

As Re-referred by House Rules and Reference Committee

131st General Assembly

Regular Session

2015-2016

H. B. No. 48

Representative Maag

**Cosponsors: Representatives Hood, Retherford, Vitale, Brinkman, Becker, Buchy,
LaTourette, Hayes, Thompson, Kraus**

A BILL

To amend sections 2923.12, 2923.122, 2923.126, and 1
2923.16 of the Revised Code to extend to 2
handguns affirmative defenses to a charge of 3
carrying a concealed weapon or having or 4
transporting a firearm in a motor vehicle, and 5
to modify the prohibition against carrying a 6
concealed handgun onto institutions of higher 7
education, places of worship, day-care 8
facilities, aircraft, certain government 9
facilities, public areas of airport terminals 10
and police stations, and school safety zones. 11

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

Section 1. That sections 2923.12, 2923.122, 2923.126, and 12
2923.16 of the Revised Code be amended to read as follows: 13

Sec. 2923.12. (A) No person shall knowingly carry or have, 14
concealed on the person's person or concealed ready at hand, any 15
of the following: 16

(1) A deadly weapon other than a handgun; 17

(2) A handgun other than a dangerous ordnance;	18
(3) A dangerous ordnance.	19
(B) No person who has been issued a concealed handgun license shall do any of the following:	20 21
(1) If the person is stopped for a law enforcement purpose and is carrying a concealed handgun, fail to promptly inform any law enforcement officer who approaches the person after the person has been stopped that the person has been issued a concealed handgun license and that the person then is carrying a concealed handgun;	22 23 24 25 26 27
(2) If the person is stopped for a law enforcement purpose and is carrying a concealed handgun, knowingly fail to keep the person's hands in plain sight at any time after any law enforcement officer begins approaching the person while stopped and before the law enforcement officer leaves, unless the failure is pursuant to and in accordance with directions given by a law enforcement officer;	28 29 30 31 32 33 34
(3) If the person is stopped for a law enforcement purpose, if the person is carrying a concealed handgun, and if the person is approached by any law enforcement officer while stopped, knowingly remove or attempt to remove the loaded handgun from the holster, pocket, or other place in which the person is carrying it, knowingly grasp or hold the loaded handgun, or knowingly have contact with the loaded handgun by touching it with the person's hands or fingers at any time after the law enforcement officer begins approaching and before the law enforcement officer leaves, unless the person removes, attempts to remove, grasps, holds, or has contact with the loaded handgun pursuant to and in accordance with directions	35 36 37 38 39 40 41 42 43 44 45 46

given by the law enforcement officer; 47

(4) If the person is stopped for a law enforcement purpose 48
and is carrying a concealed handgun, knowingly disregard or fail 49
to comply with any lawful order of any law enforcement officer 50
given while the person is stopped, including, but not limited 51
to, a specific order to the person to keep the person's hands in 52
plain sight. 53

(C) (1) This section does not apply to any of the 54
following: 55

(a) An officer, agent, or employee of this or any other 56
state or the United States, or to a law enforcement officer, who 57
is authorized to carry concealed weapons or dangerous ordnance 58
or is authorized to carry handguns and is acting within the 59
scope of the officer's, agent's, or employee's duties; 60

(b) Any person who is employed in this state, who is 61
authorized to carry concealed weapons or dangerous ordnance or 62
is authorized to carry handguns, and who is subject to and in 63
compliance with the requirements of section 109.801 of the 64
Revised Code, unless the appointing authority of the person has 65
expressly specified that the exemption provided in division (C) 66
(1)(b) of this section does not apply to the person; 67

(c) A person's transportation or storage of a firearm, 68
other than a firearm described in divisions (G) to (M) of 69
section 2923.11 of the Revised Code, in a motor vehicle for any 70
lawful purpose if the firearm is not on the actor's person; 71

(d) A person's storage or possession of a firearm, other 72
than a firearm described in divisions (G) to (M) of section 73
2923.11 of the Revised Code, in the actor's own home for any 74
lawful purpose. 75

(2) Division (A) (2) of this section does not apply to any person who, at the time of the alleged carrying or possession of a handgun, is carrying a valid concealed handgun license, unless the person knowingly is in a place described in division (B) of section 2923.126 of the Revised Code.

(D) It is an affirmative defense to a charge under division (A) (1) or (2) of this section of carrying or having control of a weapon other ~~than a handgun and other~~ than a dangerous ordnance that the actor was not otherwise prohibited by law from having the weapon and that any of the following applies:

(1) The weapon 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 a character or was necessarily carried on in a manner or at 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 weapon 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, a member of the actor's family, or the actor's home, such as would justify a prudent person in going armed.

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

(E) 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.

(F) (1) Whoever violates this section is guilty of carrying 105
concealed weapons. Except as otherwise provided in this division 106
or division (F) (2) or (3) of this section, carrying concealed 107
weapons in violation of division (A) of this section is a 108
misdemeanor of the first degree. Except as otherwise provided in 109
this division or division (F) (2) or (3) of this section, if the 110
offender previously has been convicted of a violation of this 111
section or of any offense of violence, if the weapon involved is 112
a firearm that is either loaded or for which the offender has 113
ammunition ready at hand, or if the weapon involved is dangerous 114
ordnance, carrying concealed weapons in violation of division 115
(A) of this section is a felony of the fourth degree. Except as 116
otherwise provided in division (F) (2) of this section, if the 117
offense is committed aboard an aircraft, or with purpose to 118
carry a concealed weapon aboard an aircraft, regardless of the 119
weapon involved, carrying concealed weapons in violation of 120
division (A) of this section is a felony of the third degree. 121

(2) If a person being arrested for a violation of division 122
(A) (2) of this section promptly produces a valid concealed 123
handgun license, and if at the time of the violation the person 124
was not knowingly in a place described in division (B) of 125
section 2923.126 of the Revised Code, the officer shall not 126
arrest the person for a violation of that division. If the 127
person is not able to promptly produce any concealed handgun 128
license and if the person is not in a place described in that 129
section, the officer may arrest the person for a violation of 130
that division, and the offender shall be punished as follows: 131

(a) The offender shall be guilty of a minor misdemeanor if 132
both of the following apply: 133

(i) Within ten days after the arrest, the offender 134

presents a concealed handgun license, which license was valid at 135
the time of the arrest to the law enforcement agency that 136
employs the arresting officer. 137

(ii) At the time of the arrest, the offender was not 138
knowingly in a place described in division (B) of section 139
2923.126 of the Revised Code. 140

(b) The offender shall be guilty of a misdemeanor and 141
shall be fined five hundred dollars if all of the following 142
apply: 143

(i) The offender previously had been issued a concealed 144
handgun license, and that license expired within the two years 145
immediately preceding the arrest. 146

(ii) Within forty-five days after the arrest, the offender 147
presents a concealed handgun license to the law enforcement 148
agency that employed the arresting officer, and the offender 149
waives in writing the offender's right to a speedy trial on the 150
charge of the violation that is provided in section 2945.71 of 151
the Revised Code. 152

(iii) At the time of the commission of the offense, the 153
offender was not knowingly in a place described in division (B) 154
of section 2923.126 of the Revised Code. 155

(c) If neither division (F) (2) (a) nor (b) of this section 156
applies, the offender shall be punished under division (F) (1) or 157
(3) of this section. 158

(3) If a person being arrested for a violation of division 159
(A) (2) of this section is knowingly in a place described in 160
division (B) (5) of section 2923.126 of the Revised Code, is not 161
authorized to carry a handgun or have a handgun concealed on the 162
person's person or concealed ready at hand under that division, 163

and produces a valid concealed handgun license within ten days 164
after the arrest, the person is guilty of a minor misdemeanor. 165

(4) Except as otherwise provided in this division, 166
carrying concealed weapons in violation of division (B)(1) of 167
this section is a misdemeanor of the first degree, and, in 168
addition to any other penalty or sanction imposed for a 169
violation of division (B)(1) of this section, the offender's 170
concealed handgun license shall be suspended pursuant to 171
division (A)(2) of section 2923.128 of the Revised Code. If, at 172
the time of the stop of the offender for a law enforcement 173
purpose that was the basis of the violation, any law enforcement 174
officer involved with the stop had actual knowledge that the 175
offender has been issued a concealed handgun license, carrying 176
concealed weapons in violation of division (B)(1) of this 177
section is a minor misdemeanor, and the offender's concealed 178
handgun license shall not be suspended pursuant to division (A) 179
(2) of section 2923.128 of the Revised Code. 180

~~(4)~~ (5) Carrying concealed weapons in violation of 181
division (B)(2) or (4) of this section is a misdemeanor of the 182
first degree or, if the offender previously has been convicted 183
of or pleaded guilty to a violation of division (B)(2) or (4) of 184
this section, a felony of the fifth degree. In addition to any 185
other penalty or sanction imposed for a misdemeanor violation of 186
division (B)(2) or (4) of this section, the offender's concealed 187
handgun license shall be suspended pursuant to division (A)(2) 188
of section 2923.128 of the Revised Code. 189

~~(5)~~ (6) Carrying concealed weapons in violation of 190
division (B)(3) of this section is a felony of the fifth degree. 191

(G) If a law enforcement officer stops a person to 192
question the person regarding a possible violation of this 193

section, for a traffic stop, or for any other law enforcement 194
purpose, if the person surrenders a firearm to the officer, 195
either voluntarily or pursuant to a request or demand of the 196
officer, and if the officer does not charge the person with a 197
violation of this section or arrest the person for any offense, 198
the person is not otherwise prohibited by law from possessing 199
the firearm, and the firearm is not contraband, the officer 200
shall return the firearm to the person at the termination of the 201
stop. If a court orders a law enforcement officer to return a 202
firearm to a person pursuant to the requirement set forth in 203
this division, division (B) of section 2923.163 of the Revised 204
Code applies. 205

Sec. 2923.122. (A) No person shall knowingly convey, or 206
attempt to convey, a deadly weapon or dangerous ordnance into a 207
school safety zone. 208

(B) No person shall knowingly possess a deadly weapon or 209
dangerous ordnance in a school safety zone. 210

(C) No person shall knowingly possess an object in a 211
school safety zone if both of the following apply: 212

(1) The object is indistinguishable from a firearm, 213
whether or not the object is capable of being fired. 214

(2) The person indicates that the person possesses the 215
object and that it is a firearm, or the person knowingly 216
displays or brandishes the object and indicates that it is a 217
firearm. 218

(D) (1) This section does not apply to any of the 219
following: 220

(a) An officer, agent, or employee of this or any other 221
state or the United States, or a law enforcement officer, who is 222

authorized to carry deadly weapons or dangerous ordnance and is 223
acting within the scope of the officer's, agent's, or employee's 224
duties, a security officer employed by a board of education or 225
governing body of a school during the time that the security 226
officer is on duty pursuant to that contract of employment, or 227
any other person who has written authorization from the board of 228
education or governing body of a school to convey deadly weapons 229
or dangerous ordnance into a school safety zone or to possess a 230
deadly weapon or dangerous ordnance in a school safety zone and 231
who conveys or possesses the deadly weapon or dangerous ordnance 232
in accordance with that authorization; 233

(b) Any person who is employed in this state, who is 234
authorized to carry deadly weapons or dangerous ordnance, and 235
who is subject to and in compliance with the requirements of 236
section 109.801 of the Revised Code, unless the appointing 237
authority of the person has expressly specified that the 238
exemption provided in division (D) (1) (b) of this section does 239
not apply to the person. 240

(2) Division (C) of this section does not apply to 241
premises upon which home schooling is conducted. Division (C) of 242
this section also does not apply to a school administrator, 243
teacher, or employee who possesses an object that is 244
indistinguishable from a firearm for legitimate school purposes 245
during the course of employment, a student who uses an object 246
that is indistinguishable from a firearm under the direction of 247
a school administrator, teacher, or employee, or any other 248
person who with the express prior approval of a school 249
administrator possesses an object that is indistinguishable from 250
a firearm for a legitimate purpose, including the use of the 251
object in a ceremonial activity, a play, reenactment, or other 252
dramatic presentation, or a ROTC activity or another similar use 253

of the object. 254

(3) This section does not apply to a person who conveys or 255
attempts to convey a handgun into, or possesses a handgun in, a 256
school safety zone if, at the time of that conveyance, attempted 257
conveyance, or possession of the handgun, all of the following 258
apply: 259

(a) The person does not enter into a school building or 260
onto school premises and is not at a school activity. 261

(b) The person is carrying a valid concealed handgun 262
license. 263

(c) The person is in the school safety zone in accordance 264
with 18 U.S.C. 922(q)(2)(B). 265

(d) The person is not knowingly in a place described in 266
division (B)(1) or (B)(3) to ~~(10)~~(6) of section 2923.126 of the 267
Revised Code. 268

(4) This section does not apply to a person who conveys or 269
attempts to convey a handgun into, or possesses a handgun in, a 270
school safety zone if at the time of that conveyance, attempted 271
conveyance, or possession of the handgun all of the following 272
apply: 273

(a) The person is carrying a valid concealed handgun 274
license. 275

(b) The person ~~is the driver or passenger leaves the~~ 276
handgun in a motor vehicle ~~and is in the school safety zone~~ 277
~~while immediately in the process of picking up or dropping off a~~ 278
~~child.~~ 279

(c) The person is not in violation of section 2923.16 of 280
the Revised Code. 281

(E) (1) Whoever violates division (A) or (B) of this 282
section is guilty of illegal conveyance or possession of a 283
deadly weapon or dangerous ordnance in a school safety zone. 284
Except as otherwise provided in this division, illegal 285
conveyance or possession of a deadly weapon or dangerous 286
ordnance in a school safety zone is a felony of the fifth 287
degree. If the offender previously has been convicted of a 288
violation of this section, illegal conveyance or possession of a 289
deadly weapon or dangerous ordnance in a school safety zone is a 290
felony of the fourth degree. 291

(2) Whoever violates division (C) of this section is 292
guilty of illegal possession of an object indistinguishable from 293
a firearm in a school safety zone. Except as otherwise provided 294
in this division, illegal possession of an object 295
indistinguishable from a firearm in a school safety zone is a 296
misdemeanor of the first degree. If the offender previously has 297
been convicted of a violation of this section, illegal 298
possession of an object indistinguishable from a firearm in a 299
school safety zone is a felony of the fifth degree. 300

(F) (1) In addition to any other penalty imposed upon a 301
person who is convicted of or pleads guilty to a violation of 302
this section and subject to division (F) (2) of this section, if 303
the offender has not attained nineteen years of age, regardless 304
of whether the offender is attending or is enrolled in a school 305
operated by a board of education or for which the state board of 306
education prescribes minimum standards under section 3301.07 of 307
the Revised Code, the court shall impose upon the offender a 308
class four suspension of the offender's probationary driver's 309
license, restricted license, driver's license, commercial 310
driver's license, temporary instruction permit, or probationary 311
commercial driver's license that then is in effect from the 312

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. 2923.126. (A) A concealed handgun license that is issued under section 2923.125 of the Revised Code shall expire five years after the date of issuance. A licensee who has been issued a license under that section shall be granted a grace period of thirty days after the licensee's license expires during which the licensee's license remains valid. Except as provided in divisions (B) and (C) of this section, a licensee who has been issued a concealed handgun license under section

2923.125 or 2923.1213 of the Revised Code may carry a concealed 343
handgun anywhere in this state if the licensee also carries a 344
valid license and valid identification when the licensee is in 345
actual possession of a concealed handgun. The licensee shall 346
give notice of any change in the licensee's residence address to 347
the sheriff who issued the license within forty-five days after 348
that change. 349

If a licensee is the driver or an occupant of a motor 350
vehicle that is stopped as the result of a traffic stop or a 351
stop for another law enforcement purpose and if the licensee is 352
transporting or has a loaded handgun in the motor vehicle at 353
that time, the licensee shall promptly inform any law 354
enforcement officer who approaches the vehicle while stopped 355
that the licensee has been issued a concealed handgun license 356
and that the licensee currently possesses or has a loaded 357
handgun; the licensee shall not knowingly disregard or fail to 358
comply with lawful orders of a law enforcement officer given 359
while the motor vehicle is stopped, knowingly fail to remain in 360
the motor vehicle while stopped, or knowingly fail to keep the 361
licensee's hands in plain sight after any law enforcement 362
officer begins approaching the licensee while stopped and before 363
the officer leaves, unless directed otherwise by a law 364
enforcement officer; and the licensee shall not knowingly have 365
contact with the loaded handgun by touching it with the 366
licensee's hands or fingers, in any manner in violation of 367
division (E) of section 2923.16 of the Revised Code, after any 368
law enforcement officer begins approaching the licensee while 369
stopped and before the officer leaves. Additionally, if a 370
licensee is the driver or an occupant of a commercial motor 371
vehicle that is stopped by an employee of the motor carrier 372
enforcement unit for the purposes defined in section 5503.04 of 373

the Revised Code and if the licensee is transporting or has a 374
loaded handgun in the commercial motor vehicle at that time, the 375
licensee shall promptly inform the employee of the unit who 376
approaches the vehicle while stopped that the licensee has been 377
issued a concealed handgun license and that the licensee 378
currently possesses or has a loaded handgun. 379

If a licensee is stopped for a law enforcement purpose and 380
if the licensee is carrying a concealed handgun at the time the 381
officer approaches, the licensee shall promptly inform any law 382
enforcement officer who approaches the licensee while stopped 383
that the licensee has been issued a concealed handgun license 384
and that the licensee currently is carrying a concealed handgun; 385
the licensee shall not knowingly disregard or fail to comply 386
with lawful orders of a law enforcement officer given while the 387
licensee is stopped or knowingly fail to keep the licensee's 388
hands in plain sight after any law enforcement officer begins 389
approaching the licensee while stopped and before the officer 390
leaves, unless directed otherwise by a law enforcement officer; 391
and the licensee shall not knowingly remove, attempt to remove, 392
grasp, or hold the loaded handgun or knowingly have contact with 393
the loaded handgun by touching it with the licensee's hands or 394
fingers, in any manner in violation of division (B) of section 395
2923.12 of the Revised Code, after any law enforcement officer 396
begins approaching the licensee while stopped and before the 397
officer leaves. 398

(B) A valid concealed handgun license does not authorize 399
the licensee to carry a concealed handgun in any manner 400
prohibited under division (B) of section 2923.12 of the Revised 401
Code or in any manner prohibited under section 2923.16 of the 402
Revised Code. A valid license does not authorize the licensee to 403
carry a concealed handgun into any of the following places: 404

(1) ~~Any area of a~~ police station, sheriff's office, or 405
state highway patrol station, to which the public does not have 406
access; premises controlled by the bureau of criminal 407
identification and investigation; ~~a~~ a state correctional 408
institution, jail, workhouse, or other detention facility; any 409
area of an airport passenger terminal, that is beyond a 410
passenger or property screening checkpoint or to which access is 411
restricted through security measures by the airport authority or 412
a public agency; or an institution that is maintained, operated, 413
managed, and governed pursuant to division (A) of section 414
5119.14 of the Revised Code or division (A) (1) of section 415
5123.03 of the Revised Code; 416

(2) A school safety zone if the licensee's carrying the 417
concealed handgun is in violation of section 2923.122 of the 418
Revised Code; 419

(3) A courthouse or another building or structure in which 420
a courtroom is located, in violation of section 2923.123 of the 421
Revised Code; 422

(4) Any premises or open air arena for which a D permit 423
has been issued under Chapter 4303. of the Revised Code if the 424
licensee's carrying the concealed handgun is in violation of 425
section 2923.121 of the Revised Code; 426

(5) Any premises owned or leased by any public or private 427
college, university, or other institution of higher education, 428
unless the handgun is in a locked motor vehicle or the licensee 429
is in the immediate process of placing the handgun in a locked 430
motor vehicle or unless the licensee is carrying the concealed 431
handgun pursuant to a written policy, rule, or other 432
authorization that is adopted by the institution's board of 433
trustees or other governing body and that authorizes specific 434

individuals or classes of individuals to carry a concealed 435
handgun on the premises; 436

~~(6) Any church, synagogue, mosque, or other place of~~ 437
~~worship, unless the church, synagogue, mosque, or other place of~~ 438
~~worship posts or permits otherwise;~~ 439

~~(7) A child day care center, a type A family day care~~ 440
~~home, or a type B family day care home, except that this~~ 441
~~division does not prohibit a licensee who resides in a type A~~ 442
~~family day care home or a type B family day care home from~~ 443
~~carrying a concealed handgun at any time in any part of the home~~ 444
~~that is not dedicated or used for day care purposes, or from~~ 445
~~carrying a concealed handgun in a part of the home that is~~ 446
~~dedicated or used for day care purposes at any time during which~~ 447
~~no children, other than children of that licensee, are in the~~ 448
~~home;~~ 449

~~(8) An aircraft that is in, or intended for operation in,~~ 450
~~foreign air transportation, interstate air transportation,~~ 451
~~intrastate air transportation, or the transportation of mail by~~ 452
~~aircraft;~~ 453

~~(9) Any building that is a government facility of this~~ 454
~~state or a political subdivision of this state and that is not a~~ 455
~~building that is used primarily as a shelter, restroom, parking~~ 456
~~facility for motor vehicles, or rest facility and is not a~~ 457
~~courthouse or other building or structure in which a courtroom~~ 458
~~is located that is subject to division (B) (3) of this section;~~ 459

~~(10) A place in which federal law prohibits the carrying~~ 460
~~of handguns.~~ 461

(C) (1) Nothing in this section shall negate or restrict a 462
rule, policy, or practice of a private employer that is not a 463

private college, university, or other institution of higher 464
education concerning or prohibiting the presence of firearms on 465
the private employer's premises or property, including motor 466
vehicles owned by the private employer. Nothing in this section 467
shall require a private employer of that nature to adopt a rule, 468
policy, or practice concerning or prohibiting the presence of 469
firearms on the private employer's premises or property, 470
including motor vehicles owned by the private employer. 471

(2) (a) A private employer shall be immune from liability 472
in a civil action for any injury, death, or loss to person or 473
property that allegedly was caused by or related to a licensee 474
bringing a handgun onto the premises or property of the private 475
employer, including motor vehicles owned by the private 476
employer, unless the private employer acted with malicious 477
purpose. A private employer is immune from liability in a civil 478
action for any injury, death, or loss to person or property that 479
allegedly was caused by or related to the private employer's 480
decision to permit a licensee to bring, or prohibit a licensee 481
from bringing, a handgun onto the premises or property of the 482
private employer. ~~As used in this division, "private employer"~~ 483
~~includes a private college, university, or other institution of~~ 484
~~higher education.~~ 485

(b) A political subdivision shall be immune from liability 486
in a civil action, to the extent and in the manner provided in 487
Chapter 2744. of the Revised Code, for any injury, death, or 488
loss to person or property that allegedly was caused by or 489
related to a licensee bringing a handgun onto any premises or 490
property owned, leased, or otherwise under the control of the 491
political subdivision. As used in this division, "political 492
subdivision" has the same meaning as in section 2744.01 of the 493
Revised Code. 494

(c) An institution of higher education shall be immune 495
from liability in a civil action for any injury, death, or loss 496
to person or property that allegedly was caused by or related to 497
a licensee bringing a handgun onto the premises of the 498
institution, including motor vehicles owned by the institution, 499
unless the institution acted with malicious purpose. An 500
institution of higher education is immune from liability in a 501
civil action for any injury, death, or loss to person or 502
property that allegedly was caused by or related to the 503
institution's decision to permit a licensee or class of 504
licensees to bring a handgun onto the premises of the 505
institution. 506

(3) (a) Except as provided in division (C) (3) (b) of this 507
section, the owner or person in control of private land or 508
premises, and a private person or entity leasing land or 509
premises owned by the state, the United States, or a political 510
subdivision of the state or the United States, may post a sign 511
in a conspicuous location on that land or on those premises 512
prohibiting persons from carrying firearms or concealed firearms 513
on or onto that land or those premises. Except as otherwise 514
provided in this division, a person who knowingly violates a 515
posted prohibition of that nature is guilty of criminal trespass 516
in violation of division (A) (4) of section 2911.21 of the 517
Revised Code and is guilty of a misdemeanor of the fourth 518
degree. If a person knowingly violates a posted prohibition of 519
that nature and the posted land or premises primarily was a 520
parking lot or other parking facility, the person is not guilty 521
of criminal trespass in violation of division (A) (4) of section 522
2911.21 of the Revised Code and instead is subject only to a 523
civil cause of action for trespass based on the violation. 524

(b) A landlord may not prohibit or restrict a tenant who 525

is a licensee and who on or after September 9, 2008, enters into 526
a rental agreement with the landlord for the use of residential 527
premises, and the tenant's guest while the tenant is present, 528
from lawfully carrying or possessing a handgun on those 529
residential premises. 530

(c) As used in division (C) (3) of this section: 531

(i) "Residential premises" has the same meaning as in 532
section 5321.01 of the Revised Code, except "residential 533
premises" does not include a dwelling unit that is owned or 534
operated by a college or university. 535

(ii) "Landlord," "tenant," and "rental agreement" have the 536
same meanings as in section 5321.01 of the Revised Code. 537

(D) A person who holds a concealed handgun license issued 538
by another state that is recognized by the attorney general 539
pursuant to a reciprocity agreement entered into pursuant to 540
section 109.69 of the Revised Code has the same right to carry a 541
concealed handgun in this state as a person who was issued a 542
concealed handgun license under section 2923.125 of the Revised 543
Code and is subject to the same restrictions that apply to a 544
person who carries a license issued under that section. 545

(E) A peace officer has the same right to carry a 546
concealed handgun in this state as a person who was issued a 547
concealed handgun license under section 2923.125 of the Revised 548
Code. For purposes of reciprocity with other states, a peace 549
officer shall be considered to be a licensee in this state. 550

(F) (1) A qualified retired peace officer who possesses a 551
retired peace officer identification card issued pursuant to 552
division (F) (2) of this section and a valid firearms 553
requalification certification issued pursuant to division (F) (3) 554

of this section has the same right to carry a concealed handgun 555
in this state as a person who was issued a concealed handgun 556
license under section 2923.125 of the Revised Code and is 557
subject to the same restrictions that apply to a person who 558
carries a license issued under that section. For purposes of 559
reciprocity with other states, a qualified retired peace officer 560
who possesses a retired peace officer identification card issued 561
pursuant to division (F)(2) of this section and a valid firearms 562
requalification certification issued pursuant to division (F)(3) 563
of this section shall be considered to be a licensee in this 564
state. 565

(2) (a) Each public agency of this state or of a political 566
subdivision of this state that is served by one or more peace 567
officers shall issue a retired peace officer identification card 568
to any person who retired from service as a peace officer with 569
that agency, if the issuance is in accordance with the agency's 570
policies and procedures and if the person, with respect to the 571
person's service with that agency, satisfies all of the 572
following: 573

(i) The person retired in good standing from service as a 574
peace officer with the public agency, and the retirement was not 575
for reasons of mental instability. 576

(ii) Before retiring from service as a peace officer with 577
that agency, the person was authorized to engage in or supervise 578
the prevention, detection, investigation, or prosecution of, or 579
the incarceration of any person for, any violation of law and 580
the person had statutory powers of arrest. 581

(iii) At the time of the person's retirement as a peace 582
officer with that agency, the person was trained and qualified 583
to carry firearms in the performance of the peace officer's 584

duties. 585

(iv) Before retiring from service as a peace officer with 586
that agency, the person was regularly employed as a peace 587
officer for an aggregate of fifteen years or more, or, in the 588
alternative, the person retired from service as a peace officer 589
with that agency, after completing any applicable probationary 590
period of that service, due to a service-connected disability, 591
as determined by the agency. 592

(b) A retired peace officer identification card issued to 593
a person under division (F) (2) (a) of this section shall identify 594
the person by name, contain a photograph of the person, identify 595
the public agency of this state or of the political subdivision 596
of this state from which the person retired as a peace officer 597
and that is issuing the identification card, and specify that 598
the person retired in good standing from service as a peace 599
officer with the issuing public agency and satisfies the 600
criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 601
section. In addition to the required content specified in this 602
division, a retired peace officer identification card issued to 603
a person under division (F) (2) (a) of this section may include 604
the firearms requalification certification described in division 605
(F) (3) of this section, and if the identification card includes 606
that certification, the identification card shall serve as the 607
firearms requalification certification for the retired peace 608
officer. If the issuing public agency issues credentials to 609
active law enforcement officers who serve the agency, the agency 610
may comply with division (F) (2) (a) of this section by issuing 611
the same credentials to persons who retired from service as a 612
peace officer with the agency and who satisfy the criteria set 613
forth in divisions (F) (2) (a) (i) to (iv) of this section, 614
provided that the credentials so issued to retired peace 615

officers are stamped with the word "RETIRED." 616

(c) A public agency of this state or of a political 617
subdivision of this state may charge persons who retired from 618
service as a peace officer with the agency a reasonable fee for 619
issuing to the person a retired peace officer identification 620
card pursuant to division (F) (2) (a) of this section. 621

(3) If a person retired from service as a peace officer 622
with a public agency of this state or of a political subdivision 623
of this state and the person satisfies the criteria set forth in 624
divisions (F) (2) (a) (i) to (iv) of this section, the public 625
agency may provide the retired peace officer with the 626
opportunity to attend a firearms requalification program that is 627
approved for purposes of firearms requalification required under 628
section 109.801 of the Revised Code. The retired peace officer 629
may be required to pay the cost of the course. 630

If a retired peace officer who satisfies the criteria set 631
forth in divisions (F) (2) (a) (i) to (iv) of this section attends 632
a firearms requalification program that is approved for purposes 633
of firearms requalification required under section 109.801 of 634
the Revised Code, the retired peace officer's successful 635
completion of the firearms requalification program requalifies 636
the retired peace officer for purposes of division (F) of this 637
section for five years from the date on which the program was 638
successfully completed, and the requalification is valid during 639
that five-year period. If a retired peace officer who satisfies 640
the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 641
section satisfactorily completes such a firearms requalification 642
program, the retired peace officer shall be issued a firearms 643
requalification certification that identifies the retired peace 644
officer by name, identifies the entity that taught the program, 645

specifies that the retired peace officer successfully completed 646
the program, specifies the date on which the course was 647
successfully completed, and specifies that the requalification 648
is valid for five years from that date of successful completion. 649
The firearms requalification certification for a retired peace 650
officer may be included in the retired peace officer 651
identification card issued to the retired peace officer under 652
division (F) (2) of this section. 653

A retired peace officer who attends a firearms 654
requalification program that is approved for purposes of 655
firearms requalification required under section 109.801 of the 656
Revised Code may be required to pay the cost of the program. 657

(G) As used in this section: 658

(1) "Qualified retired peace officer" means a person who 659
satisfies all of the following: 660

(a) The person satisfies the criteria set forth in 661
divisions (F) (2) (a) (i) to (v) of this section. 662

(b) The person is not under the influence of alcohol or 663
another intoxicating or hallucinatory drug or substance. 664

(c) The person is not prohibited by federal law from 665
receiving firearms. 666

(2) "Retired peace officer identification card" means an 667
identification card that is issued pursuant to division (F) (2) 668
of this section to a person who is a retired peace officer. 669

(3) "Government facility of this state or a political 670
subdivision of this state" means any of the following: 671

(a) A building or part of a building that is owned or 672
leased by the government of this state or a political 673

subdivision of this state and where employees of the government 674
of this state or the political subdivision regularly are present 675
for the purpose of performing their official duties as employees 676
of the state or political subdivision; 677

(b) The office of a deputy registrar serving pursuant to 678
Chapter 4503. of the Revised Code that is used to perform deputy 679
registrar functions. 680

Sec. 2923.16. (A) No person shall knowingly discharge a 681
firearm while in or on a motor vehicle. 682

(B) No person shall knowingly transport or have a loaded 683
firearm in a motor vehicle in such a manner that the firearm is 684
accessible to the operator or any passenger without leaving the 685
vehicle. 686

(C) No person shall knowingly transport or have a firearm 687
in a motor vehicle, unless the person may lawfully possess that 688
firearm under applicable law of this state or the United States, 689
the firearm is unloaded, and the firearm is carried in one of 690
the following ways: 691

(1) In a closed package, box, or case; 692

(2) In a compartment that can be reached only by leaving 693
the vehicle; 694

(3) In plain sight and secured in a rack or holder made 695
for the purpose; 696

(4) If the firearm is at least twenty-four inches in 697
overall length as measured from the muzzle to the part of the 698
stock furthest from the muzzle and if the barrel is at least 699
eighteen inches in length, either in plain sight with the action 700
open or the weapon stripped, or, if the firearm is of a type on 701

which the action will not stay open or which cannot easily be 702
stripped, in plain sight. 703

(D) No person shall knowingly transport or have a loaded 704
handgun in a motor vehicle if, at the time of that 705
transportation or possession, any of the following applies: 706

(1) The person is under the influence of alcohol, a drug 707
of abuse, or a combination of them. 708

(2) The person's whole blood, blood serum or plasma, 709
breath, or urine contains a concentration of alcohol, a listed 710
controlled substance, or a listed metabolite of a controlled 711
substance prohibited for persons operating a vehicle, as 712
specified in division (A) of section 4511.19 of the Revised 713
Code, regardless of whether the person at the time of the 714
transportation or possession as described in this division is 715
the operator of or a passenger in the motor vehicle. 716

(E) No person who has been issued a concealed handgun 717
license, who is the driver or an occupant of a motor vehicle 718
that is stopped as a result of a traffic stop or a stop for 719
another law enforcement purpose or is the driver or an occupant 720
of a commercial motor vehicle that is stopped by an employee of 721
the motor carrier enforcement unit for the purposes defined in 722
section 5503.34 of the Revised Code, and who is transporting or 723
has a loaded handgun in the motor vehicle or commercial motor 724
vehicle in any manner, shall do any of the following: 725

(1) Fail to promptly inform any law enforcement officer 726
who approaches the vehicle while stopped that the person has 727
been issued a concealed handgun license and that the person then 728
possesses or has a loaded handgun in the motor vehicle; 729

(2) Fail to promptly inform the employee of the unit who 730

approaches the vehicle while stopped that the person has been 731
issued a concealed handgun license and that the person then 732
possesses or has a loaded handgun in the commercial motor 733
vehicle; 734

(3) Knowingly fail to remain in the motor vehicle while 735
stopped or knowingly fail to keep the person's hands in plain 736
sight at any time after any law enforcement officer begins 737
approaching the person while stopped and before the law 738
enforcement officer leaves, unless the failure is pursuant to 739
and in accordance with directions given by a law enforcement 740
officer; 741

(4) Knowingly have contact with the loaded handgun by 742
touching it with the person's hands or fingers in the motor 743
vehicle at any time after the law enforcement officer begins 744
approaching and before the law enforcement officer leaves, 745
unless the person has contact with the loaded handgun pursuant 746
to and in accordance with directions given by the law 747
enforcement officer; 748

(5) Knowingly disregard or fail to comply with any lawful 749
order of any law enforcement officer given while the motor 750
vehicle is stopped, including, but not limited to, a specific 751
order to the person to keep the person's hands in plain sight. 752

(F) (1) Divisions (A), (B), (C), and (E) of this section do 753
not apply to any of the following: 754

(a) An officer, agent, or employee of this or any other 755
state or the United States, or a law enforcement officer, when 756
authorized to carry or have loaded or accessible firearms in 757
motor vehicles and acting within the scope of the officer's, 758
agent's, or employee's duties; 759

(b) Any person who is employed in this state, who is 760
authorized to carry or have loaded or accessible firearms in 761
motor vehicles, and who is subject to and in compliance with the 762
requirements of section 109.801 of the Revised Code, unless the 763
appointing authority of the person has expressly specified that 764
the exemption provided in division (F) (1) (b) of this section 765
does not apply to the person. 766

(2) Division (A) of this section does not apply to a 767
person if all of the following circumstances apply: 768

(a) The person discharges a firearm from a motor vehicle 769
at a coyote or groundhog, the discharge is not during the deer 770
gun hunting season as set by the chief of the division of 771
wildlife of the department of natural resources, and the 772
discharge at the coyote or groundhog, but for the operation of 773
this section, is lawful. 774

(b) The motor vehicle from which the person discharges the 775
firearm is on real property that is located in an unincorporated 776
area of a township and that either is zoned for agriculture or 777
is used for agriculture. 778

(c) The person owns the real property described in 779
division (F) (2) (b) of this section, is the spouse or a child of 780
another person who owns that real property, is a tenant of 781
another person who owns that real property, or is the spouse or 782
a child of a tenant of another person who owns that real 783
property. 784

(d) The person does not discharge the firearm in any of 785
the following manners: 786

(i) While under the influence of alcohol, a drug of abuse, 787
or alcohol and a drug of abuse; 788

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

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

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

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

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

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

(c) The person discharges a firearm from a stationary electric-powered all-purpose vehicle as defined in section 1531.01 of the Revised Code or a motor vehicle that is parked on a road that is owned or administered by the division of wildlife, provided that the road is identified by an electric-powered all-purpose vehicle sign.

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

(i) While under the influence of alcohol, a drug of abuse,

or alcohol and a drug of abuse; 817

(ii) In the direction of a street, a highway, or other 818
public or private property that is used by the public for 819
vehicular traffic or parking; 820

(iii) At or into an occupied structure that is a permanent 821
or temporary habitation; 822

(iv) In the commission of any violation of law, including, 823
but not limited to, a felony that includes, as an essential 824
element, purposely or knowingly causing or attempting to cause 825
the death of or physical harm to another and that was committed 826
by discharging a firearm from a motor vehicle. 827

(4) Divisions (B) and (C) of this section do not apply to 828
a person if all of the following circumstances apply: 829

(a) At the time of the alleged violation of either of 830
those divisions, the person is the operator of or a passenger in 831
a motor vehicle. 832

(b) The motor vehicle is on real property that is located 833
in an unincorporated area of a township and that either is zoned 834
for agriculture or is used for agriculture. 835

(c) The person owns the real property described in 836
division (D) (4) (b) of this section, is the spouse or a child of 837
another person who owns that real property, is a tenant of 838
another person who owns that real property, or is the spouse or 839
a child of a tenant of another person who owns that real 840
property. 841

(d) The person, prior to arriving at the real property 842
described in division (D) (4) (b) of this section, did not 843
transport or possess a firearm in the motor vehicle in a manner 844

prohibited by division (B) or (C) of this section while the 845
motor vehicle was being operated on a street, highway, or other 846
public or private property used by the public for vehicular 847
traffic or parking. 848

(5) Divisions (B) and (C) of this section do not apply to 849
a person who transports or possesses a handgun in a motor 850
vehicle if, at the time of that transportation or possession, 851
both of the following apply: 852

(a) The person transporting or possessing the handgun is 853
carrying a valid concealed handgun license. 854

(b) The person transporting or possessing the handgun is 855
not knowingly in a place described in division (B) of section 856
2923.126 of the Revised Code. 857

(6) Divisions (B) and (C) of this section do not apply to 858
a person if all of the following apply: 859

(a) The person possesses a valid electric-powered all- 860
purpose vehicle permit issued under section 1533.103 of the 861
Revised Code by the chief of the division of wildlife. 862

(b) The person is on or in an electric-powered all-purpose 863
vehicle as defined in section 1531.01 of the Revised Code or a 864
motor vehicle during the open hunting season for a wild 865
quadruped or game bird. 866

(c) The person is on or in an electric-powered all-purpose 867
vehicle as defined in section 1531.01 of the Revised Code or a 868
motor vehicle that is parked on a road that is owned or 869
administered by the division of wildlife, provided that the road 870
is identified by an electric-powered all-purpose vehicle sign. 871

(7) Nothing in this section prohibits or restricts a 872

person from possessing, storing, or leaving a firearm in a 873
locked motor vehicle that is parked in the state underground 874
parking garage at the state capitol building or in the parking 875
garage at the Riffe center for government and the arts in 876
Columbus, if the person's transportation and possession of the 877
firearm in the motor vehicle while traveling to the premises or 878
facility was not in violation of division (A), (B), (C), (D), or 879
(E) of this section or any other provision of the Revised Code. 880

(G) (1) The affirmative defenses authorized in divisions 881
(D) (1) and (2) of section 2923.12 of the Revised Code are 882
affirmative defenses to a charge under division (B) or (C) of 883
this section ~~that involves a firearm other than a handgun.~~ 884

(2) It is an affirmative defense to a charge under 885
division (B) or (C) of this section of improperly handling 886
firearms in a motor vehicle that the actor transported or had 887
the firearm in the motor vehicle for any lawful purpose and 888
while the motor vehicle was on the actor's own property, 889
provided that this affirmative defense is not available unless 890
the person, immediately prior to arriving at the actor's own 891
property, did not transport or possess the firearm in a motor 892
vehicle in a manner prohibited by division (B) or (C) of this 893
section while the motor vehicle was being operated on a street, 894
highway, or other public or private property used by the public 895
for vehicular traffic. 896

(H) (1) No person who is charged with a violation of 897
division (B), (C), or (D) of this section shall be required to 898
obtain a concealed handgun license as a condition for the 899
dismissal of the charge. 900

(2) (a) If a person is convicted of, was convicted of, 901
pleads guilty to, or has pleaded guilty to a violation of 902

division (E) of this section as it existed prior to September 903
30, 2011, and if the conduct that was the basis of the violation 904
no longer would be a violation of division (E) of this section 905
on or after September 30, 2011, the person may file an 906
application under section 2953.37 of the Revised Code requesting 907
the expungement of the record of conviction. 908

If a person is convicted of, was convicted of, pleads 909
guilty to, or has pleaded guilty to a violation of division (B) 910
or (C) of this section as the division existed prior to 911
September 30, 2011, and if the conduct that was the basis of the 912
violation no longer would be a violation of division (B) or (C) 913
of this section on or after September 30, 2011, due to the 914
application of division (F) (5) of this section as it exists on 915
and after September 30, 2011, the person may file an application 916
under section 2953.37 of the Revised Code requesting the 917
expungement of the record of conviction. 918

(b) The attorney general shall develop a public media 919
advisory that summarizes the expungement procedure established 920
under section 2953.37 of the Revised Code and the offenders 921
identified in division (H) (2) (a) of this section who are 922
authorized to apply for the expungement. Within thirty days 923
after September 30, 2011, the attorney general shall provide a 924
copy of the advisory to each daily newspaper published in this 925
state and each television station that broadcasts in this state. 926
The attorney general may provide the advisory in a tangible 927
form, an electronic form, or in both tangible and electronic 928
forms. 929

(I) Whoever violates this section is guilty of improperly 930
handling firearms in a motor vehicle. Violation of division (A) 931
of this section is a felony of the fourth degree. Violation of 932

division (C) of this section is a misdemeanor of the fourth 933
degree. A violation of division (D) of this section is a felony 934
of the fifth degree or, if the loaded handgun is concealed on 935
the person's person, a felony of the fourth degree. Except as 936
otherwise provided in this division, a violation of division (E) 937
(1) or (2) of this section is a misdemeanor of the first degree, 938
and, in addition to any other penalty or sanction imposed for 939
the violation, the offender's concealed handgun license shall be 940
suspended pursuant to division (A) (2) of section 2923.128 of the 941
Revised Code. If at the time of the stop of the offender for a 942
traffic stop, for another law enforcement purpose, or for a 943
purpose defined in section 5503.34 of the Revised Code that was 944
the basis of the violation any law enforcement officer involved 945
with the stop or the employee of the motor carrier enforcement 946
unit who made the stop had actual knowledge of the offender's 947
status as a licensee, a violation of division (E) (1) or (2) of 948
this section is a minor misdemeanor, and the offender's 949
concealed handgun license shall not be suspended pursuant to 950
division (A) (2) of section 2923.128 of the Revised Code. A 951
violation of division (E) (4) of this section is a felony of the 952
fifth degree. A violation of division (E) (3) or (5) of this 953
section is a misdemeanor of the first degree or, if the offender 954
previously has been convicted of or pleaded guilty to a 955
violation of division (E) (3) or (5) of this section, a felony of 956
the fifth degree. In addition to any other penalty or sanction 957
imposed for a misdemeanor violation of division (E) (3) or (5) of 958
this section, the offender's concealed handgun license shall be 959
suspended pursuant to division (A) (2) of section 2923.128 of the 960
Revised Code. A violation of division (B) of this section is a 961
felony of the fourth degree. 962

(J) If a law enforcement officer stops a motor vehicle for 963

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 that is in the vehicle in question and that may be used with the firearm in question.

(ii) Any magazine or speed loader that contains ammunition 992
and that may be used with the firearm in question is stored in a 993
compartment within the vehicle in question that cannot be 994
accessed without leaving the vehicle or is stored in a container 995
that provides complete and separate enclosure. 996

(b) For the purposes of division (K) (5) (a) (ii) of this 997
section, a "container that provides complete and separate 998
enclosure" includes, but is not limited to, any of the 999
following: 1000

(i) A package, box, or case with multiple compartments, as 1001
long as the loaded magazine or speed loader and the firearm in 1002
question either are in separate compartments within the package, 1003
box, or case, or, if they are in the same compartment, the 1004
magazine or speed loader is contained within a separate 1005
enclosure in that compartment that does not contain the firearm 1006
and that closes using a snap, button, buckle, zipper, hook and 1007
loop closing mechanism, or other fastener that must be opened to 1008
access the contents or the firearm is contained within a 1009
separate enclosure of that nature in that compartment that does 1010
not contain the magazine or speed loader; 1011

(ii) A pocket or other enclosure on the person of the 1012
person in question that closes using a snap, button, buckle, 1013
zipper, hook and loop closing mechanism, or other fastener that 1014
must be opened to access the contents. 1015

(c) For the purposes of divisions (K) (5) (a) and (b) of 1016
this section, ammunition held in stripper-clips or in en-bloc 1017
clips is not considered ammunition that is loaded into a 1018
magazine or speed loader. 1019

(6) "Unloaded" means, with respect to a firearm employing 1020

a percussion cap, flintlock, or other obsolete ignition system, 1021
when the weapon is uncapped or when the priming charge is 1022
removed from the pan. 1023

(7) "Commercial motor vehicle" has the same meaning as in 1024
division (A) of section 4506.25 of the Revised Code. 1025

(8) "Motor carrier enforcement unit" means the motor 1026
carrier enforcement unit in the department of public safety, 1027
division of state highway patrol, that is created by section 1028
5503.34 of the Revised Code. 1029

(L) Divisions (K) (5) (a) and (b) of this section do not 1030
affect the authority of a person who is carrying a valid 1031
concealed handgun license to have one or more magazines or speed 1032
loaders containing ammunition anywhere in a vehicle, without 1033
being transported as described in those divisions, as long as no 1034
ammunition is in a firearm, other than a handgun, in the vehicle 1035
other than as permitted under any other provision of this 1036
chapter. A person who is carrying a valid concealed handgun 1037
license may have one or more magazines or speed loaders 1038
containing ammunition anywhere in a vehicle without further 1039
restriction, as long as no ammunition is in a firearm, other 1040
than a handgun, in the vehicle other than as permitted under any 1041
provision of this chapter. 1042

Section 2. That existing sections 2923.12, 2923.122, 1043
2923.126, and 2923.16 of the Revised Code are hereby repealed. 1044

Section 3. Section 2923.122 of the Revised Code is 1045
presented in this act as a composite of the section as amended 1046
by both Am. Sub. H.B. 495 and Am. Sub. S.B. 337 of the 129th 1047
General Assembly. The General Assembly, applying the principle 1048
stated in division (B) of section 1.52 of the Revised Code that 1049

amendments are to be harmonized if reasonably capable of	1050
simultaneous operation, finds that the composite is the	1051
resulting version of the section in effect prior to the	1052
effective date of the section as presented in this act.	1053