

As Introduced

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Representatives Householder, Lanese

Cosponsors: Representatives Koehler, Riedel, Seitz, Conditt, Hambley, Stein, Butler, Kick, Schaffer, Brinkman, Hughes, Goodman, Vitale, Merrin, Wiggam, Keller, Faber, Becker, Gavarone, Antani, Perales, Carfagna, Johnson, Duffey, Young, Thompson, Brenner, McColley, Hood, Sprague, Hagan, Hill, Greenspan

A BILL

To amend sections 2923.12, 2923.121, 2923.123, and 1
2923.126 of the Revised Code to permit law 2
enforcement officers to carry firearms off duty 3
in places otherwise prohibited for concealed 4
handgun licensees. 5

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

Section 1. That sections 2923.12, 2923.121, 2923.123, and 6
2923.126 of the Revised Code be amended to read as follows: 7

Sec. 2923.12. (A) No person shall knowingly carry or have, 8
concealed on the person's person or concealed ready at hand, any 9
of the following: 10

(1) A deadly weapon other than a handgun; 11

(2) A handgun other than a dangerous ordnance; 12

(3) A dangerous ordnance. 13

(B) No person who has been issued a concealed handgun 14

license shall do any of the following: 15

(1) If the person is stopped for a law enforcement purpose 16
and is carrying a concealed handgun, fail to promptly inform any 17
law enforcement officer who approaches the person after the 18
person has been stopped that the person has been issued a 19
concealed handgun license and that the person then is carrying a 20
concealed handgun; 21

(2) If the person is stopped for a law enforcement purpose 22
and is carrying a concealed handgun, knowingly fail to keep the 23
person's hands in plain sight at any time after any law 24
enforcement officer begins approaching the person while stopped 25
and before the law enforcement officer leaves, unless the 26
failure is pursuant to and in accordance with directions given 27
by a law enforcement officer; 28

(3) If the person is stopped for a law enforcement 29
purpose, if the person is carrying a concealed handgun, and if 30
the person is approached by any law enforcement officer while 31
stopped, knowingly remove or attempt to remove the loaded 32
handgun from the holster, pocket, or other place in which the 33
person is carrying it, knowingly grasp or hold the loaded 34
handgun, or knowingly have contact with the loaded handgun by 35
touching it with the person's hands or fingers at any time after 36
the law enforcement officer begins approaching and before the 37
law enforcement officer leaves, unless the person removes, 38
attempts to remove, grasps, holds, or has contact with the 39
loaded handgun pursuant to and in accordance with directions 40
given by the law enforcement officer; 41

(4) If the person is stopped for a law enforcement purpose 42
and is carrying a concealed handgun, knowingly disregard or fail 43
to comply with any lawful order of any law enforcement officer 44

given while the person is stopped, including, but not limited 45
to, a specific order to the person to keep the person's hands in 46
plain sight. 47

(C) (1) This section does not apply to any of the 48
following: 49

(a) An officer, agent, or employee of this or any other 50
state or the United States, or to a law enforcement officer, who 51
is authorized to carry concealed weapons or dangerous ordnance 52
or is authorized to carry handguns ~~and is acting within the~~ 53
~~scope of the officer's, agent's, or employee's duties;~~ 54

(b) Any person who is employed in this state, who is 55
authorized to carry concealed weapons or dangerous ordnance or 56
is authorized to carry handguns, and who is subject to and in 57
compliance with the requirements of section 109.801 of the 58
Revised Code, unless the appointing authority of the person has 59
expressly specified that the exemption provided in division (C) 60
(1) (b) of this section does not apply to the person; 61

(c) A person's transportation or storage of a firearm, 62
other than a firearm described in divisions (G) to (M) of 63
section 2923.11 of the Revised Code, in a motor vehicle for any 64
lawful purpose if the firearm is not on the actor's person; 65

(d) A person's storage or possession of a firearm, other 66
than a firearm described in divisions (G) to (M) of section 67
2923.11 of the Revised Code, in the actor's own home for any 68
lawful purpose. 69

(2) Division (A) (2) of this section does not apply to any 70
person who, at the time of the alleged carrying or possession of 71
a handgun, either is carrying a valid concealed handgun license 72
or is an active duty member of the armed forces of the United 73

States and is carrying a valid military identification card and 74
documentation of successful completion of firearms training that 75
meets or exceeds the training requirements described in division 76
(G) (1) of section 2923.125 of the Revised Code, unless the 77
person knowingly is in a place described in division (B) of 78
section 2923.126 of the Revised Code. 79

(D) It is an affirmative defense to a charge under 80
division (A) (1) of this section of carrying or having control of 81
a weapon other than a handgun and other than a dangerous 82
ordnance that the actor was not otherwise prohibited by law from 83
having the weapon and that any of the following applies: 84

(1) The weapon was carried or kept ready at hand by the 85
actor for defensive purposes while the actor was engaged in or 86
was going to or from the actor's lawful business or occupation, 87
which business or occupation was of a character or was 88
necessarily carried on in a manner or at a time or place as to 89
render the actor particularly susceptible to criminal attack, 90
such as would justify a prudent person in going armed. 91

(2) The weapon was carried or kept ready at hand by the 92
actor for defensive purposes while the actor was engaged in a 93
lawful activity and had reasonable cause to fear a criminal 94
attack upon the actor, a member of the actor's family, or the 95
actor's home, such as would justify a prudent person in going 96
armed. 97

(3) The weapon was carried or kept ready at hand by the 98
actor for any lawful purpose and while in the actor's own home. 99

(E) No person who is charged with a violation of this 100
section shall be required to obtain a concealed handgun license 101
as a condition for the dismissal of the charge. 102

(F) (1) Whoever violates this section is guilty of carrying 103
concealed weapons. Except as otherwise provided in this division 104
or divisions (F) (2), (6), and (7) of this section, carrying 105
concealed weapons in violation of division (A) of this section 106
is a misdemeanor of the first degree. Except as otherwise 107
provided in this division or divisions (F) (2), (6), and (7) of 108
this section, if the offender previously has been convicted of a 109
violation of this section or of any offense of violence, if the 110
weapon involved is a firearm that is either loaded or for which 111
the offender has ammunition ready at hand, or if the weapon 112
involved is dangerous ordnance, carrying concealed weapons in 113
violation of division (A) of this section is a felony of the 114
fourth degree. Except as otherwise provided in divisions (F) (2) 115
and (6) of this section, if the offense is committed aboard an 116
aircraft, or with purpose to carry a concealed weapon aboard an 117
aircraft, regardless of the weapon involved, carrying concealed 118
weapons in violation of division (A) of this section is a felony 119
of the third degree. 120

(2) Except as provided in division (F) (6) of this section, 121
if a person being arrested for a violation of division (A) (2) of 122
this section promptly produces a valid concealed handgun 123
license, and if at the time of the violation the person was not 124
knowingly in a place described in division (B) of section 125
2923.126 of the Revised Code, the officer shall not arrest the 126
person for a violation of that division. If the person is not 127
able to promptly produce any concealed handgun license and if 128
the person is not in a place described in that section, the 129
officer may arrest the person for a violation of that division, 130
and the offender shall be punished as follows: 131

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

(i) Within ten days after the arrest, the offender 134
presents a concealed handgun license, which license was valid at 135
the time of the arrest to the law enforcement agency that 136
employs the arresting officer. 137

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

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

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

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

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

(c) If divisions (F) (2) (a) and (b) and (F) (6) of this 156
section do not apply, the offender shall be punished under 157
division (F) (1) or (7) of this section. 158

(3) Except as otherwise provided in this division, 159
carrying concealed weapons in violation of division (B) (1) of 160
this section is a misdemeanor of the first degree, and, in 161
addition to any other penalty or sanction imposed for a 162

violation of division (B) (1) of this section, the offender's 163
concealed handgun license shall be suspended pursuant to 164
division (A) (2) of section 2923.128 of the Revised Code. If, at 165
the time of the stop of the offender for a law enforcement 166
purpose that was the basis of the violation, any law enforcement 167
officer involved with the stop had actual knowledge that the 168
offender has been issued a concealed handgun license, carrying 169
concealed weapons in violation of division (B) (1) of this 170
section is a minor misdemeanor, and the offender's concealed 171
handgun license shall not be suspended pursuant to division (A) 172
(2) of section 2923.128 of the Revised Code. 173

(4) Carrying concealed weapons in violation of division 174
(B) (2) or (4) of this section is a misdemeanor of the first 175
degree or, if the offender previously has been convicted of or 176
pleaded guilty to a violation of division (B) (2) or (4) of this 177
section, a felony of the fifth degree. In addition to any other 178
penalty or sanction imposed for a misdemeanor violation of 179
division (B) (2) or (4) of this section, the offender's concealed 180
handgun license shall be suspended pursuant to division (A) (2) 181
of section 2923.128 of the Revised Code. 182

(5) Carrying concealed weapons in violation of division 183
(B) (3) of this section is a felony of the fifth degree. 184

(6) If a person being arrested for a violation of division 185
(A) (2) of this section is an active duty member of the armed 186
forces of the United States and is carrying a valid military 187
identification card and documentation of successful completion 188
of firearms training that meets or exceeds the training 189
requirements described in division (G) (1) of section 2923.125 of 190
the Revised Code, and if at the time of the violation the person 191
was not knowingly in a place described in division (B) of 192

section 2923.126 of the Revised Code, the officer shall not 193
arrest the person for a violation of that division. If the 194
person is not able to promptly produce a valid military 195
identification card and documentation of successful completion 196
of firearms training that meets or exceeds the training 197
requirements described in division (G) (1) of section 2923.125 of 198
the Revised Code and if the person is not in a place described 199
in division (B) of section 2923.126 of the Revised Code, the 200
officer shall issue a citation and the offender shall be 201
assessed a civil penalty of not more than five hundred dollars. 202
The citation shall be automatically dismissed and the civil 203
penalty shall not be assessed if both of the following apply: 204

(a) Within ten days after the issuance of the citation, 205
the offender presents a valid military identification card and 206
documentation of successful completion of firearms training that 207
meets or exceeds the training requirements described in division 208
(G) (1) of section 2923.125 of the Revised Code, which were both 209
valid at the time of the issuance of the citation to the law 210
enforcement agency that employs the citing officer. 211

(b) At the time of the citation, the offender was not 212
knowingly in a place described in division (B) of section 213
2923.126 of the Revised Code. 214

(7) If a person being arrested for a violation of division 215
(A) (2) of this section is knowingly in a place described in 216
division (B) (5) of section 2923.126 of the Revised Code and is 217
not authorized to carry a handgun or have a handgun concealed on 218
the person's person or concealed ready at hand under that 219
division, the penalty shall be as follows: 220

(a) Except as otherwise provided in this division, if the 221
person produces a valid concealed handgun license within ten 222

days after the arrest and has not previously been convicted or 223
pleaded guilty to a violation of division (A) (2) of this 224
section, the person is guilty of a minor misdemeanor; 225

(b) Except as otherwise provided in this division, if the 226
person has previously been convicted of or pleaded guilty to a 227
violation of division (A) (2) of this section, the person is 228
guilty of a misdemeanor of the fourth degree; 229

(c) Except as otherwise provided in this division, if the 230
person has previously been convicted of or pleaded guilty to two 231
violations of division (A) (2) of this section, the person is 232
guilty of a misdemeanor of the third degree; 233

(d) Except as otherwise provided in this division, if the 234
person has previously been convicted of or pleaded guilty to 235
three or more violations of division (A) (2) of this section, or 236
convicted of or pleaded guilty to any offense of violence, if 237
the weapon involved is a firearm that is either loaded or for 238
which the offender has ammunition ready at hand, or if the 239
weapon involved is a dangerous ordnance, the person is guilty of 240
a misdemeanor of the second degree. 241

(G) If a law enforcement officer stops a person to 242
question the person regarding a possible violation of this 243
section, for a traffic stop, or for any other law enforcement 244
purpose, if the person surrenders a firearm to the officer, 245
either voluntarily or pursuant to a request or demand of the 246
officer, and if the officer does not charge the person with a 247
violation of this section or arrest the person for any offense, 248
the person is not otherwise prohibited by law from possessing 249
the firearm, and the firearm is not contraband, the officer 250
shall return the firearm to the person at the termination of the 251
stop. If a court orders a law enforcement officer to return a 252

firearm to a person pursuant to the requirement set forth in 253
this division, division (B) of section 2923.163 of the Revised 254
Code applies. 255

Sec. 2923.121. (A) No person shall possess a firearm in 256
any room in which any person is consuming beer or intoxicating 257
liquor in a premises for which a D permit has been issued under 258
Chapter 4303. of the Revised Code or in an open air arena for 259
which a permit of that nature has been issued. 260

(B) (1) This section does not apply to any of the 261
following: 262

(a) An officer, agent, or employee of this or any other 263
state or the United States, or to a law enforcement officer, who 264
is authorized to carry firearms ~~and is acting within the scope~~ 265
~~of the officer's, agent's, or employee's duties~~ as long as the 266
officer, agent, or employee is not consuming beer or 267
intoxicating liquor or under the influence of alcohol or a drug 268
of abuse; 269

(b) Any person who is employed in this state, who is 270
authorized to carry firearms, and who is subject to and in 271
compliance with the requirements of section 109.801 of the 272
Revised Code, unless the appointing authority of the person has 273
expressly specified that the exemption provided in division (B) 274
(1) (b) of this section does not apply to the person; 275

(c) Any room used for the accommodation of guests of a 276
hotel, as defined in section 4301.01 of the Revised Code; 277

(d) The principal holder of a D permit issued for a 278
premises or an open air arena under Chapter 4303. of the Revised 279
Code while in the premises or open air arena for which the 280
permit was issued if the principal holder of the D permit also 281

possesses a valid concealed handgun license and as long as the 282
principal holder is not consuming beer or intoxicating liquor or 283
under the influence of alcohol or a drug of abuse, or any agent 284
or employee of that holder who also is a peace officer, as 285
defined in section 2151.3515 of the Revised Code, who is off 286
duty, and who otherwise is authorized to carry firearms while in 287
the course of the officer's official duties and while in the 288
premises or open air arena for which the permit was issued and 289
as long as the agent or employee of that holder is not consuming 290
beer or intoxicating liquor or under the influence of alcohol or 291
a drug of abuse. 292

(e) Any person who is carrying a valid concealed handgun 293
license or any person who is an active duty member of the armed 294
forces of the United States and is carrying a valid military 295
identification card and documentation of successful completion 296
of firearms training that meets or exceeds the training 297
requirements described in division (G) (1) of section 2923.125 of 298
the Revised Code, as long as the person is not consuming beer or 299
intoxicating liquor or under the influence of alcohol or a drug 300
of abuse. 301

(2) This section does not prohibit any person who is a 302
member of a veteran's organization, as defined in section 303
2915.01 of the Revised Code, from possessing a rifle in any room 304
in any premises owned, leased, or otherwise under the control of 305
the veteran's organization, if the rifle is not loaded with live 306
ammunition and if the person otherwise is not prohibited by law 307
from having the rifle. 308

(3) This section does not apply to any person possessing 309
or displaying firearms in any room used to exhibit unloaded 310
firearms for sale or trade in a soldiers' memorial established 311

pursuant to Chapter 345. of the Revised Code, in a convention 312
center, or in any other public meeting place, if the person is 313
an exhibitor, trader, purchaser, or seller of firearms and is 314
not otherwise prohibited by law from possessing, trading, 315
purchasing, or selling the firearms. 316

(C) It is an affirmative defense to a charge under this 317
section of illegal possession of a firearm in a liquor permit 318
premises that involves the possession of a firearm other than a 319
handgun, that the actor was not otherwise prohibited by law from 320
having the firearm, and that any of the following apply: 321

(1) The firearm was carried or kept ready at hand by the 322
actor for defensive purposes, while the actor was engaged in or 323
was going to or from the actor's lawful business or occupation, 324
which business or occupation was of such character or was 325
necessarily carried on in such manner or at such a time or place 326
as to render the actor particularly susceptible to criminal 327
attack, such as would justify a prudent person in going armed. 328

(2) The firearm was carried or kept ready at hand by the 329
actor for defensive purposes, while the actor was engaged in a 330
lawful activity, and had reasonable cause to fear a criminal 331
attack upon the actor or a member of the actor's family, or upon 332
the actor's home, such as would justify a prudent person in 333
going armed. 334

(D) No person who is charged with a violation of this 335
section shall be required to obtain a concealed handgun license 336
as a condition for the dismissal of the charge. 337

(E) Whoever violates this section is guilty of illegal 338
possession of a firearm in a liquor permit premises. Except as 339
otherwise provided in this division, illegal possession of a 340

firearm in a liquor permit premises is a felony of the fifth 341
degree. If the offender commits the violation of this section by 342
knowingly carrying or having the firearm concealed on the 343
offender's person or concealed ready at hand, illegal possession 344
of a firearm in a liquor permit premises is a felony of the 345
third degree. 346

(F) As used in this section, "beer" and "intoxicating 347
liquor" have the same meanings as in section 4301.01 of the 348
Revised Code. 349

Sec. 2923.123. (A) No person shall knowingly convey or 350
attempt to convey a deadly weapon or dangerous ordnance into a 351
courthouse or into another building or structure in which a 352
courtroom is located. 353

(B) No person shall knowingly possess or have under the 354
person's control a deadly weapon or dangerous ordnance in a 355
courthouse or in another building or structure in which a 356
courtroom is located. 357

(C) This section does not apply to any of the following: 358

(1) Except as provided in division (E) of this section, a 359
judge of a court of record of this state or a magistrate; 360

(2) A peace officer, officer of a law enforcement agency, 361
or person who is in either of the following categories: 362

(a) Except as provided in division (E) of this section, a 363
peace officer, or an officer of a law enforcement agency of 364
another state, a political subdivision of another state, or the 365
United States, who is authorized to carry a deadly weapon or 366
dangerous ordnance, ~~who possesses or has under that individual's~~ 367
~~control a deadly weapon or dangerous ordnance as a requirement~~ 368
~~of that individual's duties, and who is acting within the scope~~ 369

~~of that individual's duties at the time of that possession or
control;~~ 370
371

(b) Except as provided in division (E) of this section, a 372
person who is employed in this state, who is authorized to carry 373
a deadly weapon or dangerous ordnance, who possesses or has 374
under that individual's control a deadly weapon or dangerous 375
ordnance as a requirement of that person's duties, and who is 376
subject to and in compliance with the requirements of section 377
109.801 of the Revised Code, unless the appointing authority of 378
the person has expressly specified that the exemption provided 379
in division (C) (2) (b) of this section does not apply to the 380
person. 381

(3) A person who conveys, attempts to convey, possesses, 382
or has under the person's control a deadly weapon or dangerous 383
ordnance that is to be used as evidence in a pending criminal or 384
civil action or proceeding; 385

(4) Except as provided in division (E) of this section, a 386
bailiff or deputy bailiff of a court of record of this state who 387
is authorized to carry a firearm pursuant to section 109.77 of 388
the Revised Code, who possesses or has under that individual's 389
control a firearm as a requirement of that individual's duties, 390
and who is acting within the scope of that individual's duties 391
at the time of that possession or control; 392

(5) Except as provided in division (E) of this section, a 393
prosecutor, or a secret service officer appointed by a county 394
prosecuting attorney, who is authorized to carry a deadly weapon 395
or dangerous ordnance in the performance of the individual's 396
duties, who possesses or has under that individual's control a 397
deadly weapon or dangerous ordnance as a requirement of that 398
individual's duties, and who is acting within the scope of that 399

individual's duties at the time of that possession or control; 400

(6) Except as provided in division (E) of this section, a 401
person who conveys or attempts to convey a handgun into a 402
courthouse or into another building or structure in which a 403
courtroom is located, who, at the time of the conveyance or 404
attempt, either is carrying a valid concealed handgun license or 405
is an active duty member of the armed forces of the United 406
States and is carrying a valid military identification card and 407
documentation of successful completion of firearms training that 408
meets or exceeds the training requirements described in division 409
(G) (1) of section 2923.125 of the Revised Code, and who 410
transfers possession of the handgun to the officer or officer's 411
designee who has charge of the courthouse or building. The 412
officer shall secure the handgun until the licensee is prepared 413
to leave the premises. The exemption described in this division 414
applies only if the officer who has charge of the courthouse or 415
building provides services of the nature described in this 416
division. An officer who has charge of the courthouse or 417
building is not required to offer services of the nature 418
described in this division. 419

(D) (1) Whoever violates division (A) of this section is 420
guilty of illegal conveyance of a deadly weapon or dangerous 421
ordnance into a courthouse. Except as otherwise provided in this 422
division, illegal conveyance of a deadly weapon or dangerous 423
ordnance into a courthouse is a felony of the fifth degree. If 424
the offender previously has been convicted of a violation of 425
division (A) or (B) of this section, illegal conveyance of a 426
deadly weapon or dangerous ordnance into a courthouse is a 427
felony of the fourth degree. 428

(2) Whoever violates division (B) of this section is 429

guilty of illegal possession or control of a deadly weapon or 430
dangerous ordnance in a courthouse. Except as otherwise provided 431
in this division, illegal possession or control of a deadly 432
weapon or dangerous ordnance in a courthouse is a felony of the 433
fifth degree. If the offender previously has been convicted of a 434
violation of division (A) or (B) of this section, illegal 435
possession or control of a deadly weapon or dangerous ordnance 436
in a courthouse is a felony of the fourth degree. 437

(E) (1) The exemptions described in divisions (C) (1), (2) 438
(a), (2) (b), (4), (5), and (6) of this section do not apply to 439
any judge, magistrate, peace officer, officer of a law 440
enforcement agency, bailiff, deputy bailiff, prosecutor, secret 441
service officer, or other person described in any of those 442
divisions if a rule of superintendence or another type of rule 443
adopted by the supreme court pursuant to Article IV, Ohio 444
Constitution, or an applicable local rule of court prohibits all 445
persons from conveying or attempting to convey a deadly weapon 446
or dangerous ordnance into a courthouse or into another building 447
or structure in which a courtroom is located or from possessing 448
or having under one's control a deadly weapon or dangerous 449
ordnance in a courthouse or in another building or structure in 450
which a courtroom is located. 451

(2) The exemption described in division (C) (2) (a) of this 452
section does not apply to a peace officer, or an officer of a 453
law enforcement agency of another state, a political subdivision 454
of another state, or the United States, who possesses or has 455
under the officer's control a deadly weapon or dangerous 456
ordnance in a courthouse or another building or structure in 457
which a courtroom is located if all of the following apply: 458

(a) The officer is off duty at the time of possession. 459

(b) A criminal proceeding is occurring in which the 460
defendant is charged with an offense of violence and the alleged 461
victim is a family or household member of the officer. 462

(c) The judge presiding over the case has issued an order 463
prohibiting the officer from possessing a deadly weapon or 464
dangerous ordnance in the courthouse or the building or 465
structure in which the courtroom is located while the criminal 466
proceeding is occurring. 467

(F) As used in this section: 468

(1) "Family or household member" has the same meaning as 469
in section 2919.25 of the Revised Code. 470

(2) "Magistrate" means an individual who is appointed by a 471
court of record of this state and who has the powers and may 472
perform the functions specified in Civil Rule 53, Criminal Rule 473
19, or Juvenile Rule 40. 474

~~(2)~~(3) "Peace officer" and "prosecutor" have the same 475
meanings as in section 2935.01 of the Revised Code. 476

Sec. 2923.126. (A) A concealed handgun license that is 477
issued under section 2923.125 of the Revised Code shall expire 478
five years after the date of issuance. A licensee who has been 479
issued a license under that section shall be granted a grace 480
period of thirty days after the licensee's license expires 481
during which the licensee's license remains valid. Except as 482
provided in divisions (B) and (C) of this section, a licensee 483
who has been issued a concealed handgun license under section 484
2923.125 or 2923.1213 of the Revised Code may carry a concealed 485
handgun anywhere in this state if the licensee also carries a 486
valid license and valid identification when the licensee is in 487
actual possession of a concealed handgun. The licensee shall 488

give notice of any change in the licensee's residence address to 489
the sheriff who issued the license within forty-five days after 490
that change. 491

If a licensee is the driver or an occupant of a motor 492
vehicle that is stopped as the result of a traffic stop or a 493
stop for another law enforcement purpose and if the licensee is 494
transporting or has a loaded handgun in the motor vehicle at 495
that time, the licensee shall promptly inform any law 496
enforcement officer who approaches the vehicle while stopped 497
that the licensee has been issued a concealed handgun license 498
and that the licensee currently possesses or has a loaded 499
handgun; the licensee shall not knowingly disregard or fail to 500
comply with lawful orders of a law enforcement officer given 501
while the motor vehicle is stopped, knowingly fail to remain in 502
the motor vehicle while stopped, or knowingly fail to keep the 503
licensee's hands in plain sight after any law enforcement 504
officer begins approaching the licensee while stopped and before 505
the officer leaves, unless directed otherwise by a law 506
enforcement officer; and the licensee shall not knowingly have 507
contact with the loaded handgun by touching it with the 508
licensee's hands or fingers, in any manner in violation of 509
division (E) of section 2923.16 of the Revised Code, after any 510
law enforcement officer begins approaching the licensee while 511
stopped and before the officer leaves. Additionally, if a 512
licensee is the driver or an occupant of a commercial motor 513
vehicle that is stopped by an employee of the motor carrier 514
enforcement unit for the purposes defined in section 5503.34 of 515
the Revised Code and if the licensee is transporting or has a 516
loaded handgun in the commercial motor vehicle at that time, the 517
licensee shall promptly inform the employee of the unit who 518
approaches the vehicle while stopped that the licensee has been 519

issued a concealed handgun license and that the licensee 520
currently possesses or has a loaded handgun. 521

If a licensee is stopped for a law enforcement purpose and 522
if the licensee is carrying a concealed handgun at the time the 523
officer approaches, the licensee shall promptly inform any law 524
enforcement officer who approaches the licensee while stopped 525
that the licensee has been issued a concealed handgun license 526
and that the licensee currently is carrying a concealed handgun; 527
the licensee shall not knowingly disregard or fail to comply 528
with lawful orders of a law enforcement officer given while the 529
licensee is stopped or knowingly fail to keep the licensee's 530
hands in plain sight after any law enforcement officer begins 531
approaching the licensee while stopped and before the officer 532
leaves, unless directed otherwise by a law enforcement officer; 533
and the licensee shall not knowingly remove, attempt to remove, 534
grasp, or hold the loaded handgun or knowingly have contact with 535
the loaded handgun by touching it with the licensee's hands or 536
fingers, in any manner in violation of division (B) of section 537
2923.12 of the Revised Code, after any law enforcement officer 538
begins approaching the licensee while stopped and before the 539
officer leaves. 540

(B) A valid concealed handgun license does not authorize 541
the licensee to carry a concealed handgun in any manner 542
prohibited under division (B) of section 2923.12 of the Revised 543
Code or in any manner prohibited under section 2923.16 of the 544
Revised Code. A valid license does not authorize the licensee to 545
carry a concealed handgun into any of the following places: 546

(1) A police station, sheriff's office, or state highway 547
patrol station, premises controlled by the bureau of criminal 548
identification and investigation; a state correctional 549

institution, jail, workhouse, or other detention facility; any 550
area of an airport passenger terminal that is beyond a passenger 551
or property screening checkpoint or to which access is 552
restricted through security measures by the airport authority or 553
a public agency; or an institution that is maintained, operated, 554
managed, and governed pursuant to division (A) of section 555
5119.14 of the Revised Code or division (A) (1) of section 556
5123.03 of the Revised Code; 557

(2) A school safety zone if the licensee's carrying the 558
concealed handgun is in violation of section 2923.122 of the 559
Revised Code; 560

(3) A courthouse or another building or structure in which 561
a courtroom is located, in violation of section 2923.123 of the 562
Revised Code; 563

(4) Any premises or open air arena for which a D permit 564
has been issued under Chapter 4303. of the Revised Code if the 565
licensee's carrying the concealed handgun is in violation of 566
section 2923.121 of the Revised Code; 567

(5) Any premises owned or leased by any public or private 568
college, university, or other institution of higher education, 569
unless the handgun is in a locked motor vehicle or the licensee 570
is in the immediate process of placing the handgun in a locked 571
motor vehicle or unless the licensee is carrying the concealed 572
handgun pursuant to a written policy, rule, or other 573
authorization that is adopted by the institution's board of 574
trustees or other governing body and that authorizes specific 575
individuals or classes of individuals to carry a concealed 576
handgun on the premises; 577

(6) Any church, synagogue, mosque, or other place of 578

worship, unless the church, synagogue, mosque, or other place of 579
worship posts or permits otherwise; 580

(7) Any building that is a government facility of this 581
state or a political subdivision of this state and that is not a 582
building that is used primarily as a shelter, restroom, parking 583
facility for motor vehicles, or rest facility and is not a 584
courthouse or other building or structure in which a courtroom 585
is located that is subject to division (B) (3) of this section, 586
unless the governing body with authority over the building has 587
enacted a statute, ordinance, or policy that permits a licensee 588
to carry a concealed handgun into the building; 589

(8) A place in which federal law prohibits the carrying of 590
handguns. 591

(C) (1) Nothing in this section shall negate or restrict a 592
rule, policy, or practice of a private employer that is not a 593
private college, university, or other institution of higher 594
education concerning or prohibiting the presence of firearms on 595
the private employer's premises or property, including motor 596
vehicles owned by the private employer. Nothing in this section 597
shall require a private employer of that nature to adopt a rule, 598
policy, or practice concerning or prohibiting the presence of 599
firearms on the private employer's premises or property, 600
including motor vehicles owned by the private employer. 601

(2) (a) A private employer shall be immune from liability 602
in a civil action for any injury, death, or loss to person or 603
property that allegedly was caused by or related to a licensee 604
bringing a handgun onto the premises or property of the private 605
employer, including motor vehicles owned by the private 606
employer, unless the private employer acted with malicious 607
purpose. A private employer is immune from liability in a civil 608

action for any injury, death, or loss to person or property that 609
allegedly was caused by or related to the private employer's 610
decision to permit a licensee to bring, or prohibit a licensee 611
from bringing, a handgun onto the premises or property of the 612
private employer. 613

(b) A political subdivision shall be immune from liability 614
in a civil action, to the extent and in the manner provided in 615
Chapter 2744. of the Revised Code, for any injury, death, or 616
loss to person or property that allegedly was caused by or 617
related to a licensee bringing a handgun onto any premises or 618
property owned, leased, or otherwise under the control of the 619
political subdivision. As used in this division, "political 620
subdivision" has the same meaning as in section 2744.01 of the 621
Revised Code. 622

(c) An institution of higher education shall be immune 623
from liability in a civil action for any injury, death, or loss 624
to person or property that allegedly was caused by or related to 625
a licensee bringing a handgun onto the premises of the 626
institution, including motor vehicles owned by the institution, 627
unless the institution acted with malicious purpose. An 628
institution of higher education is immune from liability in a 629
civil action for any injury, death, or loss to person or 630
property that allegedly was caused by or related to the 631
institution's decision to permit a licensee or class of 632
licensees to bring a handgun onto the premises of the 633
institution. 634

(3) (a) Except as provided in division (C) (3) (b) of this 635
section, the owner or person in control of private land or 636
premises, and a private person or entity leasing land or 637
premises owned by the state, the United States, or a political 638

subdivision of the state or the United States, may post a sign 639
in a conspicuous location on that land or on those premises 640
prohibiting persons from carrying firearms or concealed firearms 641
on or onto that land or those premises. Except as otherwise 642
provided in this division, a person who knowingly violates a 643
posted prohibition of that nature is guilty of criminal trespass 644
in violation of division (A) (4) of section 2911.21 of the 645
Revised Code and is guilty of a misdemeanor of the fourth 646
degree. If a person knowingly violates a posted prohibition of 647
that nature and the posted land or premises primarily was a 648
parking lot or other parking facility, the person is not guilty 649
of criminal trespass under section 2911.21 of the Revised Code 650
or under any other criminal law of this state or criminal law, 651
ordinance, or resolution of a political subdivision of this 652
state, and instead is subject only to a civil cause of action 653
for trespass based on the violation. 654

If a person knowingly violates a posted prohibition of the 655
nature described in this division and the posted land or 656
premises is a child day-care center, type A family day-care 657
home, or type B family day-care home, unless the person is a 658
licensee who resides in a type A family day-care home or type B 659
family day-care home, the person is guilty of aggravated 660
trespass in violation of section 2911.211 of the Revised Code. 661
Except as otherwise provided in this division, the offender is 662
guilty of a misdemeanor of the first degree. If the person 663
previously has been convicted of a violation of this division or 664
of any offense of violence, if the weapon involved is a firearm 665
that is either loaded or for which the offender has ammunition 666
ready at hand, or if the weapon involved is dangerous ordnance, 667
the offender is guilty of a felony of the fourth degree. 668

(b) A landlord may not prohibit or restrict a tenant who 669

is a licensee and who on or after September 9, 2008, enters into 670
a rental agreement with the landlord for the use of residential 671
premises, and the tenant's guest while the tenant is present, 672
from lawfully carrying or possessing a handgun on those 673
residential premises. 674

(c) As used in division (C) (3) of this section: 675

(i) "Residential premises" has the same meaning as in 676
section 5321.01 of the Revised Code, except "residential 677
premises" does not include a dwelling unit that is owned or 678
operated by a college or university. 679

(ii) "Landlord," "tenant," and "rental agreement" have the 680
same meanings as in section 5321.01 of the Revised Code. 681

(D) A person who holds a valid concealed handgun license 682
issued by another state that is recognized by the attorney 683
general pursuant to a reciprocity agreement entered into 684
pursuant to section 109.69 of the Revised Code or a person who 685
holds a valid concealed handgun license under the circumstances 686
described in division (B) of section 109.69 of the Revised Code 687
has the same right to carry a concealed handgun in this state as 688
a person who was issued a concealed handgun license under 689
section 2923.125 of the Revised Code and is subject to the same 690
restrictions that apply to a person who carries a license issued 691
under that section. 692

(E) (1) A peace officer has the same right to carry a 693
concealed handgun in this state as a person who was issued a 694
concealed handgun license under section 2923.125 of the Revised 695
Code and may carry in any of the places described in divisions 696
(B) (1) to (7) of this section, subject to sections 2923.12, 697
2923.121, 2923.122, and 2923.123 of the Revised Code, as well as 698

on private property, regardless of any posted prohibition to the 699
contrary. For purposes of reciprocity with other states, a peace 700
officer shall be considered to be a licensee in this state. 701

(2) An active duty member of the armed forces of the 702
United States who is carrying a valid military identification 703
card and documentation of successful completion of firearms 704
training that meets or exceeds the training requirements 705
described in division (G) (1) of section 2923.125 of the Revised 706
Code has the same right to carry a concealed handgun in this 707
state as a person who was issued a concealed handgun license 708
under section 2923.125 of the Revised Code and is subject to the 709
same restrictions as specified in this section. 710

(F) (1) A qualified retired peace officer who possesses a 711
retired peace officer identification card issued pursuant to 712
division (F) (2) of this section and a valid firearms 713
requalification certification issued pursuant to division (F) (3) 714
of this section has the same right to carry a concealed handgun 715
in this state as a person who was issued a concealed handgun 716
license under section 2923.125 of the Revised Code and is 717
subject to the same restrictions that apply to a person who 718
carries a license issued under that section. For purposes of 719
reciprocity with other states, a qualified retired peace officer 720
who possesses a retired peace officer identification card issued 721
pursuant to division (F) (2) of this section and a valid firearms 722
requalification certification issued pursuant to division (F) (3) 723
of this section shall be considered to be a licensee in this 724
state. 725

(2) (a) Each public agency of this state or of a political 726
subdivision of this state that is served by one or more peace 727
officers shall issue a retired peace officer identification card 728

to any person who retired from service as a peace officer with 729
that agency, if the issuance is in accordance with the agency's 730
policies and procedures and if the person, with respect to the 731
person's service with that agency, satisfies all of the 732
following: 733

(i) The person retired in good standing from service as a 734
peace officer with the public agency, and the retirement was not 735
for reasons of mental instability. 736

(ii) Before retiring from service as a peace officer with 737
that agency, the person was authorized to engage in or supervise 738
the prevention, detection, investigation, or prosecution of, or 739
the incarceration of any person for, any violation of law and 740
the person had statutory powers of arrest. 741

(iii) At the time of the person's retirement as a peace 742
officer with that agency, the person was trained and qualified 743
to carry firearms in the performance of the peace officer's 744
duties. 745

(iv) Before retiring from service as a peace officer with 746
that agency, the person was regularly employed as a peace 747
officer for an aggregate of fifteen years or more, or, in the 748
alternative, the person retired from service as a peace officer 749
with that agency, after completing any applicable probationary 750
period of that service, due to a service-connected disability, 751
as determined by the agency. 752

(b) A retired peace officer identification card issued to 753
a person under division (F)(2)(a) of this section shall identify 754
the person by name, contain a photograph of the person, identify 755
the public agency of this state or of the political subdivision 756
of this state from which the person retired as a peace officer 757

and that is issuing the identification card, and specify that 758
the person retired in good standing from service as a peace 759
officer with the issuing public agency and satisfies the 760
criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 761
section. In addition to the required content specified in this 762
division, a retired peace officer identification card issued to 763
a person under division (F) (2) (a) of this section may include 764
the firearms requalification certification described in division 765
(F) (3) of this section, and if the identification card includes 766
that certification, the identification card shall serve as the 767
firearms requalification certification for the retired peace 768
officer. If the issuing public agency issues credentials to 769
active law enforcement officers who serve the agency, the agency 770
may comply with division (F) (2) (a) of this section by issuing 771
the same credentials to persons who retired from service as a 772
peace officer with the agency and who satisfy the criteria set 773
forth in divisions (F) (2) (a) (i) to (iv) of this section, 774
provided that the credentials so issued to retired peace 775
officers are stamped with the word "RETIRED." 776

(c) A public agency of this state or of a political 777
subdivision of this state may charge persons who retired from 778
service as a peace officer with the agency a reasonable fee for 779
issuing to the person a retired peace officer identification 780
card pursuant to division (F) (2) (a) of this section. 781

(3) If a person retired from service as a peace officer 782
with a public agency of this state or of a political subdivision 783
of this state and the person satisfies the criteria set forth in 784
divisions (F) (2) (a) (i) to (iv) of this section, the public 785
agency may provide the retired peace officer with the 786
opportunity to attend a firearms requalification program that is 787
approved for purposes of firearms requalification required under 788

section 109.801 of the Revised Code. The retired peace officer 789
may be required to pay the cost of the course. 790

If a retired peace officer who satisfies the criteria set 791
forth in divisions (F)(2)(a)(i) to (iv) of this section attends 792
a firearms requalification program that is approved for purposes 793
of firearms requalification required under section 109.801 of 794
the Revised Code, the retired peace officer's successful 795
completion of the firearms requalification program requalifies 796
the retired peace officer for purposes of division (F) of this 797
section for five years from the date on which the program was 798
successfully completed, and the requalification is valid during 799
that five-year period. If a retired peace officer who satisfies 800
the criteria set forth in divisions (F)(2)(a)(i) to (iv) of this 801
section satisfactorily completes such a firearms requalification 802
program, the retired peace officer shall be issued a firearms 803
requalification certification that identifies the retired peace 804
officer by name, identifies the entity that taught the program, 805
specifies that the retired peace officer successfully completed 806
the program, specifies the date on which the course was 807
successfully completed, and specifies that the requalification 808
is valid for five years from that date of successful completion. 809
The firearms requalification certification for a retired peace 810
officer may be included in the retired peace officer 811
identification card issued to the retired peace officer under 812
division (F)(2) of this section. 813

A retired peace officer who attends a firearms 814
requalification program that is approved for purposes of 815
firearms requalification required under section 109.801 of the 816
Revised Code may be required to pay the cost of the program. 817

(G) As used in this section: 818

(1) "Qualified retired peace officer" means a person who satisfies all of the following:	819 820
(a) The person satisfies the criteria set forth in divisions (F) (2) (a) (i) to (v) of this section.	821 822
(b) The person is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.	823 824
(c) The person is not prohibited by federal law from receiving firearms.	825 826
(2) "Retired peace officer identification card" means an identification card that is issued pursuant to division (F) (2) of this section to a person who is a retired peace officer.	827 828 829
(3) "Government facility of this state or a political subdivision of this state" means any of the following:	830 831
(a) A building or part of a building that is owned or leased by the government of this state or a political subdivision of this state and where employees of the government of this state or the political subdivision regularly are present for the purpose of performing their official duties as employees of the state or political subdivision;	832 833 834 835 836 837
(b) The office of a deputy registrar serving pursuant to Chapter 4503. of the Revised Code that is used to perform deputy registrar functions.	838 839 840
(4) "Governing body" has the same meaning as in section 154.01 of the Revised Code.	841 842
Section 2. That existing sections 2923.12, 2923.121, 2923.123, and 2923.126 of the Revised Code are hereby repealed.	843 844