle was on the actor's own property, 2588  
provided that this affirmative defense is not available unless 2589  
the person, immediately prior to arriving at the actor's own 2590  
property, did not transport or possess the firearm in a motor 2591  
vehicle in a manner prohibited by division (B) or (C) of this 2592  
section while the motor vehicle was being operated on a street, 2593  
highway, or other public or private property used by the public 2594  
for vehicular traffic. 2595

(H) (1) No person who is charged with a violation of 2596  
division (B), (C), or (D) of this section shall be required to 2597  
obtain a concealed handgun license as a condition for the 2598

dismissal of the charge. 2599

(2) (a) If a person is convicted of, was convicted of, 2600  
pleads guilty to, or has pleaded guilty to a violation of 2601  
division (E) of this section as it existed prior to September 2602  
30, 2011, and if the conduct that was the basis of the violation 2603  
no longer would be a violation of division (E) of this section 2604  
on or after September 30, 2011, the person may file an 2605  
application under section 2953.37 of the Revised Code requesting 2606  
the expungement of the record of conviction. 2607

If a person is convicted of, was convicted of, pleads 2608  
guilty to, or has pleaded guilty to a violation of division (B) 2609  
or (C) of this section as the division existed prior to 2610  
September 30, 2011, and if the conduct that was the basis of the 2611  
violation no longer would be a violation of division (B) or (C) 2612  
of this section on or after September 30, 2011, due to the 2613  
application of division (F) (5) of this section as it exists on 2614  
and after September 30, 2011, the person may file an application 2615  
under section 2953.37 of the Revised Code requesting the 2616  
expungement of the record of conviction. 2617

(b) The attorney general shall develop a public media 2618  
advisory that summarizes the expungement procedure established 2619  
under section 2953.37 of the Revised Code and the offenders 2620  
identified in division (H) (2) (a) of this section who are 2621  
authorized to apply for the expungement. Within thirty days 2622  
after September 30, 2011, the attorney general shall provide a 2623  
copy of the advisory to each daily newspaper published in this 2624  
state and each television station that broadcasts in this state. 2625  
The attorney general may provide the advisory in a tangible 2626  
form, an electronic form, or in both tangible and electronic 2627  
forms. 2628

(I) Whoever violates this section is guilty of improperly 2629  
handling firearms in a motor vehicle. ~~Violation~~ A violation of 2630  
division (A) of this section is a felony of the fourth degree. 2631  
~~Violation~~ A violation of division (C) of this section is a 2632  
misdemeanor of the fourth degree. A violation of division (D) of 2633  
this section is a felony of the fifth degree or, if the loaded 2634  
handgun is concealed on the person's person, a felony of the 2635  
fourth degree. ~~Except as otherwise provided in this division, a~~ 2636  
~~violation of division (E) (1) or (2) of this section is a~~ 2637  
~~misdemeanor of the first degree, and, in addition to any other~~ 2638  
~~penalty or sanction imposed for the violation, the offender's~~ 2639  
~~concealed handgun license shall be suspended pursuant to~~ 2640  
~~division (A) (2) of section 2923.128 of the Revised Code. If at~~ 2641  
~~the time of the stop of the offender for a traffic stop, for~~ 2642  
~~another law enforcement purpose, or for a purpose defined in~~ 2643  
~~section 5503.34 of the Revised Code that was the basis of the~~ 2644  
~~violation any law enforcement officer involved with the stop or~~ 2645  
~~the employee of the motor carrier enforcement unit who made the~~ 2646  
~~stop had actual knowledge of the offender's status as a~~ 2647  
~~licensee, a violation of division (E) (1) or (2) of this section~~ 2648  
~~is a minor misdemeanor, and the offender's concealed handgun~~ 2649  
~~license shall not be suspended pursuant to division (A) (2) of~~ 2650  
~~section 2923.128 of the Revised Code.~~ A violation of division 2651  
(E) (4) of this section is a felony of the fifth degree. A 2652  
violation of division (E) (3) or (5) of this section is a 2653  
misdemeanor of the first degree or, if the offender previously 2654  
has been convicted of or pleaded guilty to a violation of 2655  
division (E) (3) or (5) of this section, a felony of the fifth 2656  
degree. In addition to any other penalty or sanction imposed for 2657  
a misdemeanor violation of division (E) (3) or (5) of this 2658  
section, if the offender has been issued a concealed handgun 2659  
license, the offender's ~~concealed handgun~~ license shall be 2660

suspended pursuant to division (A) (2) of section 2923.128 of the Revised Code. A violation of division (B) of this section is a felony of the fourth degree.

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

(K) As used in this section:

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

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

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

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

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

(i) There is no ammunition in a magazine or speed loader 2690  
that is in the vehicle in question and that may be used with the 2691  
firearm in question. 2692

(ii) Any magazine or speed loader that contains ammunition 2693  
and that may be used with the firearm in question is stored in a 2694  
compartment within the vehicle in question that cannot be 2695  
accessed without leaving the vehicle or is stored in a container 2696  
that provides complete and separate enclosure. 2697

(b) For the purposes of division (K) (5) (a) (ii) of this 2698  
section, a "container that provides complete and separate 2699  
enclosure" includes, but is not limited to, any of the 2700  
following: 2701

(i) A package, box, or case with multiple compartments, as 2702  
long as the loaded magazine or speed loader and the firearm in 2703  
question either are in separate compartments within the package, 2704  
box, or case, or, if they are in the same compartment, the 2705  
magazine or speed loader is contained within a separate 2706  
enclosure in that compartment that does not contain the firearm 2707  
and that closes using a snap, button, buckle, zipper, hook and 2708  
loop closing mechanism, or other fastener that must be opened to 2709  
access the contents or the firearm is contained within a 2710  
separate enclosure of that nature in that compartment that does 2711  
not contain the magazine or speed loader; 2712

(ii) A pocket or other enclosure on the person of the 2713  
person in question that closes using a snap, button, buckle, 2714  
zipper, hook and loop closing mechanism, or other fastener that 2715  
must be opened to access the contents. 2716

(c) For the purposes of divisions (K) (5) (a) and (b) of 2717  
this section, ammunition held in stripper-clips or in en-bloc 2718

clips is not considered ammunition that is loaded into a 2719  
magazine or speed loader. 2720

(6) "Unloaded" means, with respect to a firearm employing 2721  
a percussion cap, flintlock, or other obsolete ignition system, 2722  
when the weapon is uncapped or when the priming charge is 2723  
removed from the pan. 2724

(7) "Commercial motor vehicle" has the same meaning as in 2725  
division (A) of section 4506.25 of the Revised Code. 2726

(8) "Motor carrier enforcement unit" means the motor 2727  
carrier enforcement unit in the department of public safety, 2728  
division of state highway patrol, that is created by section 2729  
5503.34 of the Revised Code. 2730

(L) Divisions (K) (5) (a) and (b) of this section do not 2731  
affect the authority of a person who ~~is carrying~~ has been issued 2732  
a ~~valid~~ concealed handgun license that is valid at the time of 2733  
the possession, who is an active duty member of the armed forces 2734  
of the United States and has been issued a valid military 2735  
identification card and documentation of successful completion 2736  
of firearms training that meets or exceeds the training 2737  
requirements described in division (G) (1) of section 2923.125 of 2738  
the Revised Code that is valid at the time of the possession, or 2739  
who is at least twenty-one years of age and not prohibited under 2740  
the law of this state or the United States from possessing a 2741  
firearm to have one or more magazines or speed loaders 2742  
containing ammunition anywhere in a vehicle, without being 2743  
transported as described in those divisions, as long as no 2744  
ammunition is in a firearm, other than a handgun, in the vehicle 2745  
other than as permitted under any other provision of this 2746  
chapter. A person who ~~is carrying~~ has been issued a valid 2747  
concealed handgun license that is valid at the time of the 2748

possession, who is an active duty member of the armed forces of 2749  
the United States and has been issued a valid military 2750  
identification card and documentation of successful completion 2751  
of firearms training that meets or exceeds the training 2752  
requirements described in division (G) (1) of section 2923.125 of 2753  
the Revised Code that is valid at the time of the possession, or 2754  
who is at least twenty-one years of age and not prohibited under 2755  
the law of this state or the United States from possessing a 2756  
firearm may have one or more magazines or speed loaders 2757  
containing ammunition anywhere in a vehicle without further 2758  
restriction, as long as no ammunition is in a firearm, other 2759  
than a handgun, in the vehicle other than as permitted under any 2760  
provision of this chapter. 2761

**Section 2.** That existing sections 311.42, 1547.69, 2762  
2923.12, 2923.121, 2923.122, 2923.123, 2923.125, 2923.126, 2763  
2923.128, 2923.1210, 2923.1213, and 2923.16 of the Revised Code 2764  
are hereby repealed. 2765

**Section 3.** The General Assembly, applying the principle 2766  
stated in division (B) of section 1.52 of the Revised Code that 2767  
amendments are to be harmonized if reasonably capable of 2768  
simultaneous operation, finds that the following section, 2769  
presented in this act as a composite of the section as amended 2770  
by the acts indicated, is the resulting version of the section 2771  
in effect prior to the effective date of the section as 2772  
presented in this act: 2773

Section 2923.1213 of the Revised Code as amended by both 2774  
H.B. 234 and S.B. 43 of the 130th General Assembly. 2775