

**As Passed by the Senate**

**131st General Assembly**

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**Sub. S. B. No. 199**

**Senators Uecker, Gardner**

**Cosponsors: Senators Coley, Bacon, Obhof, Eklund, Beagle, Burke, Faber,  
Hackett, Hite, Hottinger, Hughes, Jones, Jordan, LaRose, Manning, Oelslager,  
Patton, Seitz**

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**A BILL**

To amend sections 1547.69, 2923.11, 2923.12, 1  
2923.121, 2923.122, 2923.123, 2923.126, 2923.16, 2  
and 2923.21 of the Revised Code to specify that 3  
an active duty member of the U.S. Armed Forces: 4  
(1) does not need a concealed handgun license to 5  
carry a handgun concealed if the member is 6  
carrying valid military identification and 7  
documentation of successful completion of 8  
specified firearms training; and (2) may be sold 9  
or furnished a handgun if the member has 10  
received specified firearms training. 11

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

**Section 1.** That sections 1547.69, 2923.11, 2923.12, 12  
2923.121, 2923.122, 2923.123, 2923.126, 2923.16, and 2923.21 of 13  
the Revised Code be amended to read as follows: 14

**Sec. 1547.69.** (A) As used in this section: 15

(1) "Firearm," "concealed handgun license," "handgun," ~~and~~ 16

"valid concealed handgun license," and "active duty" have the 17  
same meanings as in section 2923.11 of the Revised Code. 18

(2) "Unloaded" has the same meanings as in divisions (K) 19  
(5) and (6) of section 2923.16 of the Revised Code, except that 20  
all references in the definition in division (K) (5) of that 21  
section to "vehicle" shall be construed for purposes of this 22  
section to be references to "vessel." 23

(B) No person shall knowingly discharge a firearm while in 24  
or on a vessel. 25

(C) No person shall knowingly transport or have a loaded 26  
firearm in a vessel in a manner that the firearm is accessible 27  
to the operator or any passenger. 28

(D) No person shall knowingly transport or have a firearm 29  
in a vessel unless it is unloaded and is carried in one of the 30  
following ways: 31

(1) In a closed package, box, or case; 32

(2) In plain sight with the action opened or the weapon 33  
stripped, or, if the firearm is of a type on which the action 34  
will not stay open or that cannot easily be stripped, in plain 35  
sight. 36

(E) (1) The affirmative defenses authorized in divisions 37  
(D) (1) and (2) of section 2923.12 of the Revised Code are 38  
affirmative defenses to a charge under division (C) or (D) of 39  
this section that involves a firearm other than a handgun. It is 40  
an affirmative defense to a charge under division (C) or (D) of 41  
this section of transporting or having a firearm of any type, 42  
including a handgun, in a vessel that the actor transported or 43  
had the firearm in the vessel for any lawful purpose and while 44  
the vessel was on the actor's own property, provided that this 45

affirmative defense is not available unless the actor, prior to 46  
arriving at the vessel on the actor's own property, did not 47  
transport or possess the firearm in the vessel or in a motor 48  
vehicle in a manner prohibited by this section or division (B) 49  
or (C) of section 2923.16 of the Revised Code while the vessel 50  
was being operated on a waterway that was not on the actor's own 51  
property or while the motor vehicle was being operated on a 52  
street, highway, or other public or private property used by the 53  
public for vehicular traffic. 54

(2) No person who is charged with a violation of division 55  
(C) or (D) of this section shall be required to obtain a license 56  
or temporary emergency license to carry a concealed handgun 57  
under section 2923.125 or 2923.1213 of the Revised Code as a 58  
condition for the dismissal of the charge. 59

(F) Divisions (B), (C), and (D) of this section do not 60  
apply to the possession or discharge of a United States coast 61  
guard approved signaling device required to be carried aboard a 62  
vessel under section 1547.251 of the Revised Code when the 63  
signaling device is possessed or used for the purpose of giving 64  
a visual distress signal. No person shall knowingly transport or 65  
possess any signaling device of that nature in or on a vessel in 66  
a loaded condition at any time other than immediately prior to 67  
the discharge of the signaling device for the purpose of giving 68  
a visual distress signal. 69

(G) No person shall operate or permit to be operated any 70  
vessel on the waters in this state in violation of this section. 71

(H) (1) This section does not apply to any of the 72  
following: 73

(a) An officer, agent, or employee of this or any other 74

state or of the United States, or to a law enforcement officer, 75  
when authorized to carry or have loaded or accessible firearms 76  
in a vessel and acting within the scope of the officer's, 77  
agent's, or employee's duties; 78

(b) Any person who is employed in this state, who is 79  
authorized to carry or have loaded or accessible firearms in a 80  
vessel, and who is subject to and in compliance with the 81  
requirements of section 109.801 of the Revised Code, unless the 82  
appointing authority of the person has expressly specified that 83  
the exemption provided in division (H) (1) (b) of this section 84  
does not apply to the person; 85

(c) Any person legally engaged in hunting. 86

(2) Divisions (C) and (D) of this section do not apply to 87  
a person who transports or possesses a handgun in a vessel and 88  
who, at the time of that transportation or possession, either is 89  
carrying a valid concealed handgun license or is an active duty 90  
member of the armed forces of the United States and is carrying 91  
a valid military identification card and documentation of 92  
successful completion of firearms training that meets or exceeds 93  
the training requirements described in division (G) (1) of 94  
section 2923.125 of the Revised Code, unless the person 95  
knowingly is in a place on the vessel described in division (B) 96  
of section 2923.126 of the Revised Code. 97

(I) If a law enforcement officer stops a vessel for a 98  
violation of this section or any other law enforcement purpose, 99  
if any person on the vessel surrenders a firearm to the officer, 100  
either voluntarily or pursuant to a request or demand of the 101  
officer, and if the officer does not charge the person with a 102  
violation of this section or arrest the person for any offense, 103  
the person is not otherwise prohibited by law from possessing 104

the firearm, and the firearm is not contraband, the officer 105  
shall return the firearm to the person at the termination of the 106  
stop. 107

(J) Division (L) of section 2923.16 of the Revised Code 108  
applies with respect to division (A) (2) of this section, except 109  
that all references in division (L) of section 2923.16 of the 110  
Revised Code to "vehicle," to "this chapter," or to "division 111  
(K) (5) (a) or (b) of this section" shall be construed for 112  
purposes of this section to be, respectively, references to 113  
"vessel," to "section 1547.69 of the Revised Code," and to 114  
divisions (K) (5) (a) and (b) of section 2923.16 of the Revised 115  
Code as incorporated under the definition of firearm adopted 116  
under division (A) (2) of this section. 117

**Sec. 2923.11.** As used in sections 2923.11 to 2923.24 of 118  
the Revised Code: 119

(A) "Deadly weapon" means any instrument, device, or thing 120  
capable of inflicting death, and designed or specially adapted 121  
for use as a weapon, or possessed, carried, or used as a weapon. 122

(B) (1) "Firearm" means any deadly weapon capable of 123  
expelling or propelling one or more projectiles by the action of 124  
an explosive or combustible propellant. "Firearm" includes an 125  
unloaded firearm, and any firearm that is inoperable but that 126  
can readily be rendered operable. 127

(2) When determining whether a firearm is capable of 128  
expelling or propelling one or more projectiles by the action of 129  
an explosive or combustible propellant, the trier of fact may 130  
rely upon circumstantial evidence, including, but not limited 131  
to, the representations and actions of the individual exercising 132  
control over the firearm. 133

(C) "Handgun" means any of the following:	134
(1) Any firearm that has a short stock and is designed to be held and fired by the use of a single hand;	135 136
(2) Any combination of parts from which a firearm of a type described in division (C) (1) of this section can be assembled.	137 138 139
(D) "Semi-automatic firearm" means any firearm designed or specially adapted to fire a single cartridge and automatically chamber a succeeding cartridge ready to fire, with a single function of the trigger.	140 141 142 143
(E) "Automatic firearm" means any firearm designed or specially adapted to fire a succession of cartridges with a single function of the trigger.	144 145 146
(F) "Sawed-off firearm" means a shotgun with a barrel less than eighteen inches long, or a rifle with a barrel less than sixteen inches long, or a shotgun or rifle less than twenty-six inches long overall.	147 148 149 150
(G) "Zip-gun" means any of the following:	151
(1) Any firearm of crude and extemporized manufacture;	152
(2) Any device, including without limitation a starter's pistol, that is not designed as a firearm, but that is specially adapted for use as a firearm;	153 154 155
(3) Any industrial tool, signalling device, or safety device, that is not designed as a firearm, but that as designed is capable of use as such, when possessed, carried, or used as a firearm.	156 157 158 159
(H) "Explosive device" means any device designed or	160

161 specially adapted to cause physical harm to persons or property  
162 by means of an explosion, and consisting of an explosive  
163 substance or agency and a means to detonate it. "Explosive  
164 device" includes without limitation any bomb, any explosive  
165 demolition device, any blasting cap or detonator containing an  
166 explosive charge, and any pressure vessel that has been  
167 knowingly tampered with or arranged so as to explode.

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

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

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

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

178 (2) Any explosive device or incendiary device;

179 (3) Nitroglycerin, nitrocellulose, nitrostarch, PETN,  
180 cyclonite, TNT, picric acid, and other high explosives; amatol,  
181 tritonal, tetrytol, pentolite, pecretol, cyclotol, and other  
182 high explosive compositions; plastic explosives; dynamite,  
183 blasting gelatin, gelatin dynamite, sensitized ammonium nitrate,  
184 liquid-oxygen blasting explosives, blasting powder, and other  
185 blasting agents; and any other explosive substance having  
186 sufficient brisance or power to be particularly suitable for use  
187 as a military explosive, or for use in mining, quarrying,  
188 excavating, or demolitions;

189 (4) Any firearm, rocket launcher, mortar, artillery piece,

grenade, mine, bomb, torpedo, or similar weapon, designed and	190
manufactured for military purposes, and the ammunition for that	191
weapon;	192
(5) Any firearm muffler or suppressor;	193
(6) Any combination of parts that is intended by the owner	194
for use in converting any firearm or other device into a	195
dangerous ordnance.	196
(L) "Dangerous ordnance" does not include any of the	197
following:	198
(1) Any firearm, including a military weapon and the	199
ammunition for that weapon, and regardless of its actual age,	200
that employs a percussion cap or other obsolete ignition system,	201
or that is designed and safe for use only with black powder;	202
(2) Any pistol, rifle, or shotgun, designed or suitable	203
for sporting purposes, including a military weapon as issued or	204
as modified, and the ammunition for that weapon, unless the	205
firearm is an automatic or sawed-off firearm;	206
(3) Any cannon or other artillery piece that, regardless	207
of its actual age, is of a type in accepted use prior to 1887,	208
has no mechanical, hydraulic, pneumatic, or other system for	209
absorbing recoil and returning the tube into battery without	210
displacing the carriage, and is designed and safe for use only	211
with black powder;	212
(4) Black powder, priming quills, and percussion caps	213
possessed and lawfully used to fire a cannon of a type defined	214
in division (L) (3) of this section during displays,	215
celebrations, organized matches or shoots, and target practice,	216
and smokeless and black powder, primers, and percussion caps	217
possessed and lawfully used as a propellant or ignition device	218



in small-arms or small-arms ammunition; 219

(5) Dangerous ordnance that is inoperable or inert and 220  
cannot readily be rendered operable or activated, and that is 221  
kept as a trophy, souvenir, curio, or museum piece. 222

(6) Any device that is expressly excepted from the 223  
definition of a destructive device pursuant to the "Gun Control 224  
Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a) (4), as amended, 225  
and regulations issued under that act. 226

(M) "Explosive" means any chemical compound, mixture, or 227  
device, the primary or common purpose of which is to function by 228  
explosion. "Explosive" includes all materials that have been 229  
classified as division 1.1, division 1.2, division 1.3, or 230  
division 1.4 explosives by the United States department of 231  
transportation in its regulations and includes, but is not 232  
limited to, dynamite, black powder, pellet powders, initiating 233  
explosives, blasting caps, electric blasting caps, safety fuses, 234  
fuse igniters, squibs, cordeau detonant fuses, instantaneous 235  
fuses, and igniter cords and igniters. "Explosive" does not 236  
include "fireworks," as defined in section 3743.01 of the 237  
Revised Code, or any substance or material otherwise meeting the 238  
definition of explosive set forth in this section that is 239  
manufactured, sold, possessed, transported, stored, or used in 240  
any activity described in section 3743.80 of the Revised Code, 241  
provided the activity is conducted in accordance with all 242  
applicable laws, rules, and regulations, including, but not 243  
limited to, the provisions of section 3743.80 of the Revised 244  
Code and the rules of the fire marshal adopted pursuant to 245  
section 3737.82 of the Revised Code. 246

(N) (1) "Concealed handgun license" or "license to carry a 247  
concealed handgun" means, subject to division (N) (2) of this 248

section, a license or temporary emergency license to carry a 249  
concealed handgun issued under section 2923.125 or 2923.1213 of 250  
the Revised Code or a license to carry a concealed handgun 251  
issued by another state with which the attorney general has 252  
entered into a reciprocity agreement under section 109.69 of the 253  
Revised Code. 254

(2) A reference in any provision of the Revised Code to a 255  
concealed handgun license issued under section 2923.125 of the 256  
Revised Code or a license to carry a concealed handgun issued 257  
under section 2923.125 of the Revised Code means only a license 258  
of the type that is specified in that section. A reference in 259  
any provision of the Revised Code to a concealed handgun license 260  
issued under section 2923.1213 of the Revised Code, a license to 261  
carry a concealed handgun issued under section 2923.1213 of the 262  
Revised Code, or a license to carry a concealed handgun on a 263  
temporary emergency basis means only a license of the type that 264  
is specified in section 2923.1213 of the Revised Code. A 265  
reference in any provision of the Revised Code to a concealed 266  
handgun license issued by another state or a license to carry a 267  
concealed handgun issued by another state means only a license 268  
issued by another state with which the attorney general has 269  
entered into a reciprocity agreement under section 109.69 of the 270  
Revised Code. 271

(0) "Valid concealed handgun license" or "valid license to 272  
carry a concealed handgun" means a concealed handgun license 273  
that is currently valid, that is not under a suspension under 274  
division (A) (1) of section 2923.128 of the Revised Code, under 275  
section 2923.1213 of the Revised Code, or under a suspension 276  
provision of the state other than this state in which the 277  
license was issued, and that has not been revoked under division 278  
(B) (1) of section 2923.128 of the Revised Code, under section 279

2923.1213 of the Revised Code, or under a revocation provision 280  
of the state other than this state in which the license was 281  
issued. 282

(P) "Misdemeanor punishable by imprisonment for a term 283  
exceeding one year" does not include any of the following: 284

(1) Any federal or state offense pertaining to antitrust 285  
violations, unfair trade practices, restraints of trade, or 286  
other similar offenses relating to the regulation of business 287  
practices; 288

(2) Any misdemeanor offense punishable by a term of 289  
imprisonment of two years or less. 290

(Q) "Alien registration number" means the number issued by 291  
the United States citizenship and immigration services agency 292  
that is located on the alien's permanent resident card and may 293  
also be commonly referred to as the "USCIS number" or the "alien 294  
number." 295

(R) "Active duty" has the same meaning as defined in 10 296  
U.S.C. 101. 297

**Sec. 2923.12.** (A) No person shall knowingly carry or have, 298  
concealed on the person's person or concealed ready at hand, any 299  
of the following: 300

(1) A deadly weapon other than a handgun; 301

(2) A handgun other than a dangerous ordnance; 302

(3) A dangerous ordnance. 303

(B) No person who has been issued a concealed handgun 304  
license shall do any of the following: 305

(1) If the person is stopped for a law enforcement purpose 306

and is carrying a concealed handgun, fail to promptly inform any 307  
law enforcement officer who approaches the person after the 308  
person has been stopped that the person has been issued a 309  
concealed handgun license and that the person then is carrying a 310  
concealed handgun; 311

(2) If the person is stopped for a law enforcement purpose 312  
and is carrying a concealed handgun, knowingly fail to keep the 313  
person's hands in plain sight at any time after any law 314  
enforcement officer begins approaching the person while stopped 315  
and before the law enforcement officer leaves, unless the 316  
failure is pursuant to and in accordance with directions given 317  
by a law enforcement officer; 318

(3) If the person is stopped for a law enforcement 319  
purpose, if the person is carrying a concealed handgun, and if 320  
the person is approached by any law enforcement officer while 321  
stopped, knowingly remove or attempt to remove the loaded 322  
handgun from the holster, pocket, or other place in which the 323  
person is carrying it, knowingly grasp or hold the loaded 324  
handgun, or knowingly have contact with the loaded handgun by 325  
touching it with the person's hands or fingers at any time after 326  
the law enforcement officer begins approaching and before the 327  
law enforcement officer leaves, unless the person removes, 328  
attempts to remove, grasps, holds, or has contact with the 329  
loaded handgun pursuant to and in accordance with directions 330  
given by the law enforcement officer; 331

(4) If the person is stopped for a law enforcement purpose 332  
and is carrying a concealed handgun, knowingly disregard or fail 333  
to comply with any lawful order of any law enforcement officer 334  
given while the person is stopped, including, but not limited 335  
to, a specific order to the person to keep the person's hands in 336

plain sight. 337

(C) (1) This section does not apply to any of the 338  
following: 339

(a) An officer, agent, or employee of this or any other 340  
state or the United States, or to a law enforcement officer, who 341  
is authorized to carry concealed weapons or dangerous ordnance 342  
or is authorized to carry handguns and is acting within the 343  
scope of the officer's, agent's, or employee's duties; 344

(b) Any person who is employed in this state, who is 345  
authorized to carry concealed weapons or dangerous ordnance or 346  
is authorized to carry handguns, and who is subject to and in 347  
compliance with the requirements of section 109.801 of the 348  
Revised Code, unless the appointing authority of the person has 349  
expressly specified that the exemption provided in division (C) 350  
(1)(b) of this section does not apply to the person; 351

(c) A person's transportation or storage of a firearm, 352  
other than a firearm described in divisions (G) to (M) of 353  
section 2923.11 of the Revised Code, in a motor vehicle for any 354  
lawful purpose if the firearm is not on the actor's person; 355

(d) A person's storage or possession of a firearm, other 356  
than a firearm described in divisions (G) to (M) of section 357  
2923.11 of the Revised Code, in the actor's own home for any 358  
lawful purpose. 359

(2) Division (A) (2) of this section does not apply to any 360  
person who, at the time of the alleged carrying or possession of 361  
a handgun, either is carrying a valid concealed handgun license 362  
or is an active duty member of the armed forces of the United 363  
States and is carrying a valid military identification card and 364  
documentation of successful completion of firearms training that 365

meets or exceeds the training requirements described in division 366  
(G) (1) of section 2923.125 of the Revised Code, unless the 367  
person knowingly is in a place described in division (B) of 368  
section 2923.126 of the Revised Code. 369

(D) It is an affirmative defense to a charge under 370  
division (A) (1) of this section of carrying or having control of 371  
a weapon other than a handgun and other than a dangerous 372  
ordnance that the actor was not otherwise prohibited by law from 373  
having the weapon and that any of the following applies: 374

(1) The weapon was carried or kept ready at hand by the 375  
actor for defensive purposes while the actor was engaged in or 376  
was going to or from the actor's lawful business or occupation, 377  
which business or occupation was of a character or was 378  
necessarily carried on in a manner or at a time or place as to 379  
render the actor particularly susceptible to criminal attack, 380  
such as would justify a prudent person in going armed. 381

(2) The weapon was carried or kept ready at hand by the 382  
actor for defensive purposes while the actor was engaged in a 383  
lawful activity and had reasonable cause to fear a criminal 384  
attack upon the actor, a member of the actor's family, or the 385  
actor's home, such as would justify a prudent person in going 386  
armed. 387

(3) The weapon was carried or kept ready at hand by the 388  
actor for any lawful purpose and while in the actor's own home. 389

(E) No person who is charged with a violation of this 390  
section shall be required to obtain a concealed handgun license 391  
as a condition for the dismissal of the charge. 392

(F) (1) Whoever violates this section is guilty of carrying 393  
concealed weapons. Except as otherwise provided in this division 394

or ~~division~~divisions (F) (2) and (6) of this section, carrying 395  
concealed weapons in violation of division (A) of this section 396  
is a misdemeanor of the first degree. Except as otherwise 397  
provided in this division or ~~division~~divisions (F) (2) and (6) 398  
of this section, if the offender previously has been convicted 399  
of a violation of this section or of any offense of violence, if 400  
the weapon involved is a firearm that is either loaded or for 401  
which the offender has ammunition ready at hand, or if the 402  
weapon involved is dangerous ordnance, carrying concealed 403  
weapons in violation of division (A) of this section is a felony 404  
of the fourth degree. Except as otherwise provided in ~~division~~  
divisions (F) (2) and (6) of this section, if the offense is 405  
committed aboard an aircraft, or with purpose to carry a 406  
concealed weapon aboard an aircraft, regardless of the weapon 407  
involved, carrying concealed weapons in violation of division 408  
(A) of this section is a felony of the third degree. 409  
410

(2) ~~If~~ Except as provided in division (F) (6) of this 411  
section, if a person being arrested for a violation of division 412  
(A) (2) of this section promptly produces a valid concealed 413  
handgun license, and if at the time of the violation the person 414  
was not knowingly in a place described in division (B) of 415  
section 2923.126 of the Revised Code, the officer shall not 416  
arrest the person for a violation of that division. If the 417  
person is not able to promptly produce any concealed handgun 418  
license and if the person is not in a place described in that 419  
section, the officer may arrest the person for a violation of 420  
that division, and the offender shall be punished as follows: 421

(a) The offender shall be guilty of a minor misdemeanor if 422  
both of the following apply: 423

(i) Within ten days after the arrest, the offender 424

presents a concealed handgun license, which license was valid at 425  
the time of the arrest to the law enforcement agency that 426  
employs the arresting officer. 427

(ii) At the time of the arrest, the offender was not 428  
knowingly in a place described in division (B) of section 429  
2923.126 of the Revised Code. 430

(b) The offender shall be guilty of a misdemeanor and 431  
shall be fined five hundred dollars if all of the following 432  
apply: 433

(i) The offender previously had been issued a concealed 434  
handgun license, and that license expired within the two years 435  
immediately preceding the arrest. 436

(ii) Within forty-five days after the arrest, the offender 437  
presents a concealed handgun license to the law enforcement 438  
agency that employed the arresting officer, and the offender 439  
waives in writing the offender's right to a speedy trial on the 440  
charge of the violation that is provided in section 2945.71 of 441  
the Revised Code. 442

(iii) At the time of the commission of the offense, the 443  
offender was not knowingly in a place described in division (B) 444  
of section 2923.126 of the Revised Code. 445

(c) If ~~neither division~~ divisions (F) (2) (a) ~~nor~~ and (b) 446  
and (F) (6) of this section ~~applies~~ do not apply, the offender 447  
shall be punished under division (F) (1) of this section. 448

(3) Except as otherwise provided in this division, 449  
carrying concealed weapons in violation of division (B) (1) of 450  
this section is a misdemeanor of the first degree, and, in 451  
addition to any other penalty or sanction imposed for a 452  
violation of division (B) (1) of this section, the offender's 453



concealed handgun license shall be suspended pursuant to 454  
division (A) (2) of section 2923.128 of the Revised Code. If, at 455  
the time of the stop of the offender for a law enforcement 456  
purpose that was the basis of the violation, any law enforcement 457  
officer involved with the stop had actual knowledge that the 458  
offender has been issued a concealed handgun license, carrying 459  
concealed weapons in violation of division (B) (1) of this 460  
section is a minor misdemeanor, and the offender's concealed 461  
handgun license shall not be suspended pursuant to division (A) 462  
(2) of section 2923.128 of the Revised Code. 463

(4) Carrying concealed weapons in violation of division 464  
(B) (2) or (4) of this section is a misdemeanor of the first 465  
degree or, if the offender previously has been convicted of or 466  
pleaded guilty to a violation of division (B) (2) or (4) of this 467  
section, a felony of the fifth degree. In addition to any other 468  
penalty or sanction imposed for a misdemeanor violation of 469  
division (B) (2) or (4) of this section, the offender's concealed 470  
handgun license shall be suspended pursuant to division (A) (2) 471  
of section 2923.128 of the Revised Code. 472

(5) Carrying concealed weapons in violation of division 473  
(B) (3) of this section is a felony of the fifth degree. 474

(6) If a person being arrested for a violation of division 475  
(A) (2) of this section is an active duty member of the armed 476  
forces of the United States and is carrying a valid military 477  
identification card and documentation of successful completion 478  
of firearms training that meets or exceeds the training 479  
requirements described in division (G) (1) of section 2923.125 of 480  
the Revised Code, and if at the time of the violation the person 481  
was not knowingly in a place described in division (B) of 482  
section 2923.126 of the Revised Code, the officer shall not 483

arrest the person for a violation of that division. If the 484  
person is not able to promptly produce a valid military 485  
identification card and documentation of successful completion 486  
of firearms training that meets or exceeds the training 487  
requirements described in division (G) (1) of section 2923.125 of 488  
the Revised Code and if the person is not in a place described 489  
in division (B) of section 2923.126 of the Revised Code, the 490  
officer shall issue a citation and the offender shall be 491  
assessed a civil penalty of not more than five hundred dollars. 492  
The citation shall be automatically dismissed and the civil 493  
penalty shall not be assessed if both of the following apply: 494

(a) Within ten days after the issuance of the citation, 495  
the offender presents a valid military identification card and 496  
documentation of successful completion of firearms training that 497  
meets or exceeds the training requirements described in division 498  
(G) (1) of section 2923.125 of the Revised Code, which were both 499  
valid at the time of the issuance of the citation to the law 500  
enforcement agency that employs the citing officer. 501

(b) At the time of the citation, the offender was not 502  
knowingly in a place described in division (B) of section 503  
2923.126 of the Revised Code. 504

(G) If a law enforcement officer stops a person to 505  
question the person regarding a possible violation of this 506  
section, for a traffic stop, or for any other law enforcement 507  
purpose, if the person surrenders a firearm to the officer, 508  
either voluntarily or pursuant to a request or demand of the 509  
officer, and if the officer does not charge the person with a 510  
violation of this section or arrest the person for any offense, 511  
the person is not otherwise prohibited by law from possessing 512  
the firearm, and the firearm is not contraband, the officer 513

shall return the firearm to the person at the termination of the 514  
stop. If a court orders a law enforcement officer to return a 515  
firearm to a person pursuant to the requirement set forth in 516  
this division, division (B) of section 2923.163 of the Revised 517  
Code applies. 518

**Sec. 2923.121.** (A) No person shall possess a firearm in 519  
any room in which any person is consuming beer or intoxicating 520  
liquor in a premises for which a D permit has been issued under 521  
Chapter 4303. of the Revised Code or in an open air arena for 522  
which a permit of that nature has been issued. 523

(B) (1) This section does not apply to any of the 524  
following: 525

(a) An officer, agent, or employee of this or any other 526  
state or the United States, or to a law enforcement officer, who 527  
is authorized to carry firearms and is acting within the scope 528  
of the officer's, agent's, or employee's duties; 529

(b) Any person who is employed in this state, who is 530  
authorized to carry firearms, and who is subject to and in 531  
compliance with the requirements of section 109.801 of the 532  
Revised Code, unless the appointing authority of the person has 533  
expressly specified that the exemption provided in division (B) 534  
(1) (b) of this section does not apply to the person; 535

(c) Any room used for the accommodation of guests of a 536  
hotel, as defined in section 4301.01 of the Revised Code; 537

(d) The principal holder of a D permit issued for a 538  
premises or an open air arena under Chapter 4303. of the Revised 539  
Code while in the premises or open air arena for which the 540  
permit was issued if the principal holder of the D permit also 541  
possesses a valid concealed handgun license and as long as the 542

principal holder is not consuming beer or intoxicating liquor or 543  
under the influence of alcohol or a drug of abuse, or any agent 544  
or employee of that holder who also is a peace officer, as 545  
defined in section 2151.3515 of the Revised Code, who is off 546  
duty, and who otherwise is authorized to carry firearms while in 547  
the course of the officer's official duties and while in the 548  
premises or open air arena for which the permit was issued and 549  
as long as the agent or employee of that holder is not consuming 550  
beer or intoxicating liquor or under the influence of alcohol or 551  
a drug of abuse. 552

(e) Any person who is carrying a valid concealed handgun 553  
license or any person who is an active duty member of the armed 554  
forces of the United States and is carrying a valid military 555  
identification card and documentation of successful completion 556  
of firearms training that meets or exceeds the training 557  
requirements described in division (G) (1) of section 2923.125 of 558  
the Revised Code, as long as the person is not consuming beer or 559  
intoxicating liquor or under the influence of alcohol or a drug 560  
of abuse. 561

(2) This section does not prohibit any person who is a 562  
member of a veteran's organization, as defined in section 563  
2915.01 of the Revised Code, from possessing a rifle in any room 564  
in any premises owned, leased, or otherwise under the control of 565  
the veteran's organization, if the rifle is not loaded with live 566  
ammunition and if the person otherwise is not prohibited by law 567  
from having the rifle. 568

(3) This section does not apply to any person possessing 569  
or displaying firearms in any room used to exhibit unloaded 570  
firearms for sale or trade in a soldiers' memorial established 571  
pursuant to Chapter 345. of the Revised Code, in a convention 572

center, or in any other public meeting place, if the person is 573  
an exhibitor, trader, purchaser, or seller of firearms and is 574  
not otherwise prohibited by law from possessing, trading, 575  
purchasing, or selling the firearms. 576

(C) It is an affirmative defense to a charge under this 577  
section of illegal possession of a firearm in a liquor permit 578  
premises that involves the possession of a firearm other than a 579  
handgun, that the actor was not otherwise prohibited by law from 580  
having the firearm, and that any of the following apply: 581

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

(2) The firearm was carried or kept ready at hand by the 589  
actor for defensive purposes, while the actor was engaged in a 590  
lawful activity, and had reasonable cause to fear a criminal 591  
attack upon the actor or a member of the actor's family, or upon 592  
the actor's home, such as would justify a prudent person in 593  
going armed. 594

(D) No person who is charged with a violation of this 595  
section shall be required to obtain a concealed handgun license 596  
as a condition for the dismissal of the charge. 597

(E) Whoever violates this section is guilty of illegal 598  
possession of a firearm in a liquor permit premises. Except as 599  
otherwise provided in this division, illegal possession of a 600  
firearm in a liquor permit premises is a felony of the fifth 601

degree. If the offender commits the violation of this section by 602  
knowingly carrying or having the firearm concealed on the 603  
offender's person or concealed ready at hand, illegal possession 604  
of a firearm in a liquor permit premises is a felony of the 605  
third degree. 606

(F) As used in this section, "beer" and "intoxicating 607  
liquor" have the same meanings as in section 4301.01 of the 608  
Revised Code. 609

**Sec. 2923.122.** (A) No person shall knowingly convey, or 610  
attempt to convey, a deadly weapon or dangerous ordnance into a 611  
school safety zone. 612

(B) No person shall knowingly possess a deadly weapon or 613  
dangerous ordnance in a school safety zone. 614

(C) No person shall knowingly possess an object in a 615  
school safety zone if both of the following apply: 616

(1) The object is indistinguishable from a firearm, 617  
whether or not the object is capable of being fired. 618

(2) The person indicates that the person possesses the 619  
object and that it is a firearm, or the person knowingly 620  
displays or brandishes the object and indicates that it is a 621  
firearm. 622

(D) (1) This section does not apply to any of the 623  
following: 624

(a) An officer, agent, or employee of this or any other 625  
state or the United States, or a law enforcement officer, who is 626  
authorized to carry deadly weapons or dangerous ordnance and is 627  
acting within the scope of the officer's, agent's, or employee's 628  
duties, a security officer employed by a board of education or 629

governing body of a school during the time that the security 630  
officer is on duty pursuant to that contract of employment, or 631  
any other person who has written authorization from the board of 632  
education or governing body of a school to convey deadly weapons 633  
or dangerous ordnance into a school safety zone or to possess a 634  
deadly weapon or dangerous ordnance in a school safety zone and 635  
who conveys or possesses the deadly weapon or dangerous ordnance 636  
in accordance with that authorization; 637

(b) Any person who is employed in this state, who is 638  
authorized to carry deadly weapons or dangerous ordnance, and 639  
who is subject to and in compliance with the requirements of 640  
section 109.801 of the Revised Code, unless the appointing 641  
authority of the person has expressly specified that the 642  
exemption provided in division (D)(1)(b) of this section does 643  
not apply to the person. 644

(2) Division (C) of this section does not apply to 645  
premises upon which home schooling is conducted. Division (C) of 646  
this section also does not apply to a school administrator, 647  
teacher, or employee who possesses an object that is 648  
indistinguishable from a firearm for legitimate school purposes 649  
during the course of employment, a student who uses an object 650  
that is indistinguishable from a firearm under the direction of 651  
a school administrator, teacher, or employee, or any other 652  
person who with the express prior approval of a school 653  
administrator possesses an object that is indistinguishable from 654  
a firearm for a legitimate purpose, including the use of the 655  
object in a ceremonial activity, a play, reenactment, or other 656  
dramatic presentation, or a ROTC activity or another similar use 657  
of the object. 658

(3) This section does not apply to a person who conveys or 659

attempts to convey a handgun into, or possesses a handgun in, a school safety zone if, at the time of that conveyance, attempted conveyance, or possession of the handgun, all of the following apply:

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

(b) The person is carrying a valid concealed handgun license or the person is an active duty member of the armed forces of the United States and is carrying 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.

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

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

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

(a) The person is carrying a valid concealed handgun license or the person is an active duty member of the armed forces of the United States and is carrying 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. 689

(b) The person is the driver or passenger in a motor 690  
vehicle and is in the school safety zone while immediately in 691  
the process of picking up or dropping off a child. 692

(c) The person is not in violation of section 2923.16 of 693  
the Revised Code. 694

(E) (1) Whoever violates division (A) or (B) of this 695  
section is guilty of illegal conveyance or possession of a 696  
deadly weapon or dangerous ordnance in a school safety zone. 697  
Except as otherwise provided in this division, illegal 698  
conveyance or possession of a deadly weapon or dangerous 699  
ordnance in a school safety zone is a felony of the fifth 700  
degree. If the offender previously has been convicted of a 701  
violation of this section, illegal conveyance or possession of a 702  
deadly weapon or dangerous ordnance in a school safety zone is a 703  
felony of the fourth degree. 704

(2) Whoever violates division (C) of this section is 705  
guilty of illegal possession of an object indistinguishable from 706  
a firearm in a school safety zone. Except as otherwise provided 707  
in this division, illegal possession of an object 708  
indistinguishable from a firearm in a school safety zone is a 709  
misdemeanor of the first degree. If the offender previously has 710  
been convicted of a violation of this section, illegal 711  
possession of an object indistinguishable from a firearm in a 712  
school safety zone is a felony of the fifth degree. 713

(F) (1) In addition to any other penalty imposed upon a 714  
person who is convicted of or pleads guilty to a violation of 715  
this section and subject to division (F) (2) of this section, if 716  
the offender has not attained nineteen years of age, regardless 717

of whether the offender is attending or is enrolled in a school 718  
operated by a board of education or for which the state board of 719  
education prescribes minimum standards under section 3301.07 of 720  
the Revised Code, the court shall impose upon the offender a 721  
class four suspension of the offender's probationary driver's 722  
license, restricted license, driver's license, commercial 723  
driver's license, temporary instruction permit, or probationary 724  
commercial driver's license that then is in effect from the 725  
range specified in division (A)(4) of section 4510.02 of the 726  
Revised Code and shall deny the offender the issuance of any 727  
permit or license of that type during the period of the 728  
suspension. 729

If the offender is not a resident of this state, the court 730  
shall impose a class four suspension of the nonresident 731  
operating privilege of the offender from the range specified in 732  
division (A)(4) of section 4510.02 of the Revised Code. 733

(2) If the offender shows good cause why the court should 734  
not suspend one of the types of licenses, permits, or privileges 735  
specified in division (F)(1) of this section or deny the 736  
issuance of one of the temporary instruction permits specified 737  
in that division, the court in its discretion may choose not to 738  
impose the suspension, revocation, or denial required in that 739  
division, but the court, in its discretion, instead may require 740  
the offender to perform community service for a number of hours 741  
determined by the court. 742

(G) As used in this section, "object that is 743  
indistinguishable from a firearm" means an object made, 744  
constructed, or altered so that, to a reasonable person without 745  
specialized training in firearms, the object appears to be a 746  
firearm. 747

**Sec. 2923.123.** (A) No person shall knowingly convey or 748  
attempt to convey a deadly weapon or dangerous ordnance into a 749  
courthouse or into another building or structure in which a 750  
courtroom is located. 751

(B) No person shall knowingly possess or have under the 752  
person's control a deadly weapon or dangerous ordnance in a 753  
courthouse or in another building or structure in which a 754  
courtroom is located. 755

(C) This section does not apply to any of the following: 756

(1) Except as provided in division (E) of this section, a 757  
judge of a court of record of this state or a magistrate; 758

(2) A peace officer, officer of a law enforcement agency, 759  
or person who is in either of the following categories: 760

(a) Except as provided in division (E) of this section, a 761  
peace officer, or an officer of a law enforcement agency of 762  
another state, a political subdivision of another state, or the 763  
United States, who is authorized to carry a deadly weapon or 764  
dangerous ordnance, who possesses or has under that individual's 765  
control a deadly weapon or dangerous ordnance as a requirement 766  
of that individual's duties, and who is acting within the scope 767  
of that individual's duties at the time of that possession or 768  
control; 769

(b) Except as provided in division (E) of this section, a 770  
person who is employed in this state, who is authorized to carry 771  
a deadly weapon or dangerous ordnance, who possesses or has 772  
under that individual's control a deadly weapon or dangerous 773  
ordnance as a requirement of that person's duties, and who is 774  
subject to and in compliance with the requirements of section 775  
109.801 of the Revised Code, unless the appointing authority of 776

the person has expressly specified that the exemption provided 777  
in division (C) (2) (b) of this section does not apply to the 778  
person. 779

(3) A person who conveys, attempts to convey, possesses, 780  
or has under the person's control a deadly weapon or dangerous 781  
ordnance that is to be used as evidence in a pending criminal or 782  
civil action or proceeding; 783

(4) Except as provided in division (E) of this section, a 784  
bailiff or deputy bailiff of a court of record of this state who 785  
is authorized to carry a firearm pursuant to section 109.77 of 786  
the Revised Code, who possesses or has under that individual's 787  
control a firearm as a requirement of that individual's duties, 788  
and who is acting within the scope of that individual's duties 789  
at the time of that possession or control; 790

(5) Except as provided in division (E) of this section, a 791  
prosecutor, or a secret service officer appointed by a county 792  
prosecuting attorney, who is authorized to carry a deadly weapon 793  
or dangerous ordnance in the performance of the individual's 794  
duties, who possesses or has under that individual's control a 795  
deadly weapon or dangerous ordnance as a requirement of that 796  
individual's duties, and who is acting within the scope of that 797  
individual's duties at the time of that possession or control; 798

(6) Except as provided in division (E) of this section, a 799  
person who conveys or attempts to convey a handgun into a 800  
courthouse or into another building or structure in which a 801  
courtroom is located, who, at the time of the conveyance or 802  
attempt, either is carrying a valid concealed handgun license or 803  
is an active duty member of the armed forces of the United 804  
States and is carrying a valid military identification card and 805  
documentation of successful completion of firearms training that 806

meets or exceeds the training requirements described in division 807  
(G) (1) of section 2923.125 of the Revised Code, and who 808  
transfers possession of the handgun to the officer or officer's 809  
designee who has charge of the courthouse or building. The 810  
officer shall secure the handgun until the licensee is prepared 811  
to leave the premises. The exemption described in this division 812  
applies only if the officer who has charge of the courthouse or 813  
building provides services of the nature described in this 814  
division. An officer who has charge of the courthouse or 815  
building is not required to offer services of the nature 816  
described in this division. 817

(D) (1) Whoever violates division (A) of this section is 818  
guilty of illegal conveyance of a deadly weapon or dangerous 819  
ordnance into a courthouse. Except as otherwise provided in this 820  
division, illegal conveyance of a deadly weapon or dangerous 821  
ordnance into a courthouse is a felony of the fifth degree. If 822  
the offender previously has been convicted of a violation of 823  
division (A) or (B) of this section, illegal conveyance of a 824  
deadly weapon or dangerous ordnance into a courthouse is a 825  
felony of the fourth degree. 826

(2) Whoever violates division (B) of this section is 827  
guilty of illegal possession or control of a deadly weapon or 828  
dangerous ordnance in a courthouse. Except as otherwise provided 829  
in this division, illegal possession or control of a deadly 830  
weapon or dangerous ordnance in a courthouse is a felony of the 831  
fifth degree. If the offender previously has been convicted of a 832  
violation of division (A) or (B) of this section, illegal 833  
possession or control of a deadly weapon or dangerous ordnance 834  
in a courthouse is a felony of the fourth degree. 835

(E) The exemptions described in divisions (C) (1), (2) (a), 836

(2) (b), (4), (5), and (6) of this section do not apply to any 837  
judge, magistrate, peace officer, officer of a law enforcement 838  
agency, bailiff, deputy bailiff, prosecutor, secret service 839  
officer, or other person described in any of those divisions if 840  
a rule of superintendence or another type of rule adopted by the 841  
supreme court pursuant to Article IV, Ohio Constitution, or an 842  
applicable local rule of court prohibits all persons from 843  
conveying or attempting to convey a deadly weapon or dangerous 844  
ordnance into a courthouse or into another building or structure 845  
in which a courtroom is located or from possessing or having 846  
under one's control a deadly weapon or dangerous ordnance in a 847  
courthouse or in another building or structure in which a 848  
courtroom is located. 849

(F) As used in this section: 850

(1) "Magistrate" means an individual who is appointed by a 851  
court of record of this state and who has the powers and may 852  
perform the functions specified in Civil Rule 53, Criminal Rule 853  
19, or Juvenile Rule 40. 854

(2) "Peace officer" and "prosecutor" have the same 855  
meanings as in section 2935.01 of the Revised Code. 856

**Sec. 2923.126.** (A) A concealed handgun license that is 857  
issued under section 2923.125 of the Revised Code shall expire 858  
five years after the date of issuance. A licensee who has been 859  
issued a license under that section shall be granted a grace 860  
period of thirty days after the licensee's license expires 861  
during which the licensee's license remains valid. Except as 862  
provided in divisions (B) and (C) of this section, a licensee 863  
who has been issued a concealed handgun license under section 864  
2923.125 or 2923.1213 of the Revised Code may carry a concealed 865  
handgun anywhere in this state if the licensee also carries a 866

valid license and valid identification when the licensee is in 867  
actual possession of a concealed handgun. The licensee shall 868  
give notice of any change in the licensee's residence address to 869  
the sheriff who issued the license within forty-five days after 870  
that change. 871

If a licensee is the driver or an occupant of a motor 872  
vehicle that is stopped as the result of a traffic stop or a 873  
stop for another law enforcement purpose and if the licensee is 874  
transporting or has a loaded handgun in the motor vehicle at 875  
that time, the licensee shall promptly inform any law 876  
enforcement officer who approaches the vehicle while stopped 877  
that the licensee has been issued a concealed handgun license 878  
and that the licensee currently possesses or has a loaded 879  
handgun; the licensee shall not knowingly disregard or fail to 880  
comply with lawful orders of a law enforcement officer given 881  
while the motor vehicle is stopped, knowingly fail to remain in 882  
the motor vehicle while stopped, or knowingly fail to keep the 883  
licensee's hands in plain sight after any law enforcement 884  
officer begins approaching the licensee while stopped and before 885  
the officer leaves, unless directed otherwise by a law 886  
enforcement officer; and the licensee shall not knowingly have 887  
contact with the loaded handgun by touching it with the 888  
licensee's hands or fingers, in any manner in violation of 889  
division (E) of section 2923.16 of the Revised Code, after any 890  
law enforcement officer begins approaching the licensee while 891  
stopped and before the officer leaves. Additionally, if a 892  
licensee is the driver or an occupant of a commercial motor 893  
vehicle that is stopped by an employee of the motor carrier 894  
enforcement unit for the purposes defined in section ~~5503.04~~ 895  
5503.34 of the Revised Code and if the licensee is transporting 896  
or has a loaded handgun in the commercial motor vehicle at that 897

time, the licensee shall promptly inform the employee of the 898  
unit who approaches the vehicle while stopped that the licensee 899  
has been issued a concealed handgun license and that the 900  
licensee currently possesses or has a loaded handgun. 901

If a licensee is stopped for a law enforcement purpose and 902  
if the licensee is carrying a concealed handgun at the time the 903  
officer approaches, the licensee shall promptly inform any law 904  
enforcement officer who approaches the licensee while stopped 905  
that the licensee has been issued a concealed handgun license 906  
and that the licensee currently is carrying a concealed handgun; 907  
the licensee shall not knowingly disregard or fail to comply 908  
with lawful orders of a law enforcement officer given while the 909  
licensee is stopped or knowingly fail to keep the licensee's 910  
hands in plain sight after any law enforcement officer begins 911  
approaching the licensee while stopped and before the officer 912  
leaves, unless directed otherwise by a law enforcement officer; 913  
and the licensee shall not knowingly remove, attempt to remove, 914  
grasp, or hold the loaded handgun or knowingly have contact with 915  
the loaded handgun by touching it with the licensee's hands or 916  
fingers, in any manner in violation of division (B) of section 917  
2923.12 of the Revised Code, after any law enforcement officer 918  
begins approaching the licensee while stopped and before the 919  
officer leaves. 920

(B) A valid concealed handgun license does not authorize 921  
the licensee to carry a concealed handgun in any manner 922  
prohibited under division (B) of section 2923.12 of the Revised 923  
Code or in any manner prohibited under section 2923.16 of the 924  
Revised Code. A valid license does not authorize the licensee to 925  
carry a concealed handgun into any of the following places: 926

(1) A police station, sheriff's office, or state highway 927



patrol station, premises controlled by the bureau of criminal	928
identification and investigation, a state correctional	929
institution, jail, workhouse, or other detention facility, an	930
airport passenger terminal, or an institution that is	931
maintained, operated, managed, and governed pursuant to division	932
(A) of section 5119.14 of the Revised Code or division (A) (1) of	933
section 5123.03 of the Revised Code;	934
(2) A school safety zone if the licensee's carrying the	935
concealed handgun is in violation of section 2923.122 of the	936
Revised Code;	937
(3) A courthouse or another building or structure in which	938
a courtroom is located, in violation of section 2923.123 of the	939
Revised Code;	940
(4) Any premises or open air arena for which a D permit	941
has been issued under Chapter 4303. of the Revised Code if the	942
licensee's carrying the concealed handgun is in violation of	943
section 2923.121 of the Revised Code;	944
(5) Any premises owned or leased by any public or private	945
college, university, or other institution of higher education,	946
unless the handgun is in a locked motor vehicle or the licensee	947
is in the immediate process of placing the handgun in a locked	948
motor vehicle;	949
(6) Any church, synagogue, mosque, or other place of	950
worship, unless the church, synagogue, mosque, or other place of	951
worship posts or permits otherwise;	952
(7) A child day-care center, a type A family day-care	953
home, or a type B family day-care home, except that this	954
division does not prohibit a licensee who resides in a type A	955
family day-care home or a type B family day-care home from	956

carrying a concealed handgun at any time in any part of the home 957  
that is not dedicated or used for day-care purposes, or from 958  
carrying a concealed handgun in a part of the home that is 959  
dedicated or used for day-care purposes at any time during which 960  
no children, other than children of that licensee, are in the 961  
home; 962

(8) An aircraft that is in, or intended for operation in, 963  
foreign air transportation, interstate air transportation, 964  
intrastate air transportation, or the transportation of mail by 965  
aircraft; 966

(9) Any building that is a government facility of this 967  
state or a political subdivision of this state and that is not a 968  
building that is used primarily as a shelter, restroom, parking 969  
facility for motor vehicles, or rest facility and is not a 970  
courthouse or other building or structure in which a courtroom 971  
is located that is subject to division (B)(3) of this section; 972

(10) A place in which federal law prohibits the carrying 973  
of handguns. 974

(C)(1) Nothing in this section shall negate or restrict a 975  
rule, policy, or practice of a private employer that is not a 976  
private college, university, or other institution of higher 977  
education concerning or prohibiting the presence of firearms on 978  
the private employer's premises or property, including motor 979  
vehicles owned by the private employer. Nothing in this section 980  
shall require a private employer of that nature to adopt a rule, 981  
policy, or practice concerning or prohibiting the presence of 982  
firearms on the private employer's premises or property, 983  
including motor vehicles owned by the private employer. 984

(2)(a) A private employer shall be immune from liability 985

in a civil action for any injury, death, or loss to person or 986  
property that allegedly was caused by or related to a licensee 987  
bringing a handgun onto the premises or property of the private 988  
employer, including motor vehicles owned by the private 989  
employer, unless the private employer acted with malicious 990  
purpose. A private employer is immune from liability in a civil 991  
action for any injury, death, or loss to person or property that 992  
allegedly was caused by or related to the private employer's 993  
decision to permit a licensee to bring, or prohibit a licensee 994  
from bringing, a handgun onto the premises or property of the 995  
private employer. As used in this division, "private employer" 996  
includes a private college, university, or other institution of 997  
higher education. 998

(b) A political subdivision shall be immune from liability 999  
in a civil action, to the extent and in the manner provided in 1000  
Chapter 2744. of the Revised Code, for any injury, death, or 1001  
loss to person or property that allegedly was caused by or 1002  
related to a licensee bringing a handgun onto any premises or 1003  
property owned, leased, or otherwise under the control of the 1004  
political subdivision. As used in this division, "political 1005  
subdivision" has the same meaning as in section 2744.01 of the 1006  
Revised Code. 1007

(3) (a) Except as provided in division (C) (3) (b) of this 1008  
section, the owner or person in control of private land or 1009  
premises, and a private person or entity leasing land or 1010  
premises owned by the state, the United States, or a political 1011  
subdivision of the state or the United States, may post a sign 1012  
in a conspicuous location on that land or on those premises 1013  
prohibiting persons from carrying firearms or concealed firearms 1014  
on or onto that land or those premises. Except as otherwise 1015  
provided in this division, a person who knowingly violates a 1016

posted prohibition of that nature is guilty of criminal trespass 1017  
in violation of division (A) (4) of section 2911.21 of the 1018  
Revised Code and is guilty of a misdemeanor of the fourth 1019  
degree. If a person knowingly violates a posted prohibition of 1020  
that nature and the posted land or premises primarily was a 1021  
parking lot or other parking facility, the person is not guilty 1022  
of criminal trespass under section 2911.21 of the Revised Code 1023  
or under any other criminal law of this state or criminal law, 1024  
ordinance, or resolution of a political subdivision of this 1025  
state, and instead is subject only to a civil cause of action 1026  
for trespass based on the violation. 1027

(b) A landlord may not prohibit or restrict a tenant who 1028  
is a licensee and who on or after September 9, 2008, enters into 1029  
a rental agreement with the landlord for the use of residential 1030  
premises, and the tenant's guest while the tenant is present, 1031  
from lawfully carrying or possessing a handgun on those 1032  
residential premises. 1033

(c) As used in division (C) (3) of this section: 1034

(i) "Residential premises" has the same meaning as in 1035  
section 5321.01 of the Revised Code, except "residential 1036  
premises" does not include a dwelling unit that is owned or 1037  
operated by a college or university. 1038

(ii) "Landlord," "tenant," and "rental agreement" have the 1039  
same meanings as in section 5321.01 of the Revised Code. 1040

(D) A person who holds a valid concealed handgun license 1041  
issued by another state that is recognized by the attorney 1042  
general pursuant to a reciprocity agreement entered into 1043  
pursuant to section 109.69 of the Revised Code or a person who 1044  
holds a valid concealed handgun license under the circumstances 1045

described in division (B) of section 109.69 of the Revised Code 1046  
has the same right to carry a concealed handgun in this state as 1047  
a person who was issued a concealed handgun license under 1048  
section 2923.125 of the Revised Code and is subject to the same 1049  
restrictions that apply to a person who carries a license issued 1050  
under that section. 1051

(E) (1) A peace officer has the same right to carry a 1052  
concealed handgun in this state as a person who was issued a 1053  
concealed handgun license under section 2923.125 of the Revised 1054  
Code. For purposes of reciprocity with other states, a peace 1055  
officer shall be considered to be a licensee in this state. 1056

(2) An active duty member of the armed forces of the 1057  
United States who is carrying a valid military identification 1058  
card and documentation of successful completion of firearms 1059  
training that meets or exceeds the training requirements 1060  
described in division (G) (1) of section 2923.125 of the Revised 1061  
Code has the same right to carry a concealed handgun in this 1062  
state as a person who was issued a concealed handgun license 1063  
under section 2923.125 of the Revised Code and is subject to the 1064  
same restrictions as specified in this section. 1065

(F) (1) A qualified retired peace officer who possesses a 1066  
retired peace officer identification card issued pursuant to 1067  
division (F) (2) of this section and a valid firearms 1068  
requalification certification issued pursuant to division (F) (3) 1069  
of this section has the same right to carry a concealed handgun 1070  
in this state as a person who was issued a concealed handgun 1071  
license under section 2923.125 of the Revised Code and is 1072  
subject to the same restrictions that apply to a person who 1073  
carries a license issued under that section. For purposes of 1074  
reciprocity with other states, a qualified retired peace officer 1075

who possesses a retired peace officer identification card issued 1076  
pursuant to division (F) (2) of this section and a valid firearms 1077  
requalification certification issued pursuant to division (F) (3) 1078  
of this section shall be considered to be a licensee in this 1079  
state. 1080

(2) (a) Each public agency of this state or of a political 1081  
subdivision of this state that is served by one or more peace 1082  
officers shall issue a retired peace officer identification card 1083  
to any person who retired from service as a peace officer with 1084  
that agency, if the issuance is in accordance with the agency's 1085  
policies and procedures and if the person, with respect to the 1086  
person's service with that agency, satisfies all of the 1087  
following: 1088

(i) The person retired in good standing from service as a 1089  
peace officer with the public agency, and the retirement was not 1090  
for reasons of mental instability. 1091

(ii) Before retiring from service as a peace officer with 1092  
that agency, the person was authorized to engage in or supervise 1093  
the prevention, detection, investigation, or prosecution of, or 1094  
the incarceration of any person for, any violation of law and 1095  
the person had statutory powers of arrest. 1096

(iii) At the time of the person's retirement as a peace 1097  
officer with that agency, the person was trained and qualified 1098  
to carry firearms in the performance of the peace officer's 1099  
duties. 1100

(iv) Before retiring from service as a peace officer with 1101  
that agency, the person was regularly employed as a peace 1102  
officer for an aggregate of fifteen years or more, or, in the 1103  
alternative, the person retired from service as a peace officer 1104

with that agency, after completing any applicable probationary 1105  
period of that service, due to a service-connected disability, 1106  
as determined by the agency. 1107

(b) A retired peace officer identification card issued to 1108  
a person under division (F) (2) (a) of this section shall identify 1109  
the person by name, contain a photograph of the person, identify 1110  
the public agency of this state or of the political subdivision 1111  
of this state from which the person retired as a peace officer 1112  
and that is issuing the identification card, and specify that 1113  
the person retired in good standing from service as a peace 1114  
officer with the issuing public agency and satisfies the 1115  
criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 1116  
section. In addition to the required content specified in this 1117  
division, a retired peace officer identification card issued to 1118  
a person under division (F) (2) (a) of this section may include 1119  
the firearms requalification certification described in division 1120  
(F) (3) of this section, and if the identification card includes 1121  
that certification, the identification card shall serve as the 1122  
firearms requalification certification for the retired peace 1123  
officer. If the issuing public agency issues credentials to 1124  
active law enforcement officers who serve the agency, the agency 1125  
may comply with division (F) (2) (a) of this section by issuing 1126  
the same credentials to persons who retired from service as a 1127  
peace officer with the agency and who satisfy the criteria set 1128  
forth in divisions (F) (2) (a) (i) to (iv) of this section, 1129  
provided that the credentials so issued to retired peace 1130  
officers are stamped with the word "RETIRED." 1131

(c) A public agency of this state or of a political 1132  
subdivision of this state may charge persons who retired from 1133  
service as a peace officer with the agency a reasonable fee for 1134  
issuing to the person a retired peace officer identification 1135

card pursuant to division (F)(2)(a) of this section. 1136

(3) If a person retired from service as a peace officer 1137  
with a public agency of this state or of a political subdivision 1138  
of this state and the person satisfies the criteria set forth in 1139  
divisions (F)(2)(a)(i) to (iv) of this section, the public 1140  
agency may provide the retired peace officer with the 1141  
opportunity to attend a firearms requalification program that is 1142  
approved for purposes of firearms requalification required under 1143  
section 109.801 of the Revised Code. The retired peace officer 1144  
may be required to pay the cost of the course. 1145

If a retired peace officer who satisfies the criteria set 1146  
forth in divisions (F)(2)(a)(i) to (iv) of this section attends 1147  
a firearms requalification program that is approved for purposes 1148  
of firearms requalification required under section 109.801 of 1149  
the Revised Code, the retired peace officer's successful 1150  
completion of the firearms requalification program requalifies 1151  
the retired peace officer for purposes of division (F) of this 1152  
section for five years from the date on which the program was 1153  
successfully completed, and the requalification is valid during 1154  
that five-year period. If a retired peace officer who satisfies 1155  
the criteria set forth in divisions (F)(2)(a)(i) to (iv) of this 1156  
section satisfactorily completes such a firearms requalification 1157  
program, the retired peace officer shall be issued a firearms 1158  
requalification certification that identifies the retired peace 1159  
officer by name, identifies the entity that taught the program, 1160  
specifies that the retired peace officer successfully completed 1161  
the program, specifies the date on which the course was 1162  
successfully completed, and specifies that the requalification 1163  
is valid for five years from that date of successful completion. 1164  
The firearms requalification certification for a retired peace 1165  
officer may be included in the retired peace officer 1166



identification card issued to the retired peace officer under 1167  
division (F) (2) of this section. 1168

A retired peace officer who attends a firearms 1169  
requalification program that is approved for purposes of 1170  
firearms requalification required under section 109.801 of the 1171  
Revised Code may be required to pay the cost of the program. 1172

(G) As used in this section: 1173

(1) "Qualified retired peace officer" means a person who 1174  
satisfies all of the following: 1175

(a) The person satisfies the criteria set forth in 1176  
divisions (F) (2) (a) (i) to (v) of this section. 1177

(b) The person is not under the influence of alcohol or 1178  
another intoxicating or hallucinatory drug or substance. 1179

(c) The person is not prohibited by federal law from 1180  
receiving firearms. 1181

(2) "Retired peace officer identification card" means an 1182  
identification card that is issued pursuant to division (F) (2) 1183  
of this section to a person who is a retired peace officer. 1184

(3) "Government facility of this state or a political 1185  
subdivision of this state" means any of the following: 1186

(a) A building or part of a building that is owned or 1187  
leased by the government of this state or a political 1188  
subdivision of this state and where employees of the government 1189  
of this state or the political subdivision regularly are present 1190  
for the purpose of performing their official duties as employees 1191  
of the state or political subdivision; 1192

(b) The office of a deputy registrar serving pursuant to 1193

Chapter 4503. of the Revised Code that is used to perform deputy registrar functions.	1194 1195
<b>Sec. 2923.16.</b> (A) No person shall knowingly discharge a firearm while in or on a motor vehicle.	1196 1197
(B) No person shall knowingly transport or have a loaded firearm in a motor vehicle in such a manner that the firearm is accessible to the operator or any passenger without leaving the vehicle.	1198 1199 1200 1201
(C) No person shall knowingly transport or have a firearm in a motor vehicle, unless the person may lawfully possess that firearm under applicable law of this state or the United States, the firearm is unloaded, and the firearm is carried in one of the following ways:	1202 1203 1204 1205 1206
(1) In a closed package, box, or case;	1207
(2) In a compartment that can be reached only by leaving the vehicle;	1208 1209
(3) In plain sight and secured in a rack or holder made for the purpose;	1210 1211
(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.	1212 1213 1214 1215 1216 1217 1218
(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:	1219 1220 1221

(1) The person is under the influence of alcohol, a drug 1222  
of abuse, or a combination of them. 1223

(2) The person's whole blood, blood serum or plasma, 1224  
breath, or urine contains a concentration of alcohol, a listed 1225  
controlled substance, or a listed metabolite of a controlled 1226  
substance prohibited for persons operating a vehicle, as 1227  
specified in division (A) of section 4511.19 of the Revised 1228  
Code, regardless of whether the person at the time of the 1229  
transportation or possession as described in this division is 1230  
the operator of or a passenger in the motor vehicle. 1231

(E) No person who has been issued a concealed handgun 1232  
license or who is an active duty member of the armed forces of 1233  
the United States and is carrying a valid military 1234  
identification card and documentation of successful completion 1235  
of firearms training that meets or exceeds the training 1236  
requirements described in division (G) (1) of section 2923.125 of 1237  
the Revised Code, who is the driver or an occupant of a motor 1238  
vehicle that is stopped as a result of a traffic stop or a stop 1239  
for another law enforcement purpose or is the driver or an 1240  
occupant of a commercial motor vehicle that is stopped by an 1241  
employee of the motor carrier enforcement unit for the purposes 1242  
defined in section 5503.34 of the Revised Code, and who is 1243  
transporting or has a loaded handgun in the motor vehicle or 1244  
commercial motor vehicle in any manner, shall do any of the 1245  
following: 1246

(1) Fail to promptly inform any law enforcement officer 1247  
who approaches the vehicle while stopped that the person has 1248  
been issued a concealed handgun license and that the person then 1249  
possesses or has a loaded handgun in the motor vehicle; 1250

(2) Fail to promptly inform the employee of the unit who 1251

approaches the vehicle while stopped that the person has been 1252  
issued a concealed handgun license and that the person then 1253  
possesses or has a loaded handgun in the commercial motor 1254  
vehicle; 1255

(3) Knowingly fail to remain in the motor vehicle while 1256  
stopped or knowingly fail to keep the person's hands in plain 1257  
sight at any time after any law enforcement officer begins 1258  
approaching the person while stopped and before the law 1259  
enforcement officer leaves, unless the failure is pursuant to 1260  
and in accordance with directions given by a law enforcement 1261  
officer; 1262

(4) Knowingly have contact with the loaded handgun by 1263  
touching it with the person's hands or fingers in the motor 1264  
vehicle at any time after the law enforcement officer begins 1265  
approaching and before the law enforcement officer leaves, 1266  
unless the person has contact with the loaded handgun pursuant 1267  
to and in accordance with directions given by the law 1268  
enforcement officer; 1269

(5) Knowingly disregard or fail to comply with any lawful 1270  
order of any law enforcement officer given while the motor 1271  
vehicle is stopped, including, but not limited to, a specific 1272  
order to the person to keep the person's hands in plain sight. 1273

(F) (1) Divisions (A), (B), (C), and (E) of this section do 1274  
not apply to any of the following: 1275

(a) An officer, agent, or employee of this or any other 1276  
state or the United States, or a law enforcement officer, when 1277  
authorized to carry or have loaded or accessible firearms in 1278  
motor vehicles and acting within the scope of the officer's, 1279  
agent's, or employee's duties; 1280

(b) Any person who is employed in this state, who is 1281  
authorized to carry or have loaded or accessible firearms in 1282  
motor vehicles, and who is subject to and in compliance with the 1283  
requirements of section 109.801 of the Revised Code, unless the 1284  
appointing authority of the person has expressly specified that 1285  
the exemption provided in division (F) (1) (b) of this section 1286  
does not apply to the person. 1287

(2) Division (A) of this section does not apply to a 1288  
person if all of the following circumstances apply: 1289

(a) The person discharges a firearm from a motor vehicle 1290  
at a coyote or groundhog, the discharge is not during the deer 1291  
gun hunting season as set by the chief of the division of 1292  
wildlife of the department of natural resources, and the 1293  
discharge at the coyote or groundhog, but for the operation of 1294  
this section, is lawful. 1295

(b) The motor vehicle from which the person discharges the 1296  
firearm is on real property that is located in an unincorporated 1297  
area of a township and that either is zoned for agriculture or 1298  
is used for agriculture. 1299

(c) The person owns the real property described in 1300  
division (F) (2) (b) of this section, is the spouse or a child of 1301  
another person who owns that real property, is a tenant of 1302  
another person who owns that real property, or is the spouse or 1303  
a child of a tenant of another person who owns that real 1304  
property. 1305

(d) The person does not discharge the firearm in any of 1306  
the following manners: 1307

(i) While under the influence of alcohol, a drug of abuse, 1308  
or alcohol and a drug of abuse; 1309

(ii) In the direction of a street, highway, or other 1310  
public or private property used by the public for vehicular 1311  
traffic or parking; 1312

(iii) At or into an occupied structure that is a permanent 1313  
or temporary habitation; 1314

(iv) In the commission of any violation of law, including, 1315  
but not limited to, a felony that includes, as an essential 1316  
element, purposely or knowingly causing or attempting to cause 1317  
the death of or physical harm to another and that was committed 1318  
by discharging a firearm from a motor vehicle. 1319

(3) Division (A) of this section does not apply to a 1320  
person if all of the following apply: 1321

(a) The person possesses a valid electric-powered all- 1322  
purpose vehicle permit issued under section 1533.103 of the 1323  
Revised Code by the chief of the division of wildlife. 1324

(b) The person discharges a firearm at a wild quadruped or 1325  
game bird as defined in section 1531.01 of the Revised Code 1326  
during the open hunting season for the applicable wild quadruped 1327  
or game bird. 1328

(c) The person discharges a firearm from a stationary 1329  
electric-powered all-purpose vehicle as defined in section 1330  
1531.01 of the Revised Code or a motor vehicle that is parked on 1331  
a road that is owned or administered by the division of 1332  
wildlife, provided that the road is identified by an electric- 1333  
powered all-purpose vehicle sign. 1334

(d) The person does not discharge the firearm in any of 1335  
the following manners: 1336

(i) While under the influence of alcohol, a drug of abuse, 1337

or alcohol and a drug of abuse; 1338

(ii) In the direction of a street, a highway, or other 1339  
public or private property that is used by the public for 1340  
vehicular traffic or parking; 1341

(iii) At or into an occupied structure that is a permanent 1342  
or temporary habitation; 1343

(iv) In the commission of any violation of law, including, 1344  
but not limited to, a felony that includes, as an essential 1345  
element, purposely or knowingly causing or attempting to cause 1346  
the death of or physical harm to another and that was committed 1347  
by discharging a firearm from a motor vehicle. 1348

(4) Divisions (B) and (C) of this section do not apply to 1349  
a person if all of the following circumstances apply: 1350

(a) At the time of the alleged violation of either of 1351  
those divisions, the person is the operator of or a passenger in 1352  
a motor vehicle. 1353

(b) The motor vehicle is on real property that is located 1354  
in an unincorporated area of a township and that either is zoned 1355  
for agriculture or is used for agriculture. 1356

(c) The person owns the real property described in 1357  
division (D) (4) (b) of this section, is the spouse or a child of 1358  
another person who owns that real property, is a tenant of 1359  
another person who owns that real property, or is the spouse or 1360  
a child of a tenant of another person who owns that real 1361  
property. 1362

(d) The person, prior to arriving at the real property 1363  
described in division (D) (4) (b) of this section, did not 1364  
transport or possess a firearm in the motor vehicle in a manner 1365

prohibited by division (B) or (C) of this section while the 1366  
motor vehicle was being operated on a street, highway, or other 1367  
public or private property used by the public for vehicular 1368  
traffic or parking. 1369

(5) Divisions (B) and (C) of this section do not apply to 1370  
a person who transports or possesses a handgun in a motor 1371  
vehicle if, at the time of that transportation or possession, 1372  
both of the following apply: 1373

(a) The person transporting or possessing the handgun is 1374  
either carrying a valid concealed handgun license or is an 1375  
active duty member of the armed forces of the United States and 1376  
is carrying a valid military identification card and 1377  
documentation of successful completion of firearms training that 1378  
meets or exceeds the training requirements described in division 1379  
(G) (1) of section 2923.125 of the Revised Code. 1380

(b) The person transporting or possessing the handgun is 1381  
not knowingly in a place described in division (B) of section 1382  
2923.126 of the Revised Code. 1383

(6) Divisions (B) and (C) of this section do not apply to 1384  
a person if all of the following apply: 1385

(a) The person possesses a valid electric-powered all- 1386  
purpose vehicle permit issued under section 1533.103 of the 1387  
Revised Code by the chief of the division of wildlife. 1388

(b) The person is on or in an electric-powered all-purpose 1389  
vehicle as defined in section 1531.01 of the Revised Code or a 1390  
motor vehicle during the open hunting season for a wild 1391  
quadruped or game bird. 1392

(c) The person is on or in an electric-powered all-purpose 1393  
vehicle as defined in section 1531.01 of the Revised Code or a 1394



motor vehicle that is parked on a road that is owned or 1395  
administered by the division of wildlife, provided that the road 1396  
is identified by an electric-powered all-purpose vehicle sign. 1397

(7) Nothing in this section prohibits or restricts a 1398  
person from possessing, storing, or leaving a firearm in a 1399  
locked motor vehicle that is parked in the state underground 1400  
parking garage at the state capitol building or in the parking 1401  
garage at the Riffe center for government and the arts in 1402  
Columbus, if the person's transportation and possession of the 1403  
firearm in the motor vehicle while traveling to the premises or 1404  
facility was not in violation of division (A), (B), (C), (D), or 1405  
(E) of this section or any other provision of the Revised Code. 1406

(G) (1) The affirmative defenses authorized in divisions 1407  
(D) (1) and (2) of section 2923.12 of the Revised Code are 1408  
affirmative defenses to a charge under division (B) or (C) of 1409  
this section that involves a firearm other than a handgun. 1410

(2) It is an affirmative defense to a charge under 1411  
division (B) or (C) of this section of improperly handling 1412  
firearms in a motor vehicle that the actor transported or had 1413  
the firearm in the motor vehicle for any lawful purpose and 1414  
while the motor vehicle was on the actor's own property, 1415  
provided that this affirmative defense is not available unless 1416  
the person, immediately prior to arriving at the actor's own 1417  
property, did not transport or possess the firearm in a motor 1418  
vehicle in a manner prohibited by division (B) or (C) of this 1419  
section while the motor vehicle was being operated on a street, 1420  
highway, or other public or private property used by the public 1421  
for vehicular traffic. 1422

(H) (1) No person who is charged with a violation of 1423  
division (B), (C), or (D) of this section shall be required to 1424

obtain a concealed handgun license as a condition for the 1425  
dismissal of the charge. 1426

(2) (a) If a person is convicted of, was convicted of, 1427  
pleads guilty to, or has pleaded guilty to a violation of 1428  
division (E) of this section as it existed prior to September 1429  
30, 2011, and if the conduct that was the basis of the violation 1430  
no longer would be a violation of division (E) of this section 1431  
on or after September 30, 2011, the person may file an 1432  
application under section 2953.37 of the Revised Code requesting 1433  
the expungement of the record of conviction. 1434

If a person is convicted of, was convicted of, pleads 1435  
guilty to, or has pleaded guilty to a violation of division (B) 1436  
or (C) of this section as the division existed prior to 1437  
September 30, 2011, and if the conduct that was the basis of the 1438  
violation no longer would be a violation of division (B) or (C) 1439  
of this section on or after September 30, 2011, due to the 1440  
application of division (F) (5) of this section as it exists on 1441  
and after September 30, 2011, the person may file an application 1442  
under section 2953.37 of the Revised Code requesting the 1443  
expungement of the record of conviction. 1444

(b) The attorney general shall develop a public media 1445  
advisory that summarizes the expungement procedure established 1446  
under section 2953.37 of the Revised Code and the offenders 1447  
identified in division (H) (2) (a) of this section who are 1448  
authorized to apply for the expungement. Within thirty days 1449  
after September 30, 2011, the attorney general shall provide a 1450  
copy of the advisory to each daily newspaper published in this 1451  
state and each television station that broadcasts in this state. 1452  
The attorney general may provide the advisory in a tangible 1453  
form, an electronic form, or in both tangible and electronic 1454

forms. 1455

(I) Whoever violates this section is guilty of improperly 1456  
handling firearms in a motor vehicle. Violation of division (A) 1457  
of this section is a felony of the fourth degree. Violation of 1458  
division (C) of this section is a misdemeanor of the fourth 1459  
degree. A violation of division (D) of this section is a felony 1460  
of the fifth degree or, if the loaded handgun is concealed on 1461  
the person's person, a felony of the fourth degree. Except as 1462  
otherwise provided in this division, a violation of division (E) 1463  
(1) or (2) of this section is a misdemeanor of the first degree, 1464  
and, in addition to any other penalty or sanction imposed for 1465  
the violation, the offender's concealed handgun license shall be 1466  
suspended pursuant to division (A) (2) of section 2923.128 of the 1467  
Revised Code. If at the time of the stop of the offender for a 1468  
traffic stop, for another law enforcement purpose, or for a 1469  
purpose defined in section 5503.34 of the Revised Code that was 1470  
the basis of the violation any law enforcement officer involved 1471  
with the stop or the employee of the motor carrier enforcement 1472  
unit who made the stop had actual knowledge of the offender's 1473  
status as a licensee, a violation of division (E) (1) or (2) of 1474  
this section is a minor misdemeanor, and the offender's 1475  
concealed handgun license shall not be suspended pursuant to 1476  
division (A) (2) of section 2923.128 of the Revised Code. A 1477  
violation of division (E) (4) of this section is a felony of the 1478  
fifth degree. A violation of division (E) (3) or (5) of this 1479  
section is a misdemeanor of the first degree or, if the offender 1480  
previously has been convicted of or pleaded guilty to a 1481  
violation of division (E) (3) or (5) of this section, a felony of 1482  
the fifth degree. In addition to any other penalty or sanction 1483  
imposed for a misdemeanor violation of division (E) (3) or (5) of 1484  
this section, the offender's concealed handgun license shall be 1485

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 1515  
that is in the vehicle in question and that may be used with the 1516  
firearm in question. 1517

(ii) Any magazine or speed loader that contains ammunition 1518  
and that may be used with the firearm in question is stored in a 1519  
compartment within the vehicle in question that cannot be 1520  
accessed without leaving the vehicle or is stored in a container 1521  
that provides complete and separate enclosure. 1522

(b) For the purposes of division (K) (5) (a) (ii) of this 1523  
section, a "container that provides complete and separate 1524  
enclosure" includes, but is not limited to, any of the 1525  
following: 1526

(i) A package, box, or case with multiple compartments, as 1527  
long as the loaded magazine or speed loader and the firearm in 1528  
question either are in separate compartments within the package, 1529  
box, or case, or, if they are in the same compartment, the 1530  
magazine or speed loader is contained within a separate 1531  
enclosure in that compartment that does not contain the firearm 1532  
and that closes using a snap, button, buckle, zipper, hook and 1533  
loop closing mechanism, or other fastener that must be opened to 1534  
access the contents or the firearm is contained within a 1535  
separate enclosure of that nature in that compartment that does 1536  
not contain the magazine or speed loader; 1537

(ii) A pocket or other enclosure on the person of the 1538  
person in question that closes using a snap, button, buckle, 1539  
zipper, hook and loop closing mechanism, or other fastener that 1540  
must be opened to access the contents. 1541

(c) For the purposes of divisions (K) (5) (a) and (b) of 1542  
this section, ammunition held in stripper-clips or in en-bloc 1543

clips is not considered ammunition that is loaded into a 1544  
magazine or speed loader. 1545

(6) "Unloaded" means, with respect to a firearm employing 1546  
a percussion cap, flintlock, or other obsolete ignition system, 1547  
when the weapon is uncapped or when the priming charge is 1548  
removed from the pan. 1549

(7) "Commercial motor vehicle" has the same meaning as in 1550  
division (A) of section 4506.25 of the Revised Code. 1551

(8) "Motor carrier enforcement unit" means the motor 1552  
carrier enforcement unit in the department of public safety, 1553  
division of state highway patrol, that is created by section 1554  
5503.34 of the Revised Code. 1555

(L) Divisions (K) (5) (a) and (b) of this section do not 1556  
affect the authority of a person who is carrying a valid 1557  
concealed handgun license to have one or more magazines or speed 1558  
loaders containing ammunition anywhere in a vehicle, without 1559  
being transported as described in those divisions, as long as no 1560  
ammunition is in a firearm, other than a handgun, in the vehicle 1561  
other than as permitted under any other provision of this 1562  
chapter. A person who is carrying a valid concealed handgun 1563  
license may have one or more magazines or speed loaders 1564  
containing ammunition anywhere in a vehicle without further 1565  
restriction, as long as no ammunition is in a firearm, other 1566  
than a handgun, in the vehicle other than as permitted under any 1567  
provision of this chapter. 1568

**Sec. 2923.21.** (A) No person shall do any of the following: 1569

(1) Sell any firearm to a person who is under eighteen 1570  
years of age; 1571

(2) Subject to division (B) of this section, sell any 1572

handgun to a person who is under twenty-one years of age; 1573

(3) Furnish any firearm to a person who is under eighteen 1574  
years of age or, subject to division (B) of this section, 1575  
furnish any handgun to a person who is under twenty-one years of 1576  
age, except for lawful hunting, sporting, or educational 1577  
purposes, including, but not limited to, instruction in firearms 1578  
or handgun safety, care, handling, or marksmanship under the 1579  
supervision or control of a responsible adult; 1580

(4) Sell or furnish a firearm to a person who is eighteen 1581  
years of age or older if the seller or furnisher knows, or has 1582  
reason to know, that the person is purchasing or receiving the 1583  
firearm for the purpose of selling the firearm in violation of 1584  
division (A)(1) of this section to a person who is under 1585  
eighteen years of age or for the purpose of furnishing the 1586  
firearm in violation of division (A)(3) of this section to a 1587  
person who is under eighteen years of age; 1588

(5) Sell or furnish a handgun to a person who is twenty- 1589  
one years of age or older if the seller or furnisher knows, or 1590  
has reason to know, that the person is purchasing or receiving 1591  
the handgun for the purpose of selling the handgun in violation 1592  
of division (A)(2) of this section to a person who is under 1593  
twenty-one years of age or for the purpose of furnishing the 1594  
handgun in violation of division (A)(3) of this section to a 1595  
person who is under twenty-one years of age; 1596

(6) Purchase or attempt to purchase any firearm with the 1597  
intent to sell the firearm in violation of division (A)(1) of 1598  
this section to a person who is under eighteen years of age or 1599  
with the intent to furnish the firearm in violation of division 1600  
(A)(3) of this section to a person who is under eighteen years 1601  
of age; 1602

(7) Purchase or attempt to purchase any handgun with the intent to sell the handgun in violation of division (A) (2) of this section to a person who is under twenty-one years of age or with the intent to furnish the handgun in violation of division (A) (3) of this section to a person who is under twenty-one years of age. 1603  
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(B) Divisions (A) (1) and (2) of this section do not apply to the sale or furnishing of a handgun to a person eighteen years of age or older and under twenty-one years of age if the person eighteen years of age or older and under twenty-one years of age is a law enforcement officer who is properly appointed or employed as a law enforcement officer and has received firearms training approved by the Ohio peace officer training council or equivalent firearms training. Divisions (A) (1) and (2) of this section do not apply to an active duty member of the armed forces of the United States who has received firearms training that meets or exceeds the training requirements described in division (G) (1) of section 2923.125 of the Revised Code. 1609  
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(C) Whoever violates this section is guilty of improperly furnishing firearms to a minor, a felony of the fifth degree. 1621  
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**Section 2.** That existing sections 1547.69, 2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 2923.126, 2923.16, and 2923.21 of the Revised Code are hereby repealed. 1623  
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**Section 3.** Section 2923.122 of the Revised Code is presented in this act as a composite of the section as amended by both Am. Sub. H.B. 495 and Am. Sub. S.B. 337 of the 129th General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the 1626  
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resulting version of the section in effect prior to the  
effective date of the section as presented in this act.

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