

**As Reported by the House Federalism Committee**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**Sub. H. B. No. 178**

**Representatives Hood, Brinkman**

**Cosponsors: Representatives Vitale, Antani, Keller, Lang, Becker, Merrin, Koehler, Butler, Blessing, Jordan, Riedel, Schaffer, Dean, Manchester, Manning, D., Carruthers, Smith, T., Cross, Zeltwanger, Baldrige, Lipps, Smith, R., Wiggam, Powell, Wilkin, McClain, Romanchuk**

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**A BILL**

To amend sections 9.68, 109.69, 109.731, 311.41, 1  
311.42, 311.43, 1547.69, 2921.13, 2923.11, 2  
2923.12, 2923.121, 2923.122, 2923.123, 2923.124, 3  
2923.125, 2923.126, 2923.127, 2923.128, 4  
2923.129, 2923.1210, 2923.1211, 2923.1212, 5  
2923.1213, 2923.16, 2953.37, and 4749.10 and to 6  
enact section 2923.111 of the Revised Code to 7  
modify the Weapons Law by renaming a concealed 8  
handgun license as a concealed weapons license, 9  
allowing a concealed weapons licensee to carry 10  
concealed all deadly weapons not otherwise 11  
prohibited by law without carrying a concealed 12  
weapons license, expanding state preemption of 13  
firearms regulation to include all deadly 14  
weapons, repealing a notice requirement 15  
applicable to licensees stopped for a law 16  
enforcement purpose, authorizing expungement of 17  
convictions of a violation of that requirement, 18  
and allowing a person age 21 or older and not 19  
prohibited by law from firearm possession to 20  
carry a concealed deadly weapon without needing 21

a license subject to the same carrying laws as a 22  
licensee, and to amend the version of section 23  
9.68 of the Revised Code that is scheduled to 24  
take effect on December 28, 2019, to continue 25  
the provisions of this act on and after that 26  
effective date. 27

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

**Section 1.** That sections 9.68, 109.69, 109.731, 311.41, 28  
311.42, 311.43, 1547.69, 2921.13, 2923.11, 2923.12, 2923.121, 29  
2923.122, 2923.123, 2923.124, 2923.125, 2923.126, 2923.127, 30  
2923.128, 2923.129, 2923.1210, 2923.1211, 2923.1212, 2923.1213, 31  
2923.16, 2953.37, and 4749.10 be amended and section 2923.111 of 32  
the Revised Code be enacted to read as follows: 33

**Sec. 9.68.** (A) The individual right to keep and bear arms, 34  
being a fundamental individual right that predates the United 35  
States Constitution and Ohio Constitution, and being a 36  
constitutionally protected right in every part of Ohio, the 37  
general assembly finds the need to provide uniform laws 38  
throughout the state regulating the ownership, possession, 39  
purchase, other acquisition, transport, storage, carrying, sale, 40  
or other transfer of deadly weapons, including firearms, and 41  
their components, accessories, attachments, and their 42  
ammunition. Except as specifically provided by the United States 43  
Constitution, Ohio Constitution, state law, or federal law, a 44  
person, without further license, permission, restriction, delay, 45  
or process, may own, possess, purchase, sell, transfer, 46  
transport, store, or keep any deadly weapon, including any 47  
firearm, part of a firearm, and its components, accessories, 48

attachments, and its—ammunition. 49

(B) In addition to any other relief provided, the court 50  
shall award costs and reasonable attorney fees to any person, 51  
group, or entity that prevails in a challenge to an ordinance, 52  
rule, or regulation as being in conflict with this section. 53

(C) As used in this section: 54

(1) The possession, transporting, or carrying of deadly 55  
weapons, including firearms, their components, or their 56  
ammunition, include, but are not limited to, the possession, 57  
transporting, or carrying, openly or concealed on a person's 58  
person or concealed ready at hand, of deadly weapons, including 59  
firearms, their components, or their ammunition. 60

(2) "Firearm" ~~has~~ and "deadly weapon" have the same 61  
~~meaning~~ meanings as in section 2923.11 of the Revised Code. 62

(D) This section does not apply to either of the 63  
following: 64

(1) A zoning ordinance that regulates or prohibits the 65  
commercial sale of deadly weapons, including firearms, firearm 66  
components, or ammunition for firearms, in areas zoned for 67  
residential or agricultural uses; 68

(2) A zoning ordinance that specifies the hours of 69  
operation or the geographic areas where the commercial sale of 70  
deadly weapons, including firearms, firearm components, or 71  
ammunition for firearms, may occur, provided that the zoning 72  
ordinance is consistent with zoning ordinances for other retail 73  
establishments in the same geographic area and does not result 74  
in a de facto prohibition of the commercial sale of deadly 75  
weapons, including firearms, firearm components, or ammunition 76  
for firearms, in areas zoned for commercial, retail, or 77

industrial uses. 78

**Sec. 109.69.** (A) (1) The attorney general shall negotiate 79  
and enter into a reciprocity agreement with any other license- 80  
issuing state under which a ~~concealed handgun~~-license that is 81  
issued by the other state and that authorizes the carrying of 82  
concealed handguns, firearms, or deadly weapons is recognized in 83  
this state, except as provided in division (B) of this section, 84  
if the attorney general determines that both of the following 85  
apply: 86

(a) The eligibility requirements imposed by that license- 87  
issuing state for that license are substantially comparable to 88  
the eligibility requirements for a ~~concealed handgun~~-weapons 89  
license issued under section 2923.125 of the Revised Code. 90

(b) That license-issuing state recognizes a ~~concealed~~ 91  
~~handgun~~-weapons license issued under section 2923.125 of the 92  
Revised Code. 93

(2) A reciprocity agreement entered into under division 94  
(A) (1) of this section also may provide for the recognition in 95  
this state of a ~~concealed handgun~~-license issued on a temporary 96  
or emergency basis by the other license-issuing state that 97  
authorizes the carrying of concealed handguns, firearms, or 98  
deadly weapons, if the eligibility requirements imposed by that 99  
license-issuing state for the temporary or emergency license are 100  
substantially comparable to the eligibility requirements for a 101  
~~concealed handgun~~-weapons license issued under section 2923.125 102  
or 2923.1213 of the Revised Code and if that license-issuing 103  
state recognizes a ~~concealed handgun~~-weapons license issued 104  
under section 2923.1213 of the Revised Code. 105

(3) The attorney general shall not negotiate any agreement 106

with any other license-issuing state under which a ~~concealed-~~ 107  
~~handgun~~-license that is issued by the other state and that 108  
authorizes the carrying of concealed handguns, firearms, or 109  
deadly weapons is recognized in this state other than as 110  
provided in divisions (A) (1) and (2) of this section. 111

(B) (1) If, on or after ~~the effective date of this~~ 112  
~~amendment~~ March 23, 2015, a person who is a resident of this 113  
state has a valid ~~concealed handgun~~-license that was issued by 114  
another license-issuing state and that authorizes the carrying 115  
of concealed handguns, firearms, or deadly weapons and the other 116  
state has entered into a reciprocity agreement with the attorney 117  
general under division (A) (1) of this section or the attorney 118  
general determines that the eligibility requirements imposed by 119  
that license-issuing state for that license are substantially 120  
comparable to the eligibility requirements for a concealed 121  
~~handgun-weapons~~ license issued under section 2923.125 of the 122  
Revised Code, the license issued by the other license-issuing 123  
state shall be recognized in this state, shall be accepted and 124  
valid in this state, and grants the person the same right to 125  
carry a concealed ~~handgun~~-deadly weapon in this state as a 126  
person who was issued a concealed ~~handgun-weapons~~ license under 127  
section 2923.125 of the Revised Code prior to, on, or after the 128  
effective date of this amendment. 129

(2) If, on or after ~~the effective date of this amendment~~ 130  
March 23, 2015, a person who is a resident of this state has a 131  
valid ~~concealed handgun~~-license that was issued by another 132  
license-issuing state and that authorizes the carrying of 133  
concealed handguns, firearms, or deadly weapons and the other 134  
state has not entered into a reciprocity agreement with the 135  
attorney general under division (A) (1) of this section, the 136  
license issued by the other license-issuing state shall be 137

recognized in this state, shall be accepted and valid in this 138  
state, and grants the person the same right to carry a concealed 139  
~~handgun~~ ~~deadly weapon~~ in this state as a person who was issued a 140  
concealed ~~handgun~~ ~~weapons~~ license under section 2923.125 of the 141  
Revised Code prior to, on, or after the effective date of this 142  
amendment, for a period of six months after the person became a 143  
resident of this state. After that six-month period, if the 144  
person wishes to obtain a concealed ~~handgun~~ ~~weapons~~ license, the 145  
person shall apply for a concealed ~~handgun~~ ~~weapons~~ license 146  
pursuant to section 2923.125 of the Revised Code. 147

(3) If, on or after ~~the effective date of this amendment~~ 148  
March 23, 2015, a person who is not a resident of this state has 149  
a valid ~~concealed handgun~~ license that was issued by another 150  
license-issuing state and that authorizes the carrying of 151  
concealed handguns, firearms, or deadly weapons, regardless of 152  
whether the other license-issuing state has entered into a 153  
reciprocity agreement with the attorney general under division 154  
(A) (1) of this section, and if the person is temporarily in this 155  
state, during the time that the person is temporarily in this 156  
state the license issued by the other license-issuing state 157  
shall be recognized in this state, shall be accepted and valid 158  
in this state, and grants the person the same right to carry a 159  
concealed ~~handgun~~ ~~deadly weapon~~ in this state as a person who 160  
was issued a concealed ~~handgun~~ ~~weapons~~ license under section 161  
2923.125 of the Revised Code prior to, on, or after the 162  
effective date of this amendment. 163

(C) The attorney general shall publish each determination 164  
described in division (B) (1) of this section that the attorney 165  
general makes in the same manner that written agreements entered 166  
into under division (A) (1) or (2) of this section are published. 167

(D) As used in this section:	168
(1) "Handgun," "firearm," "concealed <del>handgun</del> weapons license," "deadly weapon," and "valid concealed <del>handgun</del> weapons license" have the same meanings as in section 2923.11 of the Revised Code.	169 170 171 172
(2) "License-issuing state" means a state other than this state that, pursuant to law, provides for the issuance of a license to carry a concealed handgun, <u>to carry a concealed firearm, or to carry a concealed deadly weapon.</u>	173 174 175 176
<b>Sec. 109.731.</b> (A) (1) The attorney general shall prescribe, and shall make available to sheriffs an application form that is to be used under section 2923.125 of the Revised Code by a person who applies for a concealed <del>handgun</del> weapons license and an application form that is to be used under section 2923.125 of the Revised Code by a person who applies for the renewal of a license of that nature. The attorney general shall design the form to enable applicants to provide the information that is required by law to be collected, and shall update the form as necessary. Burdens or restrictions to obtaining a concealed <del>handgun</del> weapons license that are not expressly prescribed in law shall not be incorporated into the form. The attorney general shall post a printable version of the form on the web site of the attorney general and shall provide the address of the web site to any person who requests the form.	177 178 179 180 181 182 183 184 185 186 187 188 189 190 191
(2) The Ohio peace officer training commission shall prescribe, and shall make available to sheriffs, all of the following:	192 193 194
(a) A form for the concealed <del>handgun</del> weapons license that is to be issued by sheriffs to persons who qualify for a	195 196

concealed ~~handgun-weapons~~ license under section 2923.125 of the Revised Code and that conforms to the following requirements:

(i) It has space for the licensee's full name, residence address, and date of birth and for a color photograph of the licensee.

(ii) It has space for the date of issuance of the license, its expiration date, its county of issuance, the name of the sheriff who issues the license, and the unique combination of letters and numbers that identify the county of issuance and the license given to the licensee by the sheriff in accordance with division (A)(2)(c) of this section.

(iii) It has space for the signature of the licensee and the signature or a facsimile signature of the sheriff who issues the license.

(iv) It does not require the licensee to include serial numbers of ~~handguns, firearms or other deadly weapons~~, other identification related to ~~handguns, firearms or other deadly weapons~~, or similar data that is not pertinent or relevant to obtaining the license and that could be used as a de facto means of registration of ~~handguns, firearms or other deadly weapons~~ owned by the licensee.

(b) A series of three-letter county codes that identify each county in this state;

(c) A procedure by which a sheriff shall give each concealed ~~handgun-weapons~~ license, replacement concealed ~~handgun-weapons~~ license, or renewal concealed ~~handgun-weapons~~ license and each concealed ~~handgun-weapons~~ license on a temporary emergency basis or replacement concealed weapons license on a temporary emergency basis the sheriff issues under section

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2923.125 or 2923.1213 of the Revised Code a unique combination 226  
of letters and numbers that identifies the county in which the 227  
license was issued and that uses the county code and a unique 228  
number for each license the sheriff of that county issues; 229

(d) A form for a concealed ~~handgun~~ weapons license on a 230  
temporary emergency basis that is to be issued by sheriffs to 231  
persons who qualify for such a license under section 2923.1213 232  
of the Revised Code, which form shall conform to all the 233  
requirements set forth in divisions (A) (2) (a) (i) to (iv) of this 234  
section and shall additionally conspicuously specify that the 235  
license is issued on a temporary emergency basis and the date of 236  
its issuance. 237

(B) (1) The Ohio peace officer training commission, in 238  
consultation with the attorney general, shall prepare a pamphlet 239  
that does all of the following, in everyday language: 240

(a) Explains the ~~firearms~~ deadly weapons laws of this 241  
state, including the aspects of those laws with respect to 242  
firearms; 243

(b) Instructs the reader in dispute resolution and 244  
explains the laws of this state related to that matter; 245

(c) Provides information to the reader regarding all 246  
aspects of the use of deadly force with a ~~firearm~~ deadly weapon, 247  
including, but not limited to, the steps that should be taken 248  
before contemplating the use of, or using, deadly force with a 249  
~~firearm~~ deadly weapon, possible alternatives to using deadly 250  
force with a ~~firearm~~ deadly weapon, and the law governing the 251  
use of deadly force with a ~~firearm~~ deadly weapon. The 252  
information provided as described in this division shall cover 253  
all deadly weapons, including firearms. 254

(2) The attorney general shall consult with and assist the 255  
commission in the preparation of the pamphlet described in 256  
division (B)(1) of this section and, as necessary, shall 257  
recommend to the commission changes in the pamphlet to reflect 258  
changes in the law that are relevant to it. The attorney general 259  
shall publish the pamphlet on the web site of the attorney 260  
general and shall provide the address of the web site to any 261  
person who requests the pamphlet. 262

(3) The attorney general shall create and maintain a 263  
section on the attorney general's web site that provides 264  
information on ~~firearms~~ deadly weapons laws of this state, 265  
including the aspects of those laws with respect to firearms, 266  
that are specifically applicable to members of the armed forces 267  
of the United States and a link to the pamphlet described in 268  
division (B)(1) of this section. 269

(C) The Ohio peace officer training commission shall 270  
maintain statistics with respect to the issuance, renewal, 271  
suspension, revocation, and denial of concealed ~~handgun~~ weapons 272  
licenses under section 2923.125 of the Revised Code and the 273  
suspension of processing of applications for those licenses, and 274  
with respect to the issuance, suspension, revocation, and denial 275  
of concealed ~~handgun~~ weapons licenses on a temporary emergency 276  
basis under section 2923.1213 of the Revised Code, as reported 277  
by the sheriffs pursuant to division (C) of section 2923.129 of 278  
the Revised Code. Not later than the first day of March in each 279  
year, the commission shall submit a statistical report to the 280  
governor, the president of the senate, and the speaker of the 281  
house of representatives indicating the number of concealed 282  
~~handgun~~ weapons licenses that were issued, renewed, suspended, 283  
revoked, and denied under section 2923.125 of the Revised Code 284  
in the previous calendar year, the number of applications for 285

those licenses for which processing was suspended in accordance 286  
with division (D) (3) of that section in the previous calendar 287  
year, and the number of concealed ~~handgun-weapons~~ licenses on a 288  
temporary emergency basis that were issued, suspended, revoked, 289  
or denied under section 2923.1213 of the Revised Code in the 290  
previous calendar year. Nothing in the statistics or the 291  
statistical report shall identify, or enable the identification 292  
of, any individual who was issued or denied a license, for whom 293  
a license was renewed, whose license was suspended or revoked, 294  
or for whom application processing was suspended. The statistics 295  
and the statistical report are public records for the purpose of 296  
section 149.43 of the Revised Code. The requirements of this 297  
division apply regarding all concealed weapons licenses, 298  
regardless of whether the issuance, renewal, suspension, 299  
revocation, or denial in question occurred prior to, on, or 300  
after the effective date of this amendment. 301

(D) As used in this section, "concealed ~~handgun-weapons~~ 302  
license," "deadly weapon," and "handgun" have the same meanings 303  
as in section 2923.11 of the Revised Code. 304

**Sec. 311.41.** (A) (1) Upon receipt of an application for a 305  
concealed ~~handgun-weapons~~ license under division (C) of section 306  
2923.125 of the Revised Code, an application to renew a 307  
concealed ~~handgun-weapons~~ license under division (F) of that 308  
section, or an application for a concealed ~~handgun-weapons~~ 309  
license on a temporary emergency basis under section 2923.1213 310  
of the Revised Code, the sheriff shall conduct a criminal 311  
records check and an incompetency check of the applicant to 312  
determine whether the applicant fails to meet the criteria 313  
described in division (D) (1) of section 2923.125 of the Revised 314  
Code. As part of any such criminal records check, the sheriff 315  
shall contact the national instant criminal background check 316

system to verify that the applicant is eligible lawfully to 317  
receive or possess a firearm in the United States. The sheriff 318  
shall conduct the criminal records check and the incompetency 319  
records check required by this division through use of an 320  
electronic fingerprint reading device or, if the sheriff does 321  
not possess and does not have ready access to the use of an 322  
electronic fingerprint reading device, by requesting the bureau 323  
of criminal identification and investigation to conduct the 324  
checks as described in this division. 325

In order to conduct the criminal records check and the 326  
incompetency records check, the sheriff shall obtain the 327  
fingerprints of at least four fingers of the applicant by using 328  
an electronic fingerprint reading device for the purpose of 329  
conducting the criminal records check and the incompetency 330  
records check or, if the sheriff does not possess and does not 331  
have ready access to the use of an electronic fingerprint 332  
reading device, shall obtain from the applicant a completed 333  
standard fingerprint impression sheet prescribed pursuant to 334  
division (C) (2) of section 109.572 of the Revised Code. The 335  
fingerprints so obtained, along with the applicant's social 336  
security number, shall be used to conduct the criminal records 337  
check and the incompetency records check. If the sheriff does 338  
not use an electronic fingerprint reading device to obtain the 339  
fingerprints and conduct the records checks, the sheriff shall 340  
submit the completed standard fingerprint impression sheet of 341  
the applicant, along with the applicant's social security 342  
number, to the superintendent of the bureau of criminal 343  
identification and investigation and shall request the bureau to 344  
conduct the criminal records check and the incompetency records 345  
check of the applicant and, if necessary, shall request the 346  
superintendent of the bureau to obtain information from the 347

federal bureau of investigation as part of the criminal records 348  
check for the applicant. If it is not possible to use an 349  
electronic fingerprint reading device to conduct an incompetency 350  
records check, the sheriff shall submit the completed standard 351  
fingerprint impression sheet of the applicant, along with the 352  
applicant's social security number, to the superintendent of the 353  
bureau of criminal identification and investigation and shall 354  
request the bureau to conduct the incompetency records check. 355  
The sheriff shall not retain the applicant's fingerprints as 356  
part of the application. 357

(2) Except as otherwise provided in this division, if at 358  
any time the applicant decides not to continue with the 359  
application process, the sheriff immediately shall cease any 360  
investigation that is being conducted under division (A)(1) of 361  
this section. The sheriff shall not cease that investigation if, 362  
at the time of the applicant's decision not to continue with the 363  
application process, the sheriff had determined from any of the 364  
sheriff's investigations that the applicant then was engaged in 365  
activity of a criminal nature. 366

(B) If a criminal records check and an incompetency 367  
records check conducted under division (A) of this section do 368  
not indicate that the applicant fails to meet the criteria 369  
described in division (D)(1) of section 2923.125 of the Revised 370  
Code, except as otherwise provided in this division, the sheriff 371  
shall destroy or cause a designated employee to destroy all 372  
records other than the application for a concealed ~~handgun-~~ 373  
weapons license, the application to renew a concealed ~~handgun-~~ 374  
weapons license, or the affidavit submitted regarding an 375  
application for a concealed ~~handgun-~~weapons license on a 376  
temporary emergency basis that were made in connection with the 377  
criminal records check and incompetency records check within 378

twenty days after conducting the criminal records check and 379  
incompetency records check. If an applicant appeals a denial of 380  
an application as described in division (D) (2) of section 381  
2923.125 of the Revised Code or challenges the results of a 382  
criminal records check pursuant to section 2923.127 of the 383  
Revised Code, records of fingerprints of the applicant shall not 384  
be destroyed during the pendency of the appeal or the challenge 385  
and review. When an applicant appeals a denial as described in 386  
that division, the twenty-day period described in this division 387  
commences regarding the fingerprints upon the determination of 388  
the appeal. When required as a result of a challenge and review 389  
performed pursuant to section 2923.127 of the Revised Code, the 390  
source the sheriff used in conducting the criminal records check 391  
shall destroy or the chief operating officer of the source shall 392  
cause an employee of the source designated by the chief to 393  
destroy all records other than the application for a concealed 394  
~~handgun-weapons~~ license, the application to renew a concealed 395  
~~handgun-weapons~~ license, or the affidavit submitted regarding an 396  
application for a concealed ~~handgun-weapons~~ license on a 397  
temporary emergency basis that were made in connection with the 398  
criminal records check within twenty days after completion of 399  
that challenge and review. 400

(C) If division (B) of this section applies to a 401  
particular criminal records check or incompetency records check, 402  
no sheriff, employee of a sheriff designated by the sheriff to 403  
destroy records under that division, source the sheriff used in 404  
conducting the criminal records check or incompetency records 405  
check, or employee of the source designated by the chief 406  
operating officer of the source to destroy records under that 407  
division shall fail to destroy or cause to be destroyed within 408  
the applicable twenty-day period specified in that division all 409

records other than the application for a concealed ~~handgun-~~ 410  
~~weapons~~ license, the application to renew a concealed ~~handgun-~~ 411  
~~weapons~~ license, or the affidavit submitted regarding an 412  
application for a concealed ~~handgun-~~weapons license on a 413  
temporary emergency basis made in connection with the particular 414  
criminal records check or incompetency records check. 415

(D) Divisions (B) and (C) of this section apply with 416  
respect to all applications for a concealed weapons license, 417  
regardless of whether the application was made prior to, on, or 418  
after the effective date of this amendment. 419

(E) Whoever violates division (C) of this section is 420  
guilty of failure to destroy records, a misdemeanor of the 421  
second degree. 422

~~(E)~~ (F) As used in this section: 423

(1) "Concealed ~~handgun-~~weapons license," "deadly weapon," 424  
and "handgun" have the same meanings as in section 2923.11 of 425  
the Revised Code. 426

(2) "National instant criminal background check system" 427  
means the system established by the United States attorney 428  
general pursuant to section 103 of the "Brady Handgun Violence 429  
Prevention Act," Pub. L. No. 103-159. 430

**Sec. 311.42.** (A) Each county shall establish in the county 431  
treasury a sheriff's concealed ~~handgun-~~weapons license issuance 432  
expense fund. The sheriff of that county shall deposit into that 433  
fund all fees paid by applicants for the issuance or renewal of 434  
a concealed ~~handgun-~~weapons license or duplicate concealed 435  
~~handgun-~~weapons license under section 2923.125 of the Revised 436  
Code ~~and all fees paid or by the a~~ person seeking a concealed 437  
~~handgun-~~weapons license on a temporary emergency basis under 438

section 2923.1213 of the Revised Code. The county shall 439  
distribute all fees deposited into the fund except forty dollars 440  
of each fee paid by an applicant under division (B) of section 441  
2923.125 of the Revised Code, fifteen dollars of each fee paid 442  
under section 2923.1213 of the Revised Code, and thirty-five 443  
dollars of each fee paid under division (F) of section 2923.125 444  
of the Revised Code to the attorney general to be used to pay 445  
the cost of background checks performed by the bureau of 446  
criminal identification and investigation and the federal bureau 447  
of investigation and to cover administrative costs associated 448  
with issuing the license. This division applies with respect to 449  
all applications for issuance or renewal of a concealed weapons 450  
license, regardless of whether the application occurred prior 451  
to, on, or after the effective date of this amendment. 452

(B) The sheriff, with the approval of the board of county 453  
commissioners, may expend any county portion of the fees 454  
deposited into the sheriff's concealed ~~handgun~~ weapons license 455  
issuance expense fund for any of the following: 456

(1) Any costs incurred by the sheriff in connection with 457  
performing any administrative functions related to the issuance 458  
of concealed ~~handgun~~ weapons licenses under section 2923.125 or 459  
2923.1213 of the Revised Code, including, but not limited to, 460  
personnel expenses and any costs associated with a firearm 461  
safety education program, or a firearm training or qualification 462  
program that the sheriff chooses to fund; 463

(2) Ammunition and firearms to be used by the sheriff and 464  
the sheriff's employees. 465

(C) As used in this section, "concealed weapons license," 466  
"deadly weapon," and "handgun" have the same meanings as in 467  
section 2923.11 of the Revised Code. 468



<b>Sec. 311.43.</b> (A) As used in this section:	469
(1) "Certification" means the participation and assent of the chief law enforcement officer necessary under federal law for the approval of an application to make or transfer a firearm.	470 471 472 473
(2) "Chief law enforcement officer" means any official the bureau of alcohol, tobacco, firearms, and explosives, or any successor agency, identifies by regulation or otherwise as eligible to provide any required certification for the making or transfer of a firearm.	474 475 476 477 478
(3) "Concealed <del>handgun</del> <u>weapons license</u> " has the same meaning as in section 2923.11 of the Revised Code.	479 480
(B) A resident of this state may submit to the sheriff of the county in which the resident resides or to the sheriff of any county adjacent to the county in which the resident resides any federal form that requires a law enforcement certification by a chief law enforcement officer.	481 482 483 484 485
(C) The sheriff shall accept and process the certification in the same manner as an application for a concealed <del>handgun</del> <u>weapons license</u> is processed under section 2923.125 of the Revised Code, including the requirement for a background check, except as follows:	486 487 488 489 490
(1) If a resident of this state submits one or more federal forms, the sheriff shall charge the resident no more than the applicable fee described in division (B) (1) (a) of section 2923.125 of the Revised Code, without regard to how many federal forms are submitted at the same time.	491 492 493 494 495
(2) If a resident of this state submits one or more federal forms and currently has a concealed <del>handgun</del> <u>weapons</u>	496 497

license or the sheriff has previously approved a federal form 498  
for that resident, the sheriff shall charge the resident no more 499  
than the applicable fee described in division (F)(4) of section 500  
2923.125 of the Revised Code, without regard to how many federal 501  
forms are submitted at the same time. 502

**Sec. 1547.69.** (A) As used in this section: 503

(1) "Firearm," "deadly weapon," "concealed handgun weapons 504  
license," "handgun," "restricted deadly weapon," "valid 505  
concealed handgun weapons license," and "active duty" have the 506  
same meanings as in section 2923.11 of the Revised Code. 507

(2) "Unloaded" has the same meanings as in divisions (K) 508  
(5) and (6) of section 2923.16 of the Revised Code, except that 509  
all references in the definition in division (K)(5) of that 510  
section to "vehicle" shall be construed for purposes of this 511  
section to be references to "vessel." 512

(B) No person shall knowingly discharge a firearm while in 513  
or on a vessel. 514

(C) No person shall knowingly transport or have a loaded 515  
firearm in a vessel in a manner that the firearm is accessible 516  
to the operator or any passenger. 517

(D) No person shall knowingly transport or have a firearm 518  
in a vessel unless it is unloaded and is carried in one of the 519  
following ways: 520

(1) In a closed package, box, or case; 521

(2) In plain sight with the action opened or the weapon 522  
stripped, or, if the firearm is of a type on which the action 523  
will not stay open or that cannot easily be stripped, in plain 524  
sight. 525

(E) (1) The affirmative defenses authorized in divisions 526  
(D) (1) and (2) of section 2923.12 of the Revised Code are 527  
affirmative defenses to a charge under division (C) or (D) of 528  
this section that involves a firearm other than a handgun if 529  
division (H) (2) of this section does not apply to the person 530  
charged. It is an affirmative defense to a charge under division 531  
(C) or (D) of this section of transporting or having a firearm 532  
of any type, including a handgun, in a vessel that the actor 533  
transported or had the firearm in the vessel for any lawful 534  
purpose and while the vessel was on the actor's own property, 535  
provided that this affirmative defense is not available unless 536  
the actor, prior to arriving at the vessel on the actor's own 537  
property, did not transport or possess the firearm in the vessel 538  
or in a motor vehicle in a manner prohibited by this section or 539  
division (B) or (C) of section 2923.16 of the Revised Code while 540  
the vessel was being operated on a waterway that was not on the 541  
actor's own property or while the motor vehicle was being 542  
operated on a street, highway, or other public or private 543  
property used by the public for vehicular traffic. 544

(2) No person who is charged with a violation of division 545  
(C) or (D) of this section shall be required to obtain a license 546  
or temporary emergency license to carry a concealed ~~handgun~~ 547  
weapon under section 2923.125 or 2923.1213 of the Revised Code 548  
as a condition for the dismissal of the charge. 549

(F) Divisions (B), (C), and (D) of this section do not 550  
apply to the possession or discharge of a United States coast 551  
guard approved signaling device required to be carried aboard a 552  
vessel under section 1547.251 of the Revised Code when the 553  
signaling device is possessed or used for the purpose of giving 554  
a visual distress signal. No person shall knowingly transport or 555  
possess any signaling device of that nature in or on a vessel in 556

a loaded condition at any time other than immediately prior to 557  
the discharge of the signaling device for the purpose of giving 558  
a visual distress signal. 559

(G) No person shall operate or permit to be operated any 560  
vessel on the waters in this state in violation of this section. 561

(H) (1) This section does not apply to any of the 562  
following: 563

(a) An officer, agent, or employee of this or any other 564  
state or of the United States, or to a law enforcement officer, 565  
when authorized to carry or have loaded or accessible firearms 566  
in a vessel and acting within the scope of the officer's, 567  
agent's, or employee's duties; 568

(b) Any person who is employed in this state, who is 569  
authorized to carry or have loaded or accessible firearms in a 570  
vessel, and who is subject to and in compliance with the 571  
requirements of section 109.801 of the Revised Code, unless the 572  
appointing authority of the person has expressly specified that 573  
the exemption provided in division (H) (1) (b) of this section 574  
does not apply to the person; 575

(c) Any person legally engaged in hunting. 576

(2) ~~Divisions~~ (a) Subject to division (H) (2) (b) of this 577  
section, divisions (C) and (D) of this section do not apply to a 578  
person who transports or possesses a ~~handgun~~ in a vessel a 579  
firearm that is not a restricted deadly weapon and who, at the 580  
time of that transportation or possession, ~~either is carrying~~ 581  
has been issued a valid concealed ~~handgun~~ weapons license, is 582  
deemed under division (C) of section 2923.111 of the Revised 583  
Code to have been issued a concealed weapons license under 584  
section 2923.125 of the Revised Code, or is an active duty 585

member of the armed forces of the United States and is carrying 586  
a valid military identification card and documentation of 587  
successful completion of firearms training that meets or exceeds 588  
the training requirements described in division (G) (1) of 589  
section 2923.125 of the Revised Code, ~~unless.~~ 590

(b) The exemptions specified in division (H) (2) (a) of this 591  
section do not apply to a person if the person, at the time of 592  
the transport or possession in question, knowingly is in a-an 593  
unauthorized place on the vessel described specified in division 594  
(B) of section 2923.126 of the Revised Code or knowingly is 595  
transporting or possessing the deadly weapon in any prohibited 596  
manner listed in that division. 597

(I) If a law enforcement officer stops a vessel for a 598  
violation of this section or any other law enforcement purpose, 599  
if any person on the vessel surrenders a ~~firearm~~ deadly weapon 600  
to the officer, either voluntarily or pursuant to a request or 601  
demand of the officer, and if the officer does not charge the 602  
person with a violation of this section or arrest the person for 603  
any offense, the person is not otherwise prohibited by law from 604  
possessing the ~~firearm~~ deadly weapon, and the ~~firearm~~ deadly 605  
weapon is not contraband, the officer shall return the ~~firearm~~ 606  
deadly weapon to the person at the termination of the stop. 607

(J) Division (L) of section 2923.16 of the Revised Code 608  
applies with respect to division (A) (2) of this section, except 609  
that all references in division (L) of section 2923.16 of the 610  
Revised Code to "vehicle," to "this chapter," or to "division 611  
(K) (5) (a) or (b) of this section" shall be construed for 612  
purposes of this section to be, respectively, references to 613  
"vessel," to "section 1547.69 of the Revised Code," and to 614  
"divisions (K) (5) (a) and (b) of section 2923.16 of the Revised 615

Code as incorporated under the definition of firearm adopted 616  
under division (A) (2) of this section." 617

**Sec. 2921.13.** (A) No person shall knowingly make a false 618  
statement, or knowingly swear or affirm the truth of a false 619  
statement previously made, when any of the following applies: 620

(1) The statement is made in any official proceeding. 621

(2) The statement is made with purpose to incriminate 622  
another. 623

(3) The statement is made with purpose to mislead a public 624  
official in performing the public official's official function. 625

(4) The statement is made with purpose to secure the 626  
payment of unemployment compensation; Ohio works first; 627  
prevention, retention, and contingency benefits and services; 628  
disability financial assistance; retirement benefits or health 629  
care coverage from a state retirement system; economic 630  
development assistance, as defined in section 9.66 of the 631  
Revised Code; or other benefits administered by a governmental 632  
agency or paid out of a public treasury. 633

(5) The statement is made with purpose to secure the 634  
issuance by a governmental agency of a license, permit, 635  
authorization, certificate, registration, release, or provider 636  
agreement. 637

(6) The statement is sworn or affirmed before a notary 638  
public or another person empowered to administer oaths. 639

(7) The statement is in writing on or in connection with a 640  
report or return that is required or authorized by law. 641

(8) The statement is in writing and is made with purpose 642  
to induce another to extend credit to or employ the offender, to 643

confer any degree, diploma, certificate of attainment, award of 644  
excellence, or honor on the offender, or to extend to or bestow 645  
upon the offender any other valuable benefit or distinction, 646  
when the person to whom the statement is directed relies upon it 647  
to that person's detriment. 648

(9) The statement is made with purpose to commit or 649  
facilitate the commission of a theft offense. 650

(10) The statement is knowingly made to a probate court in 651  
connection with any action, proceeding, or other matter within 652  
its jurisdiction, either orally or in a written document, 653  
including, but not limited to, an application, petition, 654  
complaint, or other pleading, or an inventory, account, or 655  
report. 656

(11) The statement is made on an account, form, record, 657  
stamp, label, or other writing that is required by law. 658

(12) The statement is made in connection with the purchase 659  
of a firearm, as defined in section 2923.11 of the Revised Code, 660  
and in conjunction with the furnishing to the seller of the 661  
firearm of a fictitious or altered driver's or commercial 662  
driver's license or permit, a fictitious or altered 663  
identification card, or any other document that contains false 664  
information about the purchaser's identity. 665

(13) The statement is made in a document or instrument of 666  
writing that purports to be a judgment, lien, or claim of 667  
indebtedness and is filed or recorded with the secretary of 668  
state, a county recorder, or the clerk of a court of record. 669

(14) The statement is made in an application filed with a 670  
county sheriff pursuant to section 2923.125 of the Revised Code 671  
in order to obtain or renew a concealed ~~handgun~~ weapons license 672

or ~~is made~~ in an affidavit submitted to a county sheriff to 673  
obtain a concealed ~~handgun~~ weapons license on a temporary 674  
emergency basis under section 2923.1213 of the Revised Code, 675  
regardless of whether the application was made or affidavit was 676  
submitted prior to, on, or after the effective date of this 677  
amendment. 678

(15) The statement is required under section 5743.71 of 679  
the Revised Code in connection with the person's purchase of 680  
cigarettes or tobacco products in a delivery sale. 681

(B) No person, in connection with the purchase of a 682  
firearm, as defined in section 2923.11 of the Revised Code, 683  
shall knowingly furnish to the seller of the firearm a 684  
fictitious or altered driver's or commercial driver's license or 685  
permit, a fictitious or altered identification card, or any 686  
other document that contains false information about the 687  
purchaser's identity. 688

(C) No person, in an attempt to obtain a concealed ~~handgun~~ 689  
weapons license under section 2923.125 of the Revised Code, 690  
shall knowingly present to a sheriff a fictitious or altered 691  
document that purports to be certification of the person's 692  
competence in handling a ~~handgun~~ firearm as described in 693  
division (B) (3) of that section. 694

(D) It is no defense to a charge under division (A) (6) of 695  
this section that the oath or affirmation was administered or 696  
taken in an irregular manner. 697

(E) If contradictory statements relating to the same fact 698  
are made by the offender within the period of the statute of 699  
limitations for falsification, it is not necessary for the 700  
prosecution to prove which statement was false but only that one 701



or the other was false. 702

(F) (1) Whoever violates division (A) (1), (2), (3), (4), 703  
(5), (6), (7), (8), (10), (11), (13), or (15) of this section is 704  
guilty of falsification. Except as otherwise provided in this 705  
division, falsification is a misdemeanor of the first degree. 706

(2) Whoever violates division (A) (9) of this section is 707  
guilty of falsification in a theft offense. Except as otherwise 708  
provided in this division, falsification in a theft offense is a 709  
misdemeanor of the first degree. If the value of the property or 710  
services stolen is one thousand dollars or more and is less than 711  
seven thousand five hundred dollars, falsification in a theft 712  
offense is a felony of the fifth degree. If the value of the 713  
property or services stolen is seven thousand five hundred 714  
dollars or more and is less than one hundred fifty thousand 715  
dollars, falsification in a theft offense is a felony of the 716  
fourth degree. If the value of the property or services stolen 717  
is one hundred fifty thousand dollars or more, falsification in 718  
a theft offense is a felony of the third degree. 719

(3) Whoever violates division (A) (12) or (B) of this 720  
section is guilty of falsification to purchase a firearm, a 721  
felony of the fifth degree. 722

(4) Whoever violates division (A) (14) or (C) of this 723  
section is guilty of falsification to obtain a concealed ~~handgun-~~ 724  
weapons license, a felony of the fourth degree. 725

(5) Whoever violates division (A) of this section in 726  
removal proceedings under section 319.26, 321.37, 507.13, or 727  
733.78 of the Revised Code is guilty of falsification regarding 728  
a removal proceeding, a felony of the third degree. 729

(G) A person who violates this section is liable in a 730

civil action to any person harmed by the violation for injury, 731  
death, or loss to person or property incurred as a result of the 732  
commission of the offense and for reasonable attorney's fees, 733  
court costs, and other expenses incurred as a result of 734  
prosecuting the civil action commenced under this division. A 735  
civil action under this division is not the exclusive remedy of 736  
a person who incurs injury, death, or loss to person or property 737  
as a result of a violation of this section. 738

(H) As used in this section, "concealed weapons license" 739  
has the same meaning as in section 2923.11 of the Revised Code. 740

**Sec. 2923.11.** As used in sections 2923.11 to 2923.24 of 741  
the Revised Code: 742

(A) "Deadly weapon" means any instrument, device, or thing 743  
capable of inflicting death, and designed or specially adapted 744  
for use as a weapon, or possessed, carried, or used as a weapon. 745

(B) (1) "Firearm" means any deadly weapon capable of 746  
expelling or propelling one or more projectiles by the action of 747  
an explosive or combustible propellant. "Firearm" includes an 748  
unloaded firearm, and any firearm that is inoperable but that 749  
can readily be rendered operable. 750

(2) When determining whether a firearm is capable of 751  
expelling or propelling one or more projectiles by the action of 752  
an explosive or combustible propellant, the trier of fact may 753  
rely upon circumstantial evidence, including, but not limited 754  
to, the representations and actions of the individual exercising 755  
control over the firearm. 756

(C) "Handgun" means any of the following: 757

(1) Any firearm that has a short stock and is designed to 758  
be held and fired by the use of a single hand; 759

(2) Any combination of parts from which a firearm of a type described in division (C) (1) of this section can be assembled.

(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.

(E) "Automatic firearm" means any firearm designed or specially adapted to fire a succession of cartridges with a single function of the trigger.

(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. "Sawed-off firearm" does not include any firearm with an overall length of at least twenty-six inches that is approved for sale by the federal bureau of alcohol, tobacco, firearms, and explosives under the "Gun Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a) (3), but that is found by the bureau not to be regulated under the "National Firearms Act," 68A Stat. 725 (1934), 26 U.S.C. 5845(a).

(G) "Zip-gun" means any of the following:

(1) Any firearm of crude and extemporized manufacture;

(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;

(3) Any industrial tool, ~~signalling~~ signaling 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.

(H) "Explosive device" means any device designed or 789  
specially adapted to cause physical harm to persons or property 790  
by means of an explosion, and consisting of an explosive 791  
substance or agency and a means to detonate it. "Explosive 792  
device" includes without limitation any bomb, any explosive 793  
demolition device, any blasting cap or detonator containing an 794  
explosive charge, and any pressure vessel that has been 795  
knowingly tampered with or arranged so as to explode. 796

(I) "Incendiary device" means any firebomb, and any device 797  
designed or specially adapted to cause physical harm to persons 798  
or property by means of fire, and consisting of an incendiary 799  
substance or agency and a means to ignite it. 800

(J) "Ballistic knife" means a knife with a detachable 801  
blade that is propelled by a spring-operated mechanism. 802

(K) "Dangerous ordnance" means any of the following, 803  
except as provided in division (L) of this section: 804

(1) Any automatic or sawed-off firearm, zip-gun, or 805  
ballistic knife; 806

(2) Any explosive device or incendiary device; 807

(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, 808  
cyclonite, TNT, picric acid, and other high explosives; amatol, 809  
tritonite, tetrytol, pentolite, pecretol, cyclotol, and other 810  
high explosive compositions; plastic explosives; dynamite, 811  
blasting gelatin, gelatin dynamite, sensitized ammonium nitrate, 812  
liquid-oxygen blasting explosives, blasting powder, and other 813  
blasting agents; and any other explosive substance having 814  
sufficient brisance or power to be particularly suitable for use 815  
as a military explosive, or for use in mining, quarrying, 816  
excavating, or demolitions; 817

(4) Any firearm, rocket launcher, mortar, artillery piece,	818
grenade, mine, bomb, torpedo, or similar weapon, designed and	819
manufactured for military purposes, and the ammunition for that	820
weapon;	821
(5) Any firearm muffler or suppressor;	822
(6) Any combination of parts that is intended by the owner	823
for use in converting any firearm or other device into a	824
dangerous ordnance.	825
(L) "Dangerous ordnance" does not include any of the	826
following:	827
(1) Any firearm, including a military weapon and the	828
ammunition for that weapon, and regardless of its actual age,	829
that employs a percussion cap or other obsolete ignition system,	830
or that is designed and safe for use only with black powder;	831
(2) Any pistol, rifle, or shotgun, designed or suitable	832
for sporting purposes, including a military weapon as issued or	833
as modified, and the ammunition for that weapon, unless the	834
firearm is an automatic or sawed-off firearm;	835
(3) Any cannon or other artillery piece that, regardless	836
of its actual age, is of a type in accepted use prior to 1887,	837
has no mechanical, hydraulic, pneumatic, or other system for	838
absorbing recoil and returning the tube into battery without	839
displacing the carriage, and is designed and safe for use only	840
with black powder;	841
(4) Black powder, priming quills, and percussion caps	842
possessed and lawfully used to fire a cannon of a type defined	843
in division (L) (3) of this section during displays,	844
celebrations, organized matches or shoots, and target practice,	845
and smokeless and black powder, primers, and percussion caps	846

possessed and lawfully used as a propellant or ignition device 847  
in small-arms or small-arms ammunition; 848

(5) Dangerous ordnance that is inoperable or inert and 849  
cannot readily be rendered operable or activated, and that is 850  
kept as a trophy, souvenir, curio, or museum piece; 851

(6) Any device that is expressly excepted from the 852  
definition of a destructive device pursuant to the "Gun Control 853  
Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a)(4), as amended, 854  
and regulations issued under that act; 855

(7) Any firearm with an overall length of at least twenty- 856  
six inches that is approved for sale by the federal bureau of 857  
alcohol, tobacco, firearms, and explosives under the "Gun 858  
Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a)(3), but 859  
that is found by the bureau not to be regulated under the 860  
"National Firearms Act," 68A Stat. 725 (1934), 26 U.S.C. 861  
5845(a). 862

(M) "Explosive" means any chemical compound, mixture, or 863  
device, the primary or common purpose of which is to function by 864  
explosion. "Explosive" includes all materials that have been 865  
classified as division 1.1, division 1.2, division 1.3, or 866  
division 1.4 explosives by the United States department of 867  
transportation in its regulations and includes, but is not 868  
limited to, dynamite, black powder, pellet powders, initiating 869  
explosives, blasting caps, electric blasting caps, safety fuses, 870  
fuse igniters, squibs, cordeau detonant fuses, instantaneous 871  
fuses, and igniter cords and igniters. "Explosive" does not 872  
include "fireworks," as defined in section 3743.01 of the 873  
Revised Code, or any substance or material otherwise meeting the 874  
definition of explosive set forth in this section that is 875  
manufactured, sold, possessed, transported, stored, or used in 876

any activity described in section 3743.80 of the Revised Code, 877  
provided the activity is conducted in accordance with all 878  
applicable laws, rules, and regulations, including, but not 879  
limited to, the provisions of section 3743.80 of the Revised 880  
Code and the rules of the fire marshal adopted pursuant to 881  
section 3737.82 of the Revised Code. 882

(N) (1) "Concealed ~~handgun weapons~~ license" or "license to 883  
carry a concealed ~~handgun weapon~~" means, subject to division (N) 884  
(2) of this section, ~~a~~ any of the following: 885

(a) A license or temporary emergency license to carry a 886  
concealed handgun issued on or after the effective date of this 887  
amendment under section 2923.125 or 2923.1213 of the Revised 888  
Code or a that authorizes the person to whom it is issued to 889  
carry a concealed deadly weapon other than a restricted deadly 890  
weapon; 891

(b) A license or temporary emergency license to carry a 892  
concealed handgun issued prior to the effective date of this 893  
amendment under section 2923.125 or 2923.1213 of the Revised 894  
Code as those sections existed prior to that date that, when 895  
issued, authorized the person to whom it was issued to carry a 896  
concealed handgun and that, on and after the effective date of 897  
this amendment, authorizes the person to whom it was issued to 898  
carry a concealed deadly weapon other than a restricted deadly 899  
weapon; 900

(c) A license to carry a concealed handgun issued by 901  
another state with which the attorney general has entered into a 902  
reciprocity agreement under section 109.69 of the Revised Code 903  
that authorizes the person to whom it is issued to carry a 904  
concealed handgun, concealed firearm, or concealed deadly 905  
weapon. 906

(2) A reference in any provision of the Revised Code to a concealed ~~handgun-weapons~~ license issued under section 2923.125 of the Revised Code or a license to carry a concealed ~~handgun-weapon~~ issued under section 2923.125 of the Revised Code means only a license of the type that is specified in that section or a license of the type described in division (N)(1)(b) of this section issued under section 2923.125 of the Revised Code as it existed prior to the effective date of this amendment. ~~A~~

A reference in any provision of the Revised Code to a concealed ~~handgun-weapons~~ license issued under section 2923.1213 of the Revised Code, a license to carry a concealed ~~handgun-weapon~~ issued under section 2923.1213 of the Revised Code, or a license to carry a concealed ~~handgun-weapon~~ on a temporary emergency basis means only a license of the type that is specified in that section-2923.1213 of the Revised Code or a license of the type described in division (N)(1)(b) of this section issued under section 2923.1213 of the Revised Code as it existed prior to the effective date of this amendment. ~~A~~

A reference in any provision of the Revised Code to a ~~concealed handgun~~-license issued by another state ~~or a license to carry a concealed handgun issued by another state that~~ authorizes the carrying of concealed handguns, firearms, or deadly weapons means only a license issued by another state with which the attorney general has entered into a reciprocity agreement under section 109.69 of the Revised Code.

A reference in any provision of the Revised Code to a person who is deemed under division (C) of section 2923.111 of the Revised Code to have been issued a concealed weapons license under section 2923.125 of the Revised Code means only a person who is so deemed and does not include a person who has been



issued a license of a type described in division (N) (1) of this section. 937  
938

(O) "Valid concealed ~~handgun~~weapons license" or "valid license to carry a concealed ~~handgun~~weapon" means ~~a~~any of the following: 939  
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941

(1) A concealed ~~handgun~~weapons license of the type described in division (N) (1) (a) or (c) of this section that is currently valid, that is not under a suspension under division (A) (1) of section 2923.128 of the Revised Code, under section 2923.1213 of the Revised Code, or under a suspension provision of the state other than this state in which the license was issued, and that has not been revoked under division (B) (1) of section 2923.128 of the Revised Code, under section 2923.1213 of the Revised Code, or under a revocation provision of the state other than this state in which the license was issued; 942  
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(2) A concealed ~~handgun~~weapons license of the type described in division (N) (1) (b) of this section that is currently valid, that is not under a suspension of any type described in division (O) (1) of this section, and that has not been revoked in any manner described in division (O) (1) of this section. 952  
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(P) "Misdemeanor punishable by imprisonment for a term exceeding one year" does not include any of the following: 957  
958

(1) Any federal or state offense pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices; 959  
960  
961  
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(2) Any misdemeanor offense punishable by a term of imprisonment of two years or less. 963  
964

(Q) "Alien registration number" means the number issued by 965

the United States citizenship and immigration services agency 966  
that is located on the alien's permanent resident card and may 967  
also be commonly referred to as the "USCIS number" or the "alien 968  
number." 969

(R) "Active duty" has the same meaning as defined in 10 970  
U.S.C. 101. 971

(S) "Restricted firearm" means a firearm that is a 972  
dangerous ordnance or that is a firearm that any law of this 973  
state or the United States prohibits the subject person from 974  
possessing, having, or carrying. 975

(T) "Restricted deadly weapon" means a deadly weapon that 976  
is a restricted firearm or that is a deadly weapon that any law 977  
of this state or the United States prohibits the subject person 978  
from possessing, having, or carrying. 979

**Sec. 2923.111.** (A) Notwithstanding any other Revised Code 980  
section to the contrary, subject to the limitations specified in 981  
this division and to division (C)(2) of this section, a person 982  
who is twenty-one years of age or older and is not legally 983  
prohibited from possessing or receiving a firearm under any law 984  
of this state or the United States shall not be required to 985  
obtain a concealed weapons license under section 2923.125 or 986  
2923.1213 of the Revised Code in order to carry in this state a 987  
concealed deadly weapon that is not a restricted deadly weapon. 988

Except as provided in divisions (B) and (C) of section 989  
2923.126 of the Revised Code and regardless of whether the 990  
person has been issued a concealed weapons license under section 991  
2923.125 or 2923.1213 of the Revised Code or by another state, a 992  
person who is twenty-one years of age or older and is not 993  
legally prohibited from possessing or receiving a firearm under 994

any law of this state or the United States may carry a concealed 995  
deadly weapon that is not a restricted deadly weapon anywhere in 996  
this state. The person's right to carry a concealed deadly 997  
weapon that is not a restricted deadly weapon that is granted 998  
under this division is the same right as is granted to a person 999  
who has been issued a concealed weapons license under section 1000  
2923.125 of the Revised Code, and the person described in this 1001  
division is subject to the same restrictions as apply to a 1002  
person who has been issued a concealed weapons license under 1003  
section 2923.125 of the Revised Code. 1004

(B) The mere carrying or possession of a deadly weapon 1005  
that is not a restricted deadly weapon pursuant to the right 1006  
described in division (A) of this section, with or without a 1007  
concealed weapons license issued under section 2923.125 or 1008  
2923.1213 of the Revised Code or a concealed weapons license 1009  
issued by another state, does not constitute grounds for any law 1010  
enforcement officer or any agent of the state, a county, a 1011  
municipal corporation, or a township to conduct any search, 1012  
seizure, or detention, no matter how temporary in duration, of 1013  
an otherwise law-abiding person. 1014

(C) (1) For purposes of sections 1547.69 and 2923.12 to 1015  
2923.1213 of the Revised Code and any other provision of law 1016  
that refers to a concealed weapons license or a concealed 1017  
weapons licensee, except when the context clearly indicates 1018  
otherwise, a person who is described in division (A) of this 1019  
section and is carrying or has, concealed on the person's person 1020  
or ready at hand, a deadly weapon that is not a restricted 1021  
deadly weapon shall be deemed to have been issued a concealed 1022  
weapons license under section 2923.125 of the Revised Code. 1023

(2) The concealed weapons license expiration provisions of 1024

section 2923.125 of the Revised Code and the concealed weapons 1025  
license suspension and revocation provisions of section 2923.128 1026  
of the Revised Code do not apply with respect to a person who is 1027  
described in division (A) of this section unless the person has 1028  
been issued a concealed weapons license. If a person is 1029  
described in division (A) of this section and the person 1030  
thereafter comes within any category of persons legally 1031  
prohibited from possessing or receiving a firearm under any law 1032  
of this state or the United States, both of the following apply 1033  
automatically and immediately upon the person coming within that 1034  
category: 1035

(a) Division (A) of this section and the authority and 1036  
right to carry a concealed deadly weapon that are described in 1037  
that division do not apply to the person. 1038

(b) Division (C) (1) of this section does not apply to the 1039  
person, and the person no longer is deemed to have been issued a 1040  
concealed weapons license under section 2923.125 of the Revised 1041  
Code as described in that division. 1042

**Sec. 2923.12.** (A) No person shall knowingly carry or have, 1043  
concealed on the person's person or concealed ready at hand, any 1044  
of the following: 1045

(1) A deadly weapon other than a handgun; 1046

(2) A handgun other than a dangerous ordnance; 1047

(3) A dangerous ordnance. 1048

(B) No person who has been issued a concealed ~~handgun~~ 1049  
weapons license and is carrying a concealed deadly weapon that 1050  
is not a restricted deadly weapon or who is deemed under 1051  
division (C) of section 2923.111 of the Revised Code to have 1052  
been issued a concealed weapons license under section 2923.125 1053

of the Revised Code and is carrying a concealed deadly weapon 1054  
that is not a restricted deadly weapon shall do any of the 1055  
following: 1056

~~(1) If the person is stopped for a law enforcement purpose~~ 1057  
~~and is carrying a concealed handgun, fail to promptly inform any~~ 1058  
~~law enforcement officer who approaches the person after the~~ 1059  
~~person has been stopped that the person has been issued a~~ 1060  
~~concealed handgun license and that the person then is carrying a~~ 1061  
~~concealed handgun;~~ 1062

~~(2)~~ If the person is stopped for a law enforcement purpose 1063  
~~and is carrying a concealed handgun,~~ knowingly fail to keep the 1064  
person's hands in plain sight at any time after any law 1065  
enforcement officer begins approaching the person while stopped 1066  
and before the law enforcement officer leaves, unless the 1067  
failure is pursuant to and in accordance with directions given 1068  
by a law enforcement officer; 1069

~~(3)~~ (2) If the person is stopped for a law enforcement 1070  
purpose, if the ~~person is carrying a concealed handgun~~ deadly 1071  
weapon is a loaded firearm, and if the person is approached by 1072  
any law enforcement officer while stopped, knowingly remove or 1073  
attempt to remove the loaded ~~handgun~~ firearm from the holster, 1074  
pocket, or other place in which the person is carrying it, 1075  
knowingly grasp or hold the loaded ~~handgun~~ firearm, or knowingly 1076  
have contact with the loaded ~~handgun~~ firearm by touching it with 1077  
the person's hands or fingers at any time after the law 1078  
enforcement officer begins approaching and before the law 1079  
enforcement officer leaves, unless the person removes, attempts 1080  
to remove, grasps, holds, or has contact with the loaded ~~handgun~~ 1081  
firearm pursuant to and in accordance with directions given by 1082  
the law enforcement officer; 1083

~~(4)(3)~~ If the person is stopped for a law enforcement 1084  
purpose ~~and is carrying a concealed handgun,~~ knowingly disregard 1085  
or fail to comply with any lawful order of any law enforcement 1086  
officer given while the person is stopped, including, but not 1087  
limited to, a specific order to the person to keep the person's 1088  
hands in plain sight. 1089

(C) (1) This section does not apply to any of the 1090  
following: 1091

(a) An officer, agent, or employee of this or any other 1092  
state or the United States, or to a law enforcement officer, who 1093  
is authorized to carry concealed weapons or dangerous ordnance 1094  
or is authorized to carry ~~handguns~~ firearms or other deadly 1095  
weapons and is acting within the scope of the officer's, 1096  
agent's, or employee's duties; 1097

(b) Any person who is employed in this state, who is 1098  
authorized to carry concealed weapons or dangerous ordnance or 1099  
is authorized to carry ~~handguns~~ firearms or other deadly 1100  
weapons, and who is subject to and in compliance with the 1101  
requirements of section 109.801 of the Revised Code, unless the 1102  
appointing authority of the person has expressly specified that 1103  
the exemption provided in division (C) (1) (b) of this section 1104  
does not apply to the person; 1105

(c) A person's transportation or storage of a ~~firearm~~ 1106  
deadly weapon, other than a firearm described in divisions (G) 1107  
to (M) of section 2923.11 of the Revised Code, in a motor 1108  
vehicle for any lawful purpose if the ~~firearm~~ deadly weapon is 1109  
not on the actor's person; 1110

(d) A person's storage or possession of a ~~firearm~~ deadly 1111  
weapon, other than a firearm described in divisions (G) to (M) 1112

of section 2923.11 of the Revised Code, in the actor's own home 1113  
for any lawful purpose. 1114

(2) ~~Division~~ (a) Subject to division (C) (2) (b) of this 1115  
section, divisions (A) (1) and (2) of this section ~~does~~ do not 1116  
apply to any person ~~who~~ with respect to the carrying or 1117  
possession of any deadly weapon that is not a restricted deadly 1118  
weapon if, at the time of the alleged carrying or possession of 1119  
a handgun the deadly weapon, ~~either is carrying the person has~~ 1120  
been issued a valid concealed ~~handgun~~ weapons license, is deemed 1121  
under division (C) of section 2923.111 of the Revised Code to 1122  
have been issued a concealed weapons license under section 1123  
2923.125 of the Revised Code, or is an active duty member of the 1124  
armed forces of the United States and is carrying a valid 1125  
military identification card and documentation of successful 1126  
completion of firearms training that meets or exceeds the 1127  
training requirements described in division (G) (1) of section 1128  
2923.125 of the Revised Code, ~~unless.~~ 1129

(b) The exemptions specified in division (C) (2) (a) of this 1130  
section do not apply to a person if the person, at the time of 1131  
the carrying or possession in question, knowingly is in a ~~an~~ 1132  
unauthorized place ~~described~~ specified in division (B) of 1133  
section 2923.126 of the Revised Code or knowingly is 1134  
transporting or possessing the deadly weapon in any prohibited 1135  
manner listed in that division. 1136

(D) It is an affirmative defense to a charge under 1137  
division (A) (1) of this section of carrying or having control of 1138  
a deadly weapon other than a handgun and other than a dangerous 1139  
ordnance that neither division (C) (1) nor (2) of this section 1140  
applies, that the actor was not otherwise prohibited by law from 1141  
having the weapon, and that any of the following applies: 1142

(1) The weapon was carried or kept ready at hand by the 1143  
actor for defensive purposes while the actor was engaged in or 1144  
was going to or from the actor's lawful business or occupation, 1145  
which business or occupation was of a character or was 1146  
necessarily carried on in a manner or at a time or place as to 1147  
render the actor particularly susceptible to criminal attack, 1148  
such as would justify a prudent person in going armed. 1149

(2) The weapon was carried or kept ready at hand by the 1150  
actor for defensive purposes while the actor was engaged in a 1151  
lawful activity and had reasonable cause to fear a criminal 1152  
attack upon the actor, a member of the actor's family, or the 1153  
actor's home, such as would justify a prudent person in going 1154  
armed. 1155

(3) The weapon was carried or kept ready at hand by the 1156  
actor for any lawful purpose and while in the actor's own home. 1157

(E) (1) No person who is charged with a violation of this 1158  
section shall be required to obtain a concealed ~~handgun~~ ~~weapons~~ 1159  
license as a condition for the dismissal of the charge. 1160

(2) If a person is convicted of, was convicted of, pleads 1161  
guilty to, or has pleaded guilty to a violation of division (B) 1162  
(1) of this section as it existed prior to the effective date of 1163  
this amendment, the person may file an application under section 1164  
2953.37 of the Revised Code requesting the expungement of the 1165  
record of conviction. 1166

(F) (1) Whoever violates this section is guilty of carrying 1167  
concealed weapons. Except as otherwise provided in this division 1168  
or divisions (F) ~~(2)~~, ~~(6)~~, ~~(4)~~ and ~~(7)~~ ~~(5)~~ of this section, 1169  
carrying concealed weapons in violation of division (A) of this 1170  
section is a misdemeanor of the first degree. Except as 1171



otherwise provided in this division or divisions (F) ~~(2), (6),~~ 1172  
~~(4)~~ and ~~(7)-(5)~~ of this section, if the offender previously has 1173  
been convicted of a violation of this section or of any offense 1174  
of violence, if the weapon involved is a firearm that is either 1175  
loaded or for which the offender has ammunition ready at hand, 1176  
or if the weapon involved is dangerous ordnance, carrying 1177  
concealed weapons in violation of division (A) of this section 1178  
is a felony of the fourth degree. Except as otherwise provided 1179  
in ~~divisions~~ division (F) ~~(2) and (6)-(4)~~ of this section, if the 1180  
offense is committed aboard an aircraft, or with purpose to 1181  
carry a concealed weapon aboard an aircraft, regardless of the 1182  
weapon involved, carrying concealed weapons in violation of 1183  
division (A) of this section is a felony of the third degree. 1184

~~(2) Except as provided in division (F) (6) of this section,~~ 1185  
~~if a person being arrested for a violation of division (A) (2) of~~ 1186  
~~this section promptly produces a valid concealed handgun~~ 1187  
~~license, and if at the time of the violation the person was not~~ 1188  
~~knowingly in a place described in division (B) of section~~ 1189  
~~2923.126 of the Revised Code, the officer shall not arrest the~~ 1190  
~~person for a violation of that division. If the person is not~~ 1191  
~~able to promptly produce any concealed handgun license and if~~ 1192  
~~the person is not in a place described in that section, the~~ 1193  
~~officer may arrest the person for a violation of that division,~~ 1194  
~~and the offender shall be punished as follows:~~ 1195

~~(a) The offender shall be guilty of a minor misdemeanor if~~ 1196  
~~both of the following apply:~~ 1197

~~(i) Within ten days after the arrest, the offender~~ 1198  
~~presents a concealed handgun license, which license was valid at~~ 1199  
~~the time of the arrest to the law enforcement agency that~~ 1200  
~~employs the arresting officer.~~ 1201

~~(ii) At the time of the arrest, the offender was not knowingly in a place described in division (B) of section 2923.126 of the Revised Code.~~ 1202  
1203  
1204

~~(b) The offender shall be guilty of a misdemeanor and shall be fined five hundred dollars if all of the following apply:~~ 1205  
1206  
1207

~~(i) The offender previously had been issued a concealed handgun license, and that license expired within the two years immediately preceding the arrest.~~ 1208  
1209  
1210

~~(ii) Within forty five days after the arrest, the offender presents a concealed handgun license to the law enforcement agency that employed the arresting officer, and the offender waives in writing the offender's right to a speedy trial on the charge of the violation that is provided in section 2945.71 of the Revised Code.~~ 1211  
1212  
1213  
1214  
1215  
1216

~~(iii) At the time of the commission of the offense, the offender was not knowingly in a place described in division (B) of section 2923.126 of the Revised Code.~~ 1217  
1218  
1219

~~(c) If divisions (F)(2)(a) and (b) and (F)(6) of this section do not apply, the offender shall be punished under division (F)(1) or (7) of this section.~~ 1220  
1221  
1222

~~(3) Except as otherwise provided in this division, carrying concealed weapons in violation of division (B)(1) of this section is a misdemeanor of the first degree, and, in addition to any other penalty or sanction imposed for a violation of division (B)(1) of this section, the offender's concealed handgun license shall be suspended pursuant to division (A)(2) of section 2923.128 of the Revised Code. If, at the time of the stop of the offender for a law enforcement~~ 1223  
1224  
1225  
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1227  
1228  
1229  
1230

~~purpose that was the basis of the violation, any law enforcement officer involved with the stop had actual knowledge that the offender has been issued a concealed handgun license, carrying concealed weapons in violation of division (B) (1) of this section is a minor misdemeanor, and the offender's concealed handgun license shall not be suspended pursuant to division (A) (2) of section 2923.128 of the Revised Code.~~ 1231-1237

~~(4)~~ Carrying concealed weapons in violation of division (B) ~~(2)~~ (1) or ~~(4)~~ (3) of this section is a misdemeanor of the first degree or, if the offender previously has been convicted of or pleaded guilty to a violation of division (B) ~~(2)~~ (1) or ~~(4)~~ (3) of this section, a felony of the fifth degree. In addition to any other penalty or sanction imposed for a misdemeanor violation of division (B) ~~(2)~~ (1) or ~~(4)~~ (3) of this section, if the offender has been issued a concealed weapons license, the offender's ~~concealed handgun~~ license shall be suspended pursuant to division (A) (2) of section 2923.128 of the Revised Code. 1238-1247

~~(5)~~ (3) Carrying concealed weapons in violation of division (B) ~~(3)~~ (2) of this section is a felony of the fifth degree. 1248-1250

~~(6)~~ (4) If a person being arrested for a violation of division (A) (1) or (2) of this section based on carrying a concealed deadly weapon that is not a restricted deadly weapon 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, and if at the time of the violation the person was not knowingly in ~~a~~ an unauthorized place ~~described~~ specified in division (B) of 1251-1260

section 2923.126 of the Revised Code or knowingly carrying or 1261  
having the deadly weapon in any prohibited manner listed in that 1262  
division, the officer shall not arrest the person for a 1263  
violation of ~~that~~ division (A) (1) or (2) of this section. If the 1264  
person is not able to promptly produce a valid military 1265  
identification card and documentation of successful completion 1266  
of firearms training that meets or exceeds the training 1267  
requirements described in division (G) (1) of section 2923.125 of 1268  
the Revised Code and if the person at the time of the violation 1269  
is not knowingly in a ~~an unauthorized place described specified~~ 1270  
in division (B) of section 2923.126 of the Revised Code or 1271  
knowingly carrying or having the deadly weapon in any prohibited 1272  
manner listed in that division, the officer shall issue a 1273  
citation and the offender shall be assessed a civil penalty of 1274  
not more than five hundred dollars. The citation shall be 1275  
automatically dismissed and the civil penalty shall not be 1276  
assessed if both of the following apply: 1277

(a) Within ten days after the issuance of the citation, 1278  
the offender presents a valid military identification card and 1279  
documentation of successful completion of firearms training that 1280  
meets or exceeds the training requirements described in division 1281  
(G) (1) of section 2923.125 of the Revised Code, which were both 1282  
valid at the time of the issuance of the citation to the law 1283  
enforcement agency that employs the citing officer. 1284

(b) At the time of the citation, the offender was not 1285  
knowingly in ~~a~~ any unauthorized place described specified in 1286  
division (B) of section 2923.126 of the Revised Code or 1287  
knowingly carrying or having the deadly weapon in any prohibited 1288  
manner listed in that division. 1289

~~(7)~~ (5) If a person being arrested for a violation of 1290

division (A) (1) or (2) of this section based on carrying a 1291  
concealed deadly weapon that is not a restricted deadly weapon 1292  
is knowingly in ~~a~~ any unauthorized place described in division 1293  
(B) (5) of section 2923.126 of the Revised Code and is not 1294  
authorized to carry a ~~handgun~~ deadly weapon or have a ~~handgun~~ 1295  
deadly weapon concealed on the person's person or concealed 1296  
ready at hand under that division, the penalty shall be as 1297  
follows: 1298

(a) Except as otherwise provided in ~~this division, if the~~ 1299  
~~person produces a valid concealed handgun license within ten~~ 1300  
~~days after the arrest and has not previously been convicted or~~ 1301  
~~pleaded guilty to a violation of division (A) (2) of this section~~ 1302  
(F) (5) (b), (c), or (d) of this section, the person is guilty of 1303  
a minor misdemeanor; 1304

(b) Except as otherwise provided in ~~this division~~ (F) (5) 1305  
(c) or (d) of this section, if the person has previously been 1306  
convicted of or pleaded guilty to a violation of division (A) (1) 1307  
or (2) of this section, the person is guilty of a misdemeanor of 1308  
the fourth degree; 1309

(c) Except as otherwise provided in ~~this division~~ (F) (5) 1310  
(d) of this section, if the person has previously been convicted 1311  
of or pleaded guilty to two violations of division (A) (1) or (2) 1312  
of this section, the person is guilty of a misdemeanor of the 1313  
third degree; 1314

(d) ~~Except as otherwise provided in this division, if~~ 1315  
~~If~~ the person has previously been convicted of or pleaded guilty to 1316  
three or more violations of division (A) (1) or (2) of this 1317  
section, or convicted of or pleaded guilty to any offense of 1318  
violence, if the deadly weapon involved is a firearm that is 1319  
either loaded or for which the offender has ammunition ready at 1320

hand, or if the deadly weapon involved is a dangerous ordnance, 1321  
the person is guilty of a misdemeanor of the second degree. 1322

(G) If a law enforcement officer stops a person to 1323  
question the person regarding a possible violation of this 1324  
section, for a traffic stop, or for any other law enforcement 1325  
purpose, if the person surrenders a ~~firearm~~-deadly weapon to the 1326  
officer, either voluntarily or pursuant to a request or demand 1327  
of the officer, and if the officer does not charge the person 1328  
with a violation of this section or arrest the person for any 1329  
offense, the person is not otherwise prohibited by law from 1330  
possessing the ~~firearm~~ deadly weapon, and the ~~firearm~~-deadly 1331  
weapon is not contraband, the officer shall return the ~~firearm~~- 1332  
deadly weapon to the person at the termination of the stop. If a 1333  
court orders a law enforcement officer to return a ~~firearm~~- 1334  
deadly weapon to a person pursuant to the requirement set forth 1335  
in this division, division (B) of section 2923.163 of the 1336  
Revised Code applies. 1337

**Sec. 2923.121.** (A) No person shall possess a firearm in 1338  
any room in which any person is consuming beer or intoxicating 1339  
liquor in a premises for which a D permit has been issued under 1340  
Chapter 4303. of the Revised Code or in an open air arena for 1341  
which a permit of that nature has been issued. 1342

(B) (1) This section does not apply to any of the 1343  
following: 1344

(a) An officer, agent, or employee of this or any other 1345  
state or the United States, or a law enforcement officer, who is 1346  
authorized to carry firearms and is acting within the scope of 1347  
the officer's, agent's, or employee's duties; 1348

(b) A law enforcement officer or investigator who is 1349

authorized to carry firearms but is not acting within the scope 1350  
of the officer's or investigator's duties, as long as all of the 1351  
following apply: 1352

(i) The officer or investigator is carrying validating 1353  
identification. 1354

(ii) If the firearm the officer or investigator possesses 1355  
is a firearm issued or approved by the law enforcement agency 1356  
served by the officer or by the bureau of criminal 1357  
identification and investigation with respect to an 1358  
investigator, the agency or bureau does not have a restrictive 1359  
firearms carrying policy. 1360

(iii) The officer or investigator is not consuming beer or 1361  
intoxicating liquor and is not under the influence of alcohol or 1362  
a drug of abuse. 1363

(c) Any room used for the accommodation of guests of a 1364  
hotel, as defined in section 4301.01 of the Revised Code; 1365

(d) The principal holder of a D permit issued for a 1366  
premises or an open air arena under Chapter 4303. of the Revised 1367  
Code while in the premises or open air arena for which the 1368  
permit was issued if the principal holder of the D permit also 1369  
~~possesses~~ has been issued a valid concealed handgun weapons 1370  
license or is deemed under division (C) of section 2923.111 of 1371  
the Revised Code to have been issued a concealed weapons license 1372  
under section 2923.125 of the Revised Code and as long as the 1373  
firearm is not a restricted firearm and the principal holder is 1374  
not consuming beer or intoxicating liquor or under the influence 1375  
of alcohol or a drug of abuse, or any agent or employee of that 1376  
holder who also is a peace officer, as defined in section 1377  
2151.3515 of the Revised Code, who is off duty, and who 1378

otherwise is authorized to carry firearms while in the course of 1379  
the officer's official duties and while in the premises or open 1380  
air arena for which the permit was issued and as long as the 1381  
firearm is not a restricted firearm and the agent or employee of 1382  
that holder is not consuming beer or intoxicating liquor or 1383  
under the influence of alcohol or a drug of abuse. 1384

(e) Any person who ~~is carrying~~ has been issued a valid 1385  
concealed ~~handgun weapons~~ license, any person who is deemed 1386  
under division (C) of section 2923.111 of the Revised Code to 1387  
have been issued a concealed weapons license under section 1388  
2923.125 of the Revised Code, or any person who is an active 1389  
duty member of the armed forces of the United States and is 1390  
carrying a valid military identification card and documentation 1391  
of successful completion of firearms training that meets or 1392  
exceeds the training requirements described in division (G) (1) 1393  
of section 2923.125 of the Revised Code, as long as the firearm 1394  
is not a restricted firearm and the person is not consuming beer 1395  
or intoxicating liquor or under the influence of alcohol or a 1396  
drug of abuse. 1397

(2) This section does not prohibit any person who is a 1398  
member of a veteran's organization, as defined in section 1399  
2915.01 of the Revised Code, from possessing a rifle in any room 1400  
in any premises owned, leased, or otherwise under the control of 1401  
the veteran's organization, if the rifle is not loaded with live 1402  
ammunition and if the person otherwise is not prohibited by law 1403  
from having the rifle. 1404

(3) This section does not apply to any person possessing 1405  
or displaying firearms in any room used to exhibit unloaded 1406  
firearms for sale or trade in a soldiers' memorial established 1407  
pursuant to Chapter 345. of the Revised Code, in a convention 1408



center, or in any other public meeting place, if the person is 1409  
an exhibitor, trader, purchaser, or seller of firearms and is 1410  
not otherwise prohibited by law from possessing, trading, 1411  
purchasing, or selling the firearms. 1412

(C) It is an affirmative defense to a charge under this 1413  
section of illegal possession of a firearm in a liquor permit 1414  
premises ~~that involves~~ involving the possession of a firearm 1415  
other than a handgun, that neither division (B) (1) (d) nor (e) of  
this section applies, that the actor was not otherwise 1416  
prohibited by law from having the firearm, and that any of the 1417  
following apply: 1418  
1419

(1) The firearm was carried or kept ready at hand by the 1420  
actor for defensive purposes, while the actor was engaged in or 1421  
was going to or from the actor's lawful business or occupation, 1422  
which business or occupation was of such character or was 1423  
necessarily carried on in such manner or at such a time or place 1424  
as to render the actor particularly susceptible to criminal 1425  
attack, such as would justify a prudent person in going armed. 1426

(2) The firearm was carried or kept ready at hand by the 1427  
actor for defensive purposes, while the actor was engaged in a 1428  
lawful activity, and had reasonable cause to fear a criminal 1429  
attack upon the actor or a member of the actor's family, or upon 1430  
the actor's home, such as would justify a prudent person in 1431  
going armed. 1432

(D) No person who is charged with a violation of this 1433  
section shall be required to obtain a concealed ~~handgun~~ weapons 1434  
license as a condition for the dismissal of the charge. 1435

(E) Whoever violates this section is guilty of illegal 1436  
possession of a firearm in a liquor permit premises. Except as 1437

otherwise provided in this division, illegal possession of a 1438  
firearm in a liquor permit premises is a felony of the fifth 1439  
degree. If the offender commits the violation of this section by 1440  
knowingly carrying or having the firearm concealed on the 1441  
offender's person or concealed ready at hand, illegal possession 1442  
of a firearm in a liquor permit premises is a felony of the 1443  
third degree. 1444

(F) As used in this section: 1445

(1) "Beer" and "intoxicating liquor" have the same 1446  
meanings as in section 4301.01 of the Revised Code. 1447

(2) "Investigator" has the same meaning as in section 1448  
109.541 of the Revised Code. 1449

(3) "Restrictive firearms carrying policy" means a 1450  
specific policy of a law enforcement agency or the bureau of 1451  
criminal identification and investigation that prohibits all 1452  
officers of the agency or all investigators of the bureau, while 1453  
not acting within the scope of the officer's or investigator's 1454  
duties, from doing either of the following: 1455

(a) Carrying a firearm issued or approved by the agency or 1456  
bureau in any room, premises, or arena described in division (A) 1457  
of this section; 1458

(b) Carrying a firearm issued or approved by the agency or 1459  
bureau in premises described in division (A) of section 1460  
2923.1214 of the Revised Code. 1461

(4) "Law enforcement officer" has the same meaning as in 1462  
section 9.69 of the Revised Code. 1463

(5) "Validating identification" means one of the 1464  
following: 1465

(a) Photographic identification issued by the law enforcement agency for which an individual serves as a law enforcement officer that identifies the individual as a law enforcement officer of the agency;

(b) Photographic identification issued by the bureau of criminal identification and investigation that identifies an individual as an investigator of the bureau.

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

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

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

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

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

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

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

governing body of a school during the time that the security 1494  
officer is on duty pursuant to that contract of employment, or 1495  
any other person who has written authorization from the board of 1496  
education or governing body of a school to convey deadly weapons 1497  
or dangerous ordnance into a school safety zone or to possess a 1498  
deadly weapon or dangerous ordnance in a school safety zone and 1499  
who conveys or possesses the deadly weapon or dangerous ordnance 1500  
in accordance with that authorization; 1501

(b) Any person who is employed in this state, who is 1502  
authorized to carry deadly weapons or dangerous ordnance, and 1503  
who is subject to and in compliance with the requirements of 1504  
section 109.801 of the Revised Code, unless the appointing 1505  
authority of the person has expressly specified that the 1506  
exemption provided in division (D)(1)(b) of this section does 1507  
not apply to the person. 1508

(2) Division (C) of this section does not apply to 1509  
premises upon which home schooling is conducted. Division (C) of 1510  
this section also does not apply to a school administrator, 1511  
teacher, or employee who possesses an object that is 1512  
indistinguishable from a firearm for legitimate school purposes 1513  
during the course of employment, a student who uses an object 1514  
that is indistinguishable from a firearm under the direction of 1515  
a school administrator, teacher, or employee, or any other 1516  
person who with the express prior approval of a school 1517  
administrator possesses an object that is indistinguishable from 1518  
a firearm for a legitimate purpose, including the use of the 1519  
object in a ceremonial activity, a play, reenactment, or other 1520  
dramatic presentation, school safety training, or a ROTC 1521  
activity or another similar use of the object. 1522

(3) This section does not apply to a person who conveys or 1523

attempts to convey a ~~handgun~~ deadly weapon that is not a 1524  
restricted deadly weapon into, or possesses a ~~handgun~~ deadly 1525  
weapon that is not a restricted deadly weapon in, a school 1526  
safety zone if, ~~at~~ both of the following apply: 1527

(a) At the time of that conveyance, attempted conveyance, 1528  
or possession of the ~~handgun~~ deadly weapon that is not a 1529  
restricted deadly weapon, all the person has been issued a valid 1530  
concealed weapons license, the person is deemed under division 1531  
(C) of section 2923.111 of the Revised Code to have been issued 1532  
a concealed weapons license under section 2923.125 of the 1533  
Revised Code, or the person is an active duty member of the 1534  
armed forces of the United States and is carrying a valid 1535  
military identification card and documentation of successful 1536  
completion of firearms training that meets or exceeds the 1537  
training requirements described in division (G) (1) of section 1538  
2923.125 of the Revised Code. 1539

(b) Either of the following ~~apply~~ applies: 1540

~~(a)(i) The person does not enter into a school building or~~ 1541  
~~onto school premises and is not at a school activity.~~ 1542

~~(b) The person is carrying a valid concealed handgun~~ 1543  
~~license or the person is an active duty member of the armed~~ 1544  
~~forces of the United States and is carrying a valid military~~ 1545  
~~identification card and documentation of successful completion~~ 1546  
~~of firearms training that meets or exceeds the training~~ 1547  
~~requirements described in division (G) (1) of section 2923.125 of~~ 1548  
~~the Revised Code.~~ 1549

~~(c) The~~ , the person is in the school safety zone in 1550  
accordance with 18 U.S.C. 922(q) (2) (B). 1551

~~(d) The~~ , and the person is not knowingly in a ~~an~~ 1552

unauthorized place described specified in division (B) (1) or (B) 1553  
(3) to (8) of section 2923.126 of the Revised Code and is not 1554  
knowingly conveying, attempting to convey, or possessing the 1555  
deadly weapon in any prohibited manner specified in any of those 1556  
divisions. 1557

~~(4) This section does not apply to a person who conveys or 1558  
attempts to convey a handgun into, or possesses a handgun in, a 1559  
school safety zone if at the time of that conveyance, attempted 1560  
conveyance, or possession of the handgun all of the following 1561  
apply:~~ 1562

~~(a) The person is carrying a valid concealed handgun 1563  
license or the person is an active duty member of the armed 1564  
forces of the United States and is carrying a valid military 1565  
identification card and documentation of successful completion 1566  
of firearms training that meets or exceeds the training 1567  
requirements described in division (G) (1) of section 2923.125 of 1568  
the Revised Code.~~ 1569

~~(b)(ii) The person leaves the handgun deadly weapon in a 1570  
motor vehicle.~~ 1571

~~(c) The handgun, the deadly weapon does not leave the 1572  
motor vehicle.~~ 1573

~~(d) If, and, if the person exits the motor vehicle, the 1574  
person locks the motor vehicle.~~ 1575

(E) (1) Whoever violates division (A) or (B) of this 1576  
section is guilty of illegal conveyance or possession of a 1577  
deadly weapon or dangerous ordnance in a school safety zone. 1578  
Except as otherwise provided in this division, illegal 1579  
conveyance or possession of a deadly weapon or dangerous 1580  
ordnance in a school safety zone is a felony of the fifth 1581

degree. If the offender previously has been convicted of a 1582  
violation of this section, illegal conveyance or possession of a 1583  
deadly weapon or dangerous ordnance in a school safety zone is a 1584  
felony of the fourth degree. 1585

(2) Whoever violates division (C) of this section is 1586  
guilty of illegal possession of an object indistinguishable from 1587  
a firearm in a school safety zone. Except as otherwise provided 1588  
in this division, illegal possession of an object 1589  
indistinguishable from a firearm in a school safety zone is a 1590  
misdemeanor of the first degree. If the offender previously has 1591  
been convicted of a violation of this section, illegal 1592  
possession of an object indistinguishable from a firearm in a 1593  
school safety zone is a felony of the fifth degree. 1594

(F) (1) In addition to any other penalty imposed upon a 1595  
person who is convicted of or pleads guilty to a violation of 1596  
this section and subject to division (F) (2) of this section, if 1597  
the offender has not attained nineteen years of age, regardless 1598  
of whether the offender is attending or is enrolled in a school 1599  
operated by a board of education or for which the state board of 1600  
education prescribes minimum standards under section 3301.07 of 1601  
the Revised Code, the court shall impose upon the offender a 1602  
class four suspension of the offender's probationary driver's 1603  
license, restricted license, driver's license, commercial 1604  
driver's license, temporary instruction permit, or probationary 1605  
commercial driver's license that then is in effect from the 1606  
range specified in division (A) (4) of section 4510.02 of the 1607  
Revised Code and shall deny the offender the issuance of any 1608  
permit or license of that type during the period of the 1609  
suspension. 1610

If the offender is not a resident of this state, the court 1611

shall impose a class four suspension of the nonresident 1612  
operating privilege of the offender from the range specified in 1613  
division (A) (4) of section 4510.02 of the Revised Code. 1614

(2) If the offender shows good cause why the court should 1615  
not suspend one of the types of licenses, permits, or privileges 1616  
specified in division (F) (1) of this section or deny the 1617  
issuance of one of the temporary instruction permits specified 1618  
in that division, the court in its discretion may choose not to 1619  
impose the suspension, revocation, or denial required in that 1620  
division, but the court, in its discretion, instead may require 1621  
the offender to perform community service for a number of hours 1622  
determined by the court. 1623

(G) As used in this section, "object that is 1624  
indistinguishable from a firearm" means an object made, 1625  
constructed, or altered so that, to a reasonable person without 1626  
specialized training in firearms, the object appears to be a 1627  
firearm. 1628

**Sec. 2923.123.** (A) No person shall knowingly convey or 1629  
attempt to convey a deadly weapon or dangerous ordnance into a 1630  
courthouse or into another building or structure in which a 1631  
courtroom is located. 1632

(B) No person shall knowingly possess or have under the 1633  
person's control a deadly weapon or dangerous ordnance in a 1634  
courthouse or in another building or structure in which a 1635  
courtroom is located. 1636

(C) This section does not apply to any of the following: 1637

(1) Except as provided in division (E) of this section, a 1638  
judge of a court of record of this state or a magistrate; 1639

(2) A peace officer, officer of a law enforcement agency, 1640



or person who is in either of the following categories: 1641

(a) Except as provided in division (E) of this section, a 1642  
peace officer, or an officer of a law enforcement agency of 1643  
another state, a political subdivision of another state, or the 1644  
United States, who is authorized to carry a deadly weapon or 1645  
dangerous ordnance, who possesses or has under that individual's 1646  
control a deadly weapon or dangerous ordnance as a requirement 1647  
of that individual's duties, and who is acting within the scope 1648  
of that individual's duties at the time of that possession or 1649  
control; 1650

(b) Except as provided in division (E) of this section, a 1651  
person who is employed in this state, who is authorized to carry 1652  
a deadly weapon or dangerous ordnance, who possesses or has 1653  
under that individual's control a deadly weapon or dangerous 1654  
ordnance as a requirement of that person's duties, and who is 1655  
subject to and in compliance with the requirements of section 1656  
109.801 of the Revised Code, unless the appointing authority of 1657  
the person has expressly specified that the exemption provided 1658  
in division (C) (2) (b) of this section does not apply to the 1659  
person. 1660

(3) A person who conveys, attempts to convey, possesses, 1661  
or has under the person's control a deadly weapon or dangerous 1662  
ordnance that is to be used as evidence in a pending criminal or 1663  
civil action or proceeding; 1664

(4) Except as provided in division (E) of this section, a 1665  
bailiff or deputy bailiff of a court of record of this state who 1666  
is authorized to carry a firearm pursuant to section 109.77 of 1667  
the Revised Code, who possesses or has under that individual's 1668  
control a firearm as a requirement of that individual's duties, 1669  
and who is acting within the scope of that individual's duties 1670

at the time of that possession or control; 1671

(5) Except as provided in division (E) of this section, a 1672  
prosecutor, or a secret service officer appointed by a county 1673  
prosecuting attorney, who is authorized to carry a deadly weapon 1674  
or dangerous ordnance in the performance of the individual's 1675  
duties, who possesses or has under that individual's control a 1676  
deadly weapon or dangerous ordnance as a requirement of that 1677  
individual's duties, and who is acting within the scope of that 1678  
individual's duties at the time of that possession or control; 1679

(6) (a) Except as provided in division (E) of this section, 1680  
a person who conveys or attempts to convey a ~~handgun~~ deadly 1681  
weapon that is not a restricted deadly weapon into a courthouse 1682  
or into another building or structure in which a courtroom is 1683  
located, or who ~~possesses or has under the person's control a~~ 1684  
deadly weapon that is not a restricted deadly weapon in a 1685  
courthouse or such a building or structure, if both of the 1686  
following apply with respect to the person: 1687

(i) The person, at the time of the conveyance ~~or~~ attempt, 1688  
~~either is carrying possession, or control, has been issued a~~ 1689  
valid concealed ~~handgun~~ weapons license, is deemed under 1690  
division (C) of section 2923.111 of the Revised Code to have 1691  
been issued a concealed weapons license under section 2923.125 1692  
of the Revised Code, or is an active duty member of the armed 1693  
forces of the United States and is carrying a valid military 1694  
identification card and documentation of successful completion 1695  
of firearms training that meets or exceeds the training 1696  
requirements described in division (G) (1) of section 2923.125 of 1697  
the Revised Code, ~~and who~~ . 1698

(ii) The person transfers possession of the ~~handgun~~ deadly 1699  
weapon that is not a restricted deadly weapon to the officer or 1700

officer's designee who has charge of the courthouse or building. 1701

(b) The officer described in division (C) (6) (a) (ii) of 1702  
this section shall secure the handgun—deadly weapon that is not 1703  
a restricted deadly weapon until the licensee—person in question 1704  
is prepared to leave the premises. The exemption described in 1705  
~~this~~ division (C) (6) (a) of this section applies only if the 1706  
officer who has charge of the courthouse or building provides 1707  
services of the nature described in ~~this~~ division (C) (6) (a) (ii) 1708  
of this section. An officer who has charge of the courthouse or 1709  
building is not required to offer services of the nature 1710  
described in ~~this~~ division (C) (6) (a) (ii) of this section. 1711

(D) (1) Whoever violates division (A) of this section is 1712  
guilty of illegal conveyance of a deadly weapon or dangerous 1713  
ordnance into a courthouse. Except as otherwise provided in this 1714  
division, illegal conveyance of a deadly weapon or dangerous 1715  
ordnance into a courthouse is a felony of the fifth degree. If 1716  
the offender previously has been convicted of a violation of 1717  
division (A) or (B) of this section, illegal conveyance of a 1718  
deadly weapon or dangerous ordnance into a courthouse is a 1719  
felony of the fourth degree. 1720

(2) Whoever violates division (B) of this section is 1721  
guilty of illegal possession or control of a deadly weapon or 1722  
dangerous ordnance in a courthouse. Except as otherwise provided 1723  
in this division, illegal possession or control of a deadly 1724  
weapon or dangerous ordnance in a courthouse is a felony of the 1725  
fifth degree. If the offender previously has been convicted of a 1726  
violation of division (A) or (B) of this section, illegal 1727  
possession or control of a deadly weapon or dangerous ordnance 1728  
in a courthouse is a felony of the fourth degree. 1729

(E) The exemptions described in divisions (C) (1), (2) (a), 1730

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

(F) As used in this section:

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

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

**Sec. 2923.124.** As used in sections 2923.124 to 2923.1213 of the Revised Code:

(A) "Application form" means the application form prescribed pursuant to division (A) (1) of section 109.731 of the Revised Code and includes a copy of that form.

(B) "Competency certification" and "competency certificate" mean a document of the type described in division (B) (3) of section 2923.125 of the Revised Code.

(C) "Detention facility" has the same meaning as in

section 2921.01 of the Revised Code. 1760

(D) "Licensee" means a person to whom a concealed ~~handgun-~~ 1761  
~~weapons~~ license has been issued under section 2923.125 of the 1762  
Revised Code prior to, on, or after the effective date of this 1763  
amendment and, except when the context clearly indicates 1764  
otherwise, includes a person to whom a concealed ~~handgun-~~ ~~weapons~~ 1765  
license on a temporary emergency basis has been issued under 1766  
section 2923.1213 of the Revised Code ~~and~~ prior to, on, or after 1767  
the effective date of this amendment, a person to whom a 1768  
concealed ~~handgun-~~ ~~weapons~~ license has been issued by another 1769  
state, and a person who is deemed under division (C) of section 1770  
2923.111 of the Revised Code to have been issued a concealed 1771  
weapons license under section 2923.125 of the Revised Code. 1772

(E) "License fee" or "license renewal fee" means the fee 1773  
for a concealed ~~handgun-~~ ~~weapons~~ license or the fee to renew that 1774  
license that is to be paid by an applicant for a license of that 1775  
type. 1776

(F) "Peace officer" has the same meaning as in section 1777  
2935.01 of the Revised Code. 1778

(G) "State correctional institution" has the same meaning 1779  
as in section 2967.01 of the Revised Code. 1780

(H) "Civil protection order" means a protection order 1781  
issued, or consent agreement approved, under section 2903.214 or 1782  
3113.31 of the Revised Code. 1783

(I) "Temporary protection order" means a protection order 1784  
issued under section 2903.213 or 2919.26 of the Revised Code. 1785

(J) "Protection order issued by a court of another state" 1786  
has the same meaning as in section 2919.27 of the Revised Code. 1787

(K) "Child day-care center," "type A family day-care home" 1788  
and "type B family day-care home" have the same meanings as in 1789  
section 5104.01 of the Revised Code. 1790

(L) "Foreign air transportation," "interstate air 1791  
transportation," and "intrastate air transportation" have the 1792  
same meanings as in 49 U.S.C. 40102, as now or hereafter 1793  
amended. 1794

(M) "Commercial motor vehicle" has the same meaning as in 1795  
division (A) of section 4506.25 of the Revised Code. 1796

(N) "Motor carrier enforcement unit" has the same meaning 1797  
as in section 2923.16 of the Revised Code. 1798

**Sec. 2923.125.** It is the intent of the general assembly 1799  
that Ohio concealed ~~handgun-weapons~~ license law be compliant 1800  
with the national instant criminal background check system, that 1801  
the bureau of alcohol, tobacco, firearms, and explosives is able 1802  
to determine that Ohio law is compliant with the national 1803  
instant criminal background check system, and that no person 1804  
shall be eligible to receive a concealed ~~handgun-weapons~~ license 1805  
~~permit~~ under section 2923.125 or 2923.1213 of the Revised Code 1806  
unless the person is eligible lawfully to receive or possess a 1807  
firearm in the United States. 1808

(A) This section applies with respect to the application 1809  
for and issuance by this state of concealed ~~handgun-weapons~~ 1810  
licenses other than concealed ~~handgun-weapons~~ licenses on a 1811  
temporary emergency basis that are issued under section 1812  
2923.1213 of the Revised Code. Upon the request of a person who 1813  
wishes to obtain a concealed ~~handgun-weapons~~ license with 1814  
respect to which this section applies or to renew a concealed 1815  
~~handgun-weapons~~ license with respect to which this section 1816

applies, a sheriff, as provided in division (I) of this section, 1817  
shall provide to the person free of charge an application form 1818  
and the web site address at which a printable version of the 1819  
application form that can be downloaded and the pamphlet 1820  
described in division (B) of section 109.731 of the Revised Code 1821  
may be found. A sheriff shall accept a completed application 1822  
form and the fee, items, materials, and information specified in 1823  
divisions (B)(1) to (5) of this section at the times and in the 1824  
manners described in division (I) of this section. 1825

(B) An applicant for a concealed ~~handgun~~-weapons license 1826  
who is a resident of this state shall submit a completed 1827  
application form and all of the material and information 1828  
described in divisions (B)(1) to (6) of this section to the 1829  
sheriff of the county in which the applicant resides or to the 1830  
sheriff of any county adjacent to the county in which the 1831  
applicant resides. An applicant for a license who resides in 1832  
another state shall submit a completed application form and all 1833  
of the material and information described in divisions (B)(1) to 1834  
(7) of this section to the sheriff of the county in which the 1835  
applicant is employed or to the sheriff of any county adjacent 1836  
to the county in which the applicant is employed: 1837

(1) (a) A nonrefundable license fee as described in either 1838  
of the following: 1839

(i) For an applicant who has been a resident of this state 1840  
for five or more years, a fee of sixty-seven dollars; 1841

(ii) For an applicant who has been a resident of this 1842  
state for less than five years or who is not a resident of this 1843  
state, but who is employed in this state, a fee of sixty-seven 1844  
dollars plus the actual cost of having a background check 1845  
performed by the federal bureau of investigation. 1846

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

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

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

(2) A color photograph of the applicant that was taken within thirty days prior to the date of the application;

(3) One or more of the following competency certifications, each of which shall reflect that, regarding a certification described in division (B) (3) (a), (b), (c), (e), or (f) of this section, within the three years immediately preceding the application the applicant has performed that to



which the competency certification relates and that, regarding a 1877  
certification described in division (B) (3) (d) of this section, 1878  
the applicant currently is an active or reserve member of the 1879  
armed forces of the United States, the applicant has retired 1880  
from or was honorably discharged from military service in the 1881  
active or reserve armed forces of the United States, or within 1882  
the ten years immediately preceding the application the 1883  
retirement of the peace officer, person described in division 1884  
(B) (1) (b) of section 109.77 of the Revised Code, or federal law 1885  
enforcement officer to which the competency certification 1886  
relates occurred: 1887

(a) An original or photocopy of a certificate of 1888  
completion of a firearms safety, training, or requalification or 1889  
firearms safety instructor course, class, or program that was 1890  
offered by or under the auspices of a national gun advocacy 1891  
organization and that complies with the requirements set forth 1892  
in division (G) of this section; 1893

(b) An original or photocopy of a certificate of 1894  
completion of a firearms safety, training, or requalification or 1895  
firearms safety instructor course, class, or program that 1896  
satisfies all of the following criteria: 1897

(i) It was open to members of the general public. 1898

(ii) It utilized qualified instructors who were certified 1899  
by a national gun advocacy organization, the executive director 1900  
of the Ohio peace officer training commission pursuant to 1901  
section 109.75 or 109.78 of the Revised Code, or a governmental 1902  
official or entity of another state. 1903

(iii) It was offered by or under the auspices of a law 1904  
enforcement agency of this or another state or the United 1905

States, a public or private college, university, or other 1906  
similar postsecondary educational institution located in this or 1907  
another state, a firearms training school located in this or 1908  
another state, or another type of public or private entity or 1909  
organization located in this or another state. 1910

(iv) It complies with the requirements set forth in 1911  
division (G) of this section. 1912

(c) An original or photocopy of a certificate of 1913  
completion of a state, county, municipal, or department of 1914  
natural resources peace officer training school that is approved 1915  
by the executive director of the Ohio peace officer training 1916  
commission pursuant to section 109.75 of the Revised Code and 1917  
that complies with the requirements set forth in division (G) of 1918  
this section, or the applicant has satisfactorily completed and 1919  
been issued a certificate of completion of a basic firearms 1920  
training program, a firearms requalification training program, 1921  
or another basic training program described in section 109.78 or 1922  
109.801 of the Revised Code that complies with the requirements 1923  
set forth in division (G) of this section; 1924

(d) A document that evidences both of the following: 1925

(i) That the applicant is an active or reserve member of 1926  
the armed forces of the United States, has retired from or was 1927  
honorably discharged from military service in the active or 1928  
reserve armed forces of the United States, is a retired trooper 1929  
of the state highway patrol, or is a retired peace officer or 1930  
federal law enforcement officer described in division (B) (1) of 1931  
this section or a retired person described in division (B) (1) (b) 1932  
of section 109.77 of the Revised Code and division (B) (1) of 1933  
this section; 1934

(ii) That, through participation in the military service 1935  
or through the former employment described in division (B) (3) (d) 1936  
(i) of this section, the applicant acquired experience with 1937  
handling ~~handguns or other~~ firearms, and the experience so 1938  
acquired was equivalent to training that the applicant could 1939  
have acquired in a course, class, or program described in 1940  
division (B) (3) (a), (b), or (c) of this section. 1941

(e) A certificate or another similar document that 1942  
evidences satisfactory completion of a firearms training, 1943  
safety, or requalification or firearms safety instructor course, 1944  
class, or program that is not otherwise described in division 1945  
(B) (3) (a), (b), (c), or (d) of this section, that was conducted 1946  
by an instructor who was certified by an official or entity of 1947  
the government of this or another state or the United States or 1948  
by a national gun advocacy organization, and that complies with 1949  
the requirements set forth in division (G) of this section; 1950

(f) An affidavit that attests to the applicant's 1951  
satisfactory completion of a course, class, or program described 1952  
in division (B) (3) (a), (b), (c), or (e) of this section and that 1953  
is subscribed by the applicant's instructor or an authorized 1954  
representative of the entity that offered the course, class, or 1955  
program or under whose auspices the course, class, or program 1956  
was offered; 1957

(g) A document that evidences that the applicant has 1958  
successfully completed the Ohio peace officer training program 1959  
described in section 109.79 of the Revised Code. 1960

(4) A certification by the applicant that the applicant 1961  
has read the pamphlet prepared by the Ohio peace officer 1962  
training commission pursuant to section 109.731 of the Revised 1963  
Code that reviews deadly weapons (including firearms), dispute 1964

resolution, and use of deadly force matters. 1965

(5) A set of fingerprints of the applicant provided as 1966  
described in section 311.41 of the Revised Code through use of 1967  
an electronic fingerprint reading device or, if the sheriff to 1968  
whom the application is submitted does not possess and does not 1969  
have ready access to the use of such a reading device, on a 1970  
standard impression sheet prescribed pursuant to division (C) (2) 1971  
of section 109.572 of the Revised Code. 1972

(6) If the applicant is not a citizen or national of the 1973  
United States, the name of the applicant's country of 1974  
citizenship and the applicant's alien registration number issued 1975  
by the United States citizenship and immigration services 1976  
agency. 1977

(7) If the applicant resides in another state, adequate 1978  
proof of employment in Ohio. 1979

(C) Upon receipt of the completed application form, 1980  
supporting documentation, and, if not waived, license fee of an 1981  
applicant under this section, a sheriff, in the manner specified 1982  
in section 311.41 of the Revised Code, shall conduct or cause to 1983  
be conducted the criminal records check and the incompetency 1984  
records check described in section 311.41 of the Revised Code. 1985

(D) (1) Except as provided in division (D) (3) of this 1986  
section, within forty-five days after a sheriff's receipt of an 1987  
applicant's completed application form for a concealed ~~handgun-~~ 1988  
weapons license under this section, the supporting 1989  
documentation, and, if not waived, the license fee, the sheriff 1990  
shall make available through the law enforcement automated data 1991  
system in accordance with division (H) of this section the 1992  
information described in that division and, upon making the 1993

information available through the system, shall issue to the 1994  
applicant a concealed ~~handgun~~weapons license that shall expire 1995  
as described in division (D) (2) (a) of this section if all of the 1996  
following apply: 1997

(a) The applicant is legally living in the United States. 1998  
For purposes of division (D) (1) (a) of this section, if a person 1999  
is absent from the United States in compliance with military or 2000  
naval orders as an active or reserve member of the armed forces 2001  
of the United States and if prior to leaving the United States 2002  
the person was legally living in the United States, the person, 2003  
solely by reason of that absence, shall not be considered to 2004  
have lost the person's status as living in the United States. 2005

(b) The applicant is at least twenty-one years of age. 2006

(c) The applicant is not a fugitive from justice. 2007

(d) The applicant is not under indictment for or otherwise 2008  
charged with a felony; an offense under Chapter 2925., 3719., or 2009  
4729. of the Revised Code that involves the illegal possession, 2010  
use, sale, administration, or distribution of or trafficking in 2011  
a drug of abuse; a misdemeanor offense of violence; or a 2012  
violation of section 2903.14 or 2923.1211 of the Revised Code. 2013

(e) Except as otherwise provided in division (D) (4) or (5) 2014  
of this section, the applicant has not been convicted of or 2015  
pleaded guilty to a felony or an offense under Chapter 2925., 2016  
3719., or 4729. of the Revised Code that involves the illegal 2017  
possession, use, sale, administration, or distribution of or 2018  
trafficking in a drug of abuse; has not been adjudicated a 2019  
delinquent child for committing an act that if committed by an 2020  
adult would be a felony or would be an offense under Chapter 2021  
2925., 3719., or 4729. of the Revised Code that involves the 2022

illegal possession, use, sale, administration, or distribution 2023  
of or trafficking in a drug of abuse; has not been convicted of, 2024  
pleaded guilty to, or adjudicated a delinquent child for 2025  
committing a violation of section 2903.13 of the Revised Code 2026  
when the victim of the violation is a peace officer, regardless 2027  
of whether the applicant was sentenced under division (C) (4) of 2028  
that section; and has not been convicted of, pleaded guilty to, 2029  
or adjudicated a delinquent child for committing any other 2030  
offense that is not previously described in this division that 2031  
is a misdemeanor punishable by imprisonment for a term exceeding 2032  
one year. 2033

(f) Except as otherwise provided in division (D) (4) or (5) 2034  
of this section, the applicant, within three years of the date 2035  
of the application, has not been convicted of or pleaded guilty 2036  
to a misdemeanor offense of violence other than a misdemeanor 2037  
violation of section 2921.33 of the Revised Code or a violation 2038  
of section 2903.13 of the Revised Code when the victim of the 2039  
violation is a peace officer, or a misdemeanor violation of 2040  
section 2923.1211 of the Revised Code; and has not been 2041  
adjudicated a delinquent child for committing an act that if 2042  
committed by an adult would be a misdemeanor offense of violence 2043  
other than a misdemeanor violation of section 2921.33 of the 2044  
Revised Code or a violation of section 2903.13 of the Revised 2045  
Code when the victim of the violation is a peace officer or for 2046  
committing an act that if committed by an adult would be a 2047  
misdemeanor violation of section 2923.1211 of the Revised Code. 2048

(g) Except as otherwise provided in division (D) (1) (e) of 2049  
this section, the applicant, within five years of the date of 2050  
the application, has not been convicted of, pleaded guilty to, 2051  
or been adjudicated a delinquent child for committing two or 2052  
more violations of section 2903.13 or 2903.14 of the Revised 2053

Code. 2054

(h) Except as otherwise provided in division (D) (4) or (5) 2055  
of this section, the applicant, within ten years of the date of 2056  
the application, has not been convicted of, pleaded guilty to, 2057  
or been adjudicated a delinquent child for committing a 2058  
violation of section 2921.33 of the Revised Code. 2059

(i) The applicant has not been adjudicated as a mental 2060  
defective, has not been committed to any mental institution, is 2061  
not under adjudication of mental incompetence, has not been 2062  
found by a court to be a mentally ill person subject to court 2063  
order, and is not an involuntary patient other than one who is a 2064  
patient only for purposes of observation. As used in this 2065  
division, "mentally ill person subject to court order" and 2066  
"patient" have the same meanings as in section 5122.01 of the 2067  
Revised Code. 2068

(j) The applicant is not currently subject to a civil 2069  
protection order, a temporary protection order, or a protection 2070  
order issued by a court of another state. 2071

(k) The applicant certifies that the applicant desires a 2072  
legal means to carry a concealed ~~handgun~~ firearm or other deadly 2073  
weapon for defense of the applicant or a member of the 2074  
applicant's family while engaged in lawful activity. 2075

(l) The applicant submits a competency certification of 2076  
the type described in division (B) (3) of this section and 2077  
submits a certification of the type described in division (B) (4) 2078  
of this section regarding the applicant's reading of the 2079  
pamphlet prepared by the Ohio peace officer training commission 2080  
pursuant to section 109.731 of the Revised Code. 2081

(m) The applicant currently is not subject to a suspension 2082

imposed under division (A) (2) of section 2923.128 of the Revised Code of a concealed ~~handgun-weapons~~ license that previously was issued to the applicant under this section or section 2923.1213 of the Revised Code or a similar suspension imposed by another state regarding a concealed ~~handgun-weapons~~ license issued by that state.

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

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

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

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

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

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

(2) (a) A concealed ~~handgun-weapons~~ license that a sheriff issues under division (D) (1) of this section prior to, on, or after the effective date of this amendment shall expire five years after the date of issuance. A concealed weapons license that a sheriff issued as a concealed handgun license under that



division prior to the effective date of this amendment and that 2112  
has not expired prior to the effective date of this amendment 2113  
has the same validity as a concealed weapons license issued on 2114  
or after that date and shall be treated for purposes of this 2115  
section and other Revised Code provisions as if it were a 2116  
license issued on or after that date. 2117

If a sheriff issues a license under this section, the 2118  
sheriff shall place on the license a unique combination of 2119  
letters and numbers identifying the license in accordance with 2120  
the procedure prescribed by the Ohio peace officer training 2121  
commission pursuant to section 109.731 of the Revised Code. 2122

(b) If a sheriff denies an application under this section 2123  
because the applicant does not satisfy the criteria described in 2124  
division (D) (1) of this section, the sheriff shall specify the 2125  
grounds for the denial in a written notice to the applicant. The 2126  
applicant may appeal the denial pursuant to section 119.12 of 2127  
the Revised Code in the county served by the sheriff who denied 2128  
the application. If the denial was as a result of the criminal 2129  
records check conducted pursuant to section 311.41 of the 2130  
Revised Code and if, pursuant to section 2923.127 of the Revised 2131  
Code, the applicant challenges the criminal records check 2132  
results using the appropriate challenge and review procedure 2133  
specified in that section, the time for filing the appeal 2134  
pursuant to section 119.12 of the Revised Code and this division 2135  
is tolled during the pendency of the request or the challenge 2136  
and review. 2137

(c) If the court in an appeal under section 119.12 of the 2138  
Revised Code and division (D) (2) (b) of this section enters a 2139  
judgment sustaining the sheriff's refusal to grant to the 2140  
applicant a concealed ~~handgun~~ weapons license, the applicant may 2141

file a new application beginning one year after the judgment is 2142  
entered. If the court enters a judgment in favor of the 2143  
applicant, that judgment shall not restrict the authority of a 2144  
sheriff to suspend or revoke the license pursuant to section 2145  
2923.128 or 2923.1213 of the Revised Code or to refuse to renew 2146  
the license for any proper cause that may occur after the date 2147  
the judgment is entered. In the appeal, the court shall have 2148  
full power to dispose of all costs. 2149

(3) If the sheriff with whom an application for a 2150  
concealed ~~handgun~~-weapons license was filed under this section 2151  
becomes aware that the applicant has been arrested for or 2152  
otherwise charged with an offense that would disqualify the 2153  
applicant from holding the license, the sheriff shall suspend 2154  
the processing of the application until the disposition of the 2155  
case arising from the arrest or charge. 2156

(4) If an applicant has been convicted of or pleaded 2157  
guilty to an offense identified in division (D)(1)(e), (f), or 2158  
(h) of this section or has been adjudicated a delinquent child 2159  
for committing an act or violation identified in any of those 2160  
divisions, and if a court has ordered the sealing or expungement 2161  
of the records of that conviction, guilty plea, or adjudication 2162  
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 2163  
2953.36, or section 2953.37 of the Revised Code or the applicant 2164  
has been relieved under operation of law or legal process from 2165  
the disability imposed pursuant to section 2923.13 of the 2166  
Revised Code relative to that conviction, guilty plea, or 2167  
adjudication, the sheriff with whom the application was 2168  
submitted shall not consider the conviction, guilty plea, or 2169  
adjudication in making a determination under division (D)(1) or 2170  
(F) of this section or, in relation to an application for a 2171  
concealed ~~handgun~~-weapons license on a temporary emergency basis 2172

submitted under section 2923.1213 of the Revised Code, in making 2173  
a determination under division (B) (2) of that section. 2174

(5) If an applicant has been convicted of or pleaded 2175  
guilty to a minor misdemeanor offense or has been adjudicated a 2176  
delinquent child for committing an act or violation that is a 2177  
minor misdemeanor offense, the sheriff with whom the application 2178  
was submitted shall not consider the conviction, guilty plea, or 2179  
adjudication in making a determination under division (D) (1) or 2180  
(F) of this section or, in relation to an application for a 2181  
concealed ~~handgun~~-weapons license on a temporary basis submitted 2182  
under section 2923.1213 of the Revised Code, in making a 2183  
determination under division (B) (2) of that section. 2184

(E) If a concealed ~~handgun~~-weapons license issued under 2185  
this section is lost or is destroyed, the licensee may obtain 2186  
from the sheriff who issued that license a duplicate license 2187  
upon the payment of a fee of fifteen dollars and the submission 2188  
of an affidavit attesting to the loss or destruction of the 2189  
license. The sheriff, in accordance with the procedures 2190  
prescribed in section 109.731 of the Revised Code, shall place 2191  
on the replacement license a combination of identifying numbers 2192  
different from the combination on the license that is being 2193  
replaced. 2194

(F) (1) (a) Except as provided in division (F) (1) (b) of this 2195  
section, a licensee who wishes to renew a concealed ~~handgun~~- 2196  
weapons license issued under this section prior to, on, or after 2197  
the effective date of this amendment may do so at any time 2198  
before the expiration date of the license or at any time after 2199  
the expiration date of the license by filing with the sheriff of 2200  
the county in which the applicant resides or with the sheriff of 2201  
an adjacent county, or in the case of an applicant who resides 2202

in another state with the sheriff of the county that issued the 2203  
applicant's previous concealed ~~handgun~~ weapons license an 2204  
application for renewal of the license obtained pursuant to 2205  
division (D) of this section, a certification by the applicant 2206  
that, subsequent to the issuance of the license, the applicant 2207  
has reread the pamphlet prepared by the Ohio peace officer 2208  
training commission pursuant to section 109.731 of the Revised 2209  
Code that reviews deadly weapons (including firearms), dispute 2210  
resolution, and use of deadly force matters, and a nonrefundable 2211  
license renewal fee in an amount determined pursuant to division 2212  
(F) (4) of this section unless the fee is waived. 2213

(b) A person on active duty in the armed forces of the 2214  
United States or in service with the peace corps, volunteers in 2215  
service to America, or the foreign service of the United States 2216  
is exempt from the license requirements of this section for the 2217  
period of the person's active duty or service and for six months 2218  
thereafter, provided the person was a licensee under this 2219  
section at the time the person commenced the person's active 2220  
duty or service or had obtained a license while on active duty 2221  
or service. The spouse or a dependent of any such person on 2222  
active duty or in service also is exempt from the license 2223  
requirements of this section for the period of the person's 2224  
active duty or service and for six months thereafter, provided 2225  
the spouse or dependent was a licensee under this section at the 2226  
time the person commenced the active duty or service or had 2227  
obtained a license while the person was on active duty or 2228  
service, and provided further that the person's active duty or 2229  
service resulted in the spouse or dependent relocating outside 2230  
of this state during the period of the active duty or service. 2231  
This division does not prevent such a person or the person's 2232  
spouse or dependent from making an application for the renewal 2233

of a concealed ~~handgun-weapons~~ license during the period of the 2234  
person's active duty or service. 2235

(2) A sheriff shall accept a completed renewal 2236  
application, the license renewal fee, and the information 2237  
specified in division (F)(1) of this section at the times and in 2238  
the manners described in division (I) of this section. Upon 2239  
receipt of a completed renewal application, of certification 2240  
that the applicant has reread the specified pamphlet prepared by 2241  
the Ohio peace officer training commission, and of a license 2242  
renewal fee unless the fee is waived, a sheriff, in the manner 2243  
specified in section 311.41 of the Revised Code shall conduct or 2244  
cause to be conducted the criminal records check and the 2245  
incompetency records check described in section 311.41 of the 2246  
Revised Code. The sheriff shall renew the license if the sheriff 2247  
determines that the applicant continues to satisfy the 2248  
requirements described in division (D)(1) of this section, 2249  
except that the applicant is not required to meet the 2250  
requirements of division (D)(1)(1) of this section. A renewed 2251  
license shall expire five years after the date of issuance, 2252  
regardless of whether the renewal occurred prior to, on, or 2253  
after the effective date of this amendment. A renewed license is 2254  
subject to division (E) of this section and sections 2923.126 2255  
and 2923.128 of the Revised Code. A sheriff shall comply with 2256  
divisions (D)(2) and (3) of this section when the circumstances 2257  
described in those divisions apply to a requested license 2258  
renewal. If a sheriff denies the renewal of a concealed ~~handgun-~~ 2259  
weapons license, the applicant may appeal the denial, or 2260  
challenge the criminal record check results that were the basis 2261  
of the denial if applicable, in the same manner as specified in 2262  
division (D)(2)(b) of this section and in section 2923.127 of 2263  
the Revised Code, regarding the denial of a license under this 2264

section. 2265

(3) A renewal application submitted pursuant to division 2266  
(F) of this section shall only require the licensee to list on 2267  
the application form information and matters occurring since the 2268  
date of the licensee's last application for a license pursuant 2269  
to division (B) or (F) of this section. A sheriff conducting the 2270  
criminal records check and the incompetency records check 2271  
described in section 311.41 of the Revised Code shall conduct 2272  
the check only from the date of the licensee's last application 2273  
for a license pursuant to division (B) or (F) of this section 2274  
through the date of the renewal application submitted pursuant 2275  
to division (F) of this section. 2276

(4) An applicant for a renewal concealed ~~handgun~~-weapons 2277  
license under this section shall submit to the sheriff of the 2278  
county in which the applicant resides or to the sheriff of any 2279  
county adjacent to the county in which the applicant resides, or 2280  
in the case of an applicant who resides in another state to the 2281  
sheriff of the county that issued the applicant's previous 2282  
concealed ~~handgun~~-weapons license, a nonrefundable license fee 2283  
as described in either of the following: 2284

(a) For an applicant who has been a resident of this state 2285  
for five or more years, a fee of fifty dollars; 2286

(b) For an applicant who has been a resident of this state 2287  
for less than five years or who is not a resident of this state 2288  
but who is employed in this state, a fee of fifty dollars plus 2289  
the actual cost of having a background check performed by the 2290  
federal bureau of investigation. 2291

(5) The concealed ~~handgun~~-weapons license of a licensee 2292  
who is no longer a resident of this state or no longer employed 2293

in this state, as applicable, is valid until the date of 2294  
expiration on the license, regardless of whether the license was 2295  
issued prior to, on, or after the effective date of this 2296  
amendment, and the licensee is prohibited from renewing the 2297  
concealed ~~handgun~~-weapons license. 2298

(G) (1) Each course, class, or program described in 2299  
division (B) (3) (a), (b), (c), or (e) of this section shall 2300  
provide to each person who takes the course, class, or program 2301  
the web site address at which the pamphlet prepared by the Ohio 2302  
peace officer training commission pursuant to section 109.731 of 2303  
the Revised Code that reviews deadly weapons (including 2304  
firearms), dispute resolution, and use of deadly force matters 2305  
may be found. Each such course, class, or program described in 2306  
one of those divisions shall include at least eight hours of 2307  
training in the safe handling and use of a firearm that shall 2308  
include training, provided as described in division (G) (3) of 2309  
this section, on all of the following: 2310

(a) The ability to name, explain, and demonstrate the 2311  
rules for safe handling of a ~~handgun~~-firearm and proper storage 2312  
practices for ~~handguns~~-firearms and ammunition; 2313

(b) The ability to demonstrate and explain how to handle 2314  
ammunition in a safe manner; 2315

(c) The ability to demonstrate the knowledge, skills, and 2316  
attitude necessary to shoot a ~~handgun~~-firearm in a safe manner; 2317

(d) Gun handling training; 2318

(e) A minimum of two hours of in-person training that 2319  
consists of range time and live-fire training. 2320

(2) To satisfactorily complete the course, class, or 2321  
program described in division (B) (3) (a), (b), (c), or (e) of 2322

this section, the applicant shall pass a competency examination 2323  
that shall include both of the following: 2324

(a) A written section, provided as described in division 2325  
(G) (3) of this section, on the ability to name and explain the 2326  
rules for the safe handling of a ~~handgun~~-firearm and proper 2327  
storage practices for ~~handguns~~-firearms and ammunition; 2328

(b) An in-person physical demonstration of competence in 2329  
the use of a ~~handgun~~-firearm and in the rules for safe handling 2330  
and storage of a ~~handgun~~-firearm and a physical demonstration of 2331  
the attitude necessary to shoot a ~~handgun~~-firearm in a safe 2332  
manner. 2333

(3) (a) Except as otherwise provided in this division, the 2334  
training specified in division (G) (1) (a) of this section shall 2335  
be provided to the person receiving the training in person by an 2336  
instructor. If the training specified in division (G) (1) (a) of 2337  
this section is provided by a course, class, or program 2338  
described in division (B) (3) (a) of this section, or it is 2339  
provided by a course, class, or program described in division 2340  
(B) (3) (b), (c), or (e) of this section and the instructor is a 2341  
qualified instructor certified by a national gun advocacy 2342  
organization, the training so specified, other than the training 2343  
that requires the person receiving the training to demonstrate 2344  
handling abilities, may be provided online or as a combination 2345  
of in-person and online training, as long as the online training 2346  
includes an interactive component that regularly engages the 2347  
person. 2348

(b) Except as otherwise provided in this division, the 2349  
written section of the competency examination specified in 2350  
division (G) (2) (a) of this section shall be administered to the 2351  
person taking the competency examination in person by an 2352



instructor. If the training specified in division (G) (1) (a) of 2353  
this section is provided to the person receiving the training by 2354  
a course, class, or program described in division (B) (3) (a) of 2355  
this section, or it is provided by a course, class, or program 2356  
described in division (B) (3) (b), (c), or (e) of this section and 2357  
the instructor is a qualified instructor certified by a national 2358  
gun advocacy organization, the written section of the competency 2359  
examination specified in division (G) (2) (a) of this section may 2360  
be administered online, as long as the online training includes 2361  
an interactive component that regularly engages the person. 2362

(4) The competency certification described in division (B) 2363  
(3) (a), (b), (c), or (e) of this section shall be dated and 2364  
shall attest that the course, class, or program the applicant 2365  
successfully completed met the requirements described in 2366  
division (G) (1) of this section and that the applicant passed 2367  
the competency examination described in division (G) (2) of this 2368  
section. 2369

(H) Upon deciding to issue a concealed ~~handgun~~ weapons 2370  
license, deciding to issue a replacement concealed ~~handgun~~ 2371  
weapons license, or deciding to renew a concealed ~~handgun~~ 2372  
weapons license pursuant to this section, and before actually 2373  
issuing or renewing the license, the sheriff shall make 2374  
available through the law enforcement automated data system all 2375  
information contained on the license. If the license 2376  
subsequently is suspended under division (A) (1) or (2) of 2377  
section 2923.128 of the Revised Code, revoked pursuant to 2378  
division (B) (1) of section 2923.128 of the Revised Code, or lost 2379  
or destroyed, the sheriff also shall make available through the 2380  
law enforcement automated data system a notation of that fact. 2381  
The superintendent of the state highway patrol shall ensure that 2382  
the law enforcement automated data system is so configured as to 2383

permit the transmission through the system of the information 2384  
specified in this division. 2385

(I) (1) A sheriff shall accept a completed application form 2386  
or renewal application, and the fee, items, materials, and 2387  
information specified in divisions (B) (1) to (5) or division (F) 2388  
of this section, whichever is applicable, and shall provide an 2389  
application form or renewal application to any person during at 2390  
least fifteen hours a week and shall provide the web site 2391  
address at which a printable version of the application form 2392  
that can be downloaded and the pamphlet described in division 2393  
(B) of section 109.731 of the Revised Code may be found at any 2394  
time, upon request. The sheriff shall post notice of the hours 2395  
during which the sheriff is available to accept or provide the 2396  
information described in this division. 2397

(2) A sheriff shall transmit a notice to the attorney 2398  
general, in a manner determined by the attorney general, every 2399  
time a license is issued that waived payment under division (B) 2400  
(1) (c) of this section for an applicant who is an active or 2401  
reserve member of the armed forces of the United States or has 2402  
retired from or was honorably discharged from military service 2403  
in the active or reserve armed forces of the United States. The 2404  
attorney general shall monitor and inform sheriffs issuing 2405  
licenses under this section when the amount of license fee 2406  
payments waived and transmitted to the attorney general reach 2407  
one million five hundred thousand dollars each year. Once a 2408  
sheriff is informed that the payments waived reached one million 2409  
five hundred thousand dollars in any year, a sheriff shall no 2410  
longer waive payment of a license fee for an applicant who is an 2411  
active or reserve member of the armed forces of the United 2412  
States or has retired from or was honorably discharged from 2413  
military service in the active or reserve armed forces of the 2414

United States for the remainder of that year. 2415

**Sec. 2923.126.** (A) A concealed ~~handgun~~-weapons license 2416  
~~that is issued~~ under section 2923.125 of the Revised Code prior 2417  
to, on, or after the effective date of this amendment shall 2418  
expire five years after the date of issuance. A licensee who has 2419  
been issued a license under that section shall be granted a 2420  
grace period of thirty days after the licensee's license expires 2421  
during which the licensee's license remains valid. Except as 2422  
provided in divisions (B) and (C) of this section, a licensee 2423  
who has been issued a concealed ~~handgun~~-weapons license under 2424  
section 2923.125 or 2923.1213 of the Revised Code prior to, on, 2425  
or after the effective date of this amendment may carry a 2426  
concealed ~~handgun~~-deadly weapon that is not a restricted deadly 2427  
weapon anywhere in this state ~~if the licensee also carries a~~ 2428  
~~valid license when the licensee is in actual possession of a~~ 2429  
~~concealed handgun.~~ The A licensee who has been issued a 2430  
concealed weapons license under section 2923.125 or 2923.1213 of 2431  
the Revised Code shall give notice of any change in the 2432  
licensee's residence address to the sheriff who issued the 2433  
license within forty-five days after that change. A concealed 2434  
weapons license that a sheriff issued as a concealed handgun 2435  
license prior to the effective date of this amendment and that 2436  
has not expired prior to the effective date of this amendment 2437  
has the same validity as a concealed weapons license issued on 2438  
or after that date and shall be treated for purposes of this 2439  
section, sections 2923.127 to 2923.1212 of the Revised Code, and 2440  
other Revised Code provisions as if it were a license issued on 2441  
or after that date. 2442

If a licensee is the driver or an occupant of a motor 2443  
vehicle that is stopped as the result of a traffic stop or a 2444  
stop for another law enforcement purpose and if the licensee is 2445

transporting or has ~~a loaded handgun~~ in the motor vehicle at 2446  
that time a deadly weapon that is a loaded firearm and that is 2447  
not a restricted firearm, ~~the licensee shall promptly inform any~~ 2448  
~~law enforcement officer who approaches the vehicle while stopped~~ 2449  
~~that the licensee has been issued a concealed handgun license~~ 2450  
~~and that the licensee currently possesses or has a loaded~~ 2451  
~~handgun;~~ the licensee shall not knowingly disregard or fail to 2452  
comply with lawful orders of a law enforcement officer given 2453  
while the motor vehicle is stopped, knowingly fail to remain in 2454  
the motor vehicle while stopped, or knowingly fail to keep the 2455  
licensee's hands in plain sight after any law enforcement 2456  
officer begins approaching the licensee while stopped and before 2457  
the officer leaves, unless directed otherwise by a law 2458  
enforcement officer; and the licensee shall not knowingly have 2459  
contact with the loaded ~~handgun~~ firearm by touching it with the 2460  
licensee's hands or fingers, in any manner in violation of 2461  
division (E) of section 2923.16 of the Revised Code, after any 2462  
law enforcement officer begins approaching the licensee while 2463  
stopped and before the officer leaves. ~~Additionally, if a~~ 2464  
~~licensee is the driver or an occupant of a commercial motor~~ 2465  
~~vehicle that is stopped by an employee of the motor carrier~~ 2466  
~~enforcement unit for the purposes defined in section 5503.34 of~~ 2467  
~~the Revised Code and the licensee is transporting or has a~~ 2468  
~~loaded handgun in the commercial motor vehicle at that time, the~~ 2469  
~~licensee shall promptly inform the employee of the unit who~~ 2470  
~~approaches the vehicle while stopped that the licensee has been~~ 2471  
~~issued a concealed handgun license and that the licensee~~ 2472  
~~currently possesses or has a loaded handgun.~~ 2473

If a licensee is stopped for a law enforcement purpose and 2474  
if the licensee is carrying a concealed ~~handgun~~ deadly weapon 2475  
that is not a restricted deadly weapon at the time the officer 2476

approaches, ~~the licensee shall promptly inform any law~~ 2477  
~~enforcement officer who approaches the licensee while stopped~~ 2478  
~~that the licensee has been issued a concealed handgun license~~ 2479  
~~and that the licensee currently is carrying a concealed handgun;~~ 2480  
the licensee shall not knowingly disregard or fail to comply 2481  
with lawful orders of a law enforcement officer given while the 2482  
licensee is stopped, or knowingly fail to keep the licensee's 2483  
hands in plain sight after any law enforcement officer begins 2484  
approaching the licensee while stopped and before the officer 2485  
leaves, unless directed otherwise by a law enforcement officer; 2486  
and, if the deadly weapon is a loaded firearm, the licensee 2487  
shall not knowingly remove, attempt to remove, grasp, or hold 2488  
the loaded ~~handgun~~ firearm or knowingly have contact with the 2489  
loaded ~~handgun~~ firearm by touching it with the licensee's hands 2490  
or fingers, in any manner in violation of division (B) of 2491  
section 2923.12 of the Revised Code, after any law enforcement 2492  
officer begins approaching the licensee while stopped and before 2493  
the officer leaves. 2494

(B) ~~A valid~~ The right to carry a concealed deadly weapon 2495  
that is granted under division (A) of this section to a licensee 2496  
who has been issued a concealed ~~handgun~~ weapons license, or that 2497  
is granted under division (A) of section 2923.111 of the Revised 2498  
Code to a licensee who is deemed under division (C) of that 2499  
section to have been issued a concealed weapons license under 2500  
section 2923.125 of the Revised Code, does not authorize the 2501  
licensee to carry any restricted deadly weapon, does not 2502  
authorize the licensee to carry a deadly weapon or a concealed 2503  
~~handgun~~ deadly weapon in any manner prohibited under division 2504  
(B) of section 2923.12 of the Revised Code or in any manner 2505  
prohibited under section 1547.69, 2921.36, 2923.12, 2923.121, 2506  
2923.122, 2923.123, 2923.13, 2923.131, 2923.15, or 2923.16 of 2507

the Revised Code. ~~A valid license, and~~ does not authorize the 2508  
licensee to carry a concealed ~~handgun—deadly weapon~~ into any of 2509  
the following places: 2510

(1) A police station, sheriff's office, or state highway 2511  
patrol station, premises controlled by the bureau of criminal 2512  
identification and investigation; a state correctional 2513  
institution, jail, workhouse, or other detention facility; any 2514  
area of an airport passenger terminal that is beyond a passenger 2515  
or property screening checkpoint or to which access is 2516  
restricted through security measures by the airport authority or 2517  
a public agency; or an institution that is maintained, operated, 2518  
managed, and governed pursuant to division (A) of section 2519  
5119.14 of the Revised Code or division (A) (1) of section 2520  
5123.03 of the Revised Code; 2521

(2) A school safety zone if the licensee's carrying the 2522  
concealed ~~handgun—deadly weapon~~ is in violation of section 2523  
2923.122 of the Revised Code; 2524

(3) A courthouse or another building or structure in which 2525  
a courtroom is located if the licensee's carrying the concealed 2526  
~~handgun—deadly weapon~~ is in violation of section 2923.123 of the 2527  
Revised Code; 2528

(4) Any premises or open air arena for which a D permit 2529  
has been issued under Chapter 4303. of the Revised Code if the 2530  
licensee's carrying the concealed ~~handgun—deadly weapon~~ is in 2531  
violation of section 2923.121 of the Revised Code; 2532

(5) Any premises owned or leased by any public or private 2533  
college, university, or other institution of higher education, 2534  
unless the ~~handgun—deadly weapon~~ is in a locked motor vehicle 2535  
~~or~~, the licensee is in the immediate process of placing the 2536

~~handgun-deadly weapon~~ in a locked motor vehicle, or unless the 2537  
licensee is carrying the concealed ~~handgun-deadly weapon~~ 2538  
pursuant to a written policy, rule, or other authorization that 2539  
is adopted by the institution's board of trustees or other 2540  
governing body and that authorizes specific individuals or 2541  
classes of individuals to carry a concealed ~~handgun-deadly~~ 2542  
~~weapon~~ on the premises; 2543

(6) Any church, synagogue, mosque, or other place of 2544  
worship, unless the church, synagogue, mosque, or other place of 2545  
worship posts or permits otherwise; 2546

(7) Any building that is a government facility of this 2547  
state or a political subdivision of this state and that is not a 2548  
building that is used primarily as a shelter, restroom, parking 2549  
facility for motor vehicles, or rest facility and is not a 2550  
courthouse or other building or structure in which a courtroom 2551  
is located that is subject to division (B)(3) of this section, 2552  
unless the governing body with authority over the building has 2553  
enacted a statute, ordinance, or policy that permits a licensee 2554  
to carry a concealed ~~handgun-deadly weapon~~ into the building; 2555

(8) A place in which federal law prohibits the carrying of 2556  
~~handguns~~ ~~deadly weapons~~. 2557

(C) (1) Nothing in this section or section 2923.111 of the 2558  
Revised Code shall negate or restrict a rule, policy, or 2559  
practice of a private employer that is not a private college, 2560  
university, or other institution of higher education concerning 2561  
or prohibiting the presence of ~~firearms-deadly weapons~~ on the 2562  
private employer's premises or property, including motor 2563  
vehicles owned by the private employer. Nothing in this section 2564  
or section 2923.111 of the Revised Code shall require a private 2565  
employer of that nature to adopt a rule, policy, or practice 2566

concerning or prohibiting the presence of ~~firearms~~ deadly 2567  
weapons on the private employer's premises or property, 2568  
including motor vehicles owned by the private employer. 2569

(2) (a) A private employer shall be immune from liability 2570  
in a civil action for any injury, death, or loss to person or 2571  
property that allegedly was caused by or related to a licensee 2572  
bringing a ~~handgun~~ deadly weapon onto the premises or property 2573  
of the private employer, including motor vehicles owned by the 2574  
private employer, unless the private employer acted with 2575  
malicious purpose. A private employer is immune from liability 2576  
in a civil action for any injury, death, or loss to person or 2577  
property that allegedly was caused by or related to the private 2578  
employer's decision to permit a licensee to bring, or prohibit a 2579  
licensee from bringing, a ~~handgun~~ deadly weapon onto the 2580  
premises or property of the private employer. 2581

(b) A political subdivision shall be immune from liability 2582  
in a civil action, to the extent and in the manner provided in 2583  
Chapter 2744. of the Revised Code, for any injury, death, or 2584  
loss to person or property that allegedly was caused by or 2585  
related to a licensee bringing a ~~handgun~~ deadly weapon onto any 2586  
premises or property owned, leased, or otherwise under the 2587  
control of the political subdivision. As used in this division, 2588  
"political subdivision" has the same meaning as in section 2589  
2744.01 of the Revised Code. 2590

(c) An institution of higher education shall be immune 2591  
from liability in a civil action for any injury, death, or loss 2592  
to person or property that allegedly was caused by or related to 2593  
a licensee bringing a ~~handgun~~ deadly weapon onto the premises of 2594  
the institution, including motor vehicles owned by the 2595  
institution, unless the institution acted with malicious 2596



purpose. An institution of higher education is immune from 2597  
liability in a civil action for any injury, death, or loss to 2598  
person or property that allegedly was caused by or related to 2599  
the institution's decision to permit a licensee or class of 2600  
licensees to bring a ~~handgun~~ deadly weapon onto the premises of 2601  
the institution. 2602

(3) (a) Except as provided in division (C) (3) (b) of this 2603  
section and section 2923.1214 of the Revised Code, the owner or 2604  
person in control of private land or premises, and a private 2605  
person or entity leasing land or premises owned by the state, 2606  
the United States, or a political subdivision of the state or 2607  
the United States, may post a sign in a conspicuous location on 2608  
that land or on those premises prohibiting persons from carrying 2609  
~~firearms~~ deadly weapons or concealed ~~firearms~~ deadly weapons on 2610  
or onto that land or those premises. Except as otherwise 2611  
provided in this division, a person who knowingly violates a 2612  
posted prohibition of that nature is guilty of criminal trespass 2613  
in violation of division (A) (4) of section 2911.21 of the 2614  
Revised Code and is guilty of a misdemeanor of the fourth 2615  
degree. If a person knowingly violates a posted prohibition of 2616  
that nature and the posted land or premises primarily was a 2617  
parking lot or other parking facility, the person is not guilty 2618  
of criminal trespass under section 2911.21 of the Revised Code 2619  
or under any other criminal law of this state or criminal law, 2620  
ordinance, or resolution of a political subdivision of this 2621  
state, and instead is subject only to a civil cause of action 2622  
for trespass based on the violation. 2623

If a person knowingly violates a posted prohibition of the 2624  
nature described in this division and the posted land or 2625  
premises is a child day-care center, type A family day-care 2626  
home, or type B family day-care home, unless the person is a 2627

licensee who resides in a type A family day-care home or type B 2628  
family day-care home, the person is guilty of aggravated 2629  
trespass in violation of section 2911.211 of the Revised Code. 2630  
Except as otherwise provided in this division, the offender is 2631  
guilty of a misdemeanor of the first degree. If the ~~person-~~ 2632  
offender previously has been convicted of a violation of this 2633  
division or of any offense of violence, if the deadly weapon 2634  
involved is a firearm that is either loaded or for which the 2635  
offender has ammunition ready at hand, or if the deadly weapon 2636  
involved is dangerous ordnance, the offender is guilty of a 2637  
felony of the fourth degree. 2638

(b) A landlord may not prohibit or restrict a tenant who 2639  
is a licensee and who on or after September 9, 2008, enters into 2640  
a rental agreement with the landlord for the use of residential 2641  
premises, and the tenant's guest while the tenant is present, 2642  
from lawfully carrying or possessing a handgun on those 2643  
residential premises. A landlord may not prohibit or restrict a 2644  
tenant who is a licensee and who on or after the effective date 2645  
of this amendment enters into a rental agreement with the 2646  
landlord for the use of residential premises and the tenant's 2647  
guest while the tenant is present from lawfully carrying or 2648  
possessing a deadly weapon that is not a restricted deadly 2649  
weapon on those premises. 2650

(c) As used in division (C) (3) of this section: 2651

(i) "Residential premises" has the same meaning as in 2652  
section 5321.01 of the Revised Code, except "residential 2653  
premises" does not include a dwelling unit that is owned or 2654  
operated by a college or university. 2655

(ii) "Landlord," "tenant," and "rental agreement" have the 2656  
same meanings as in section 5321.01 of the Revised Code. 2657

(D) A person who holds a valid concealed ~~handgun-weapons~~ license issued by another state that is recognized by the attorney general pursuant to a reciprocity agreement entered into pursuant to section 109.69 of the Revised Code ~~or~~, a person who holds a valid concealed ~~handgun-weapons~~ license under the circumstances described in division (B) of section 109.69 of the Revised Code, or a person who is deemed under division (C) of section 2923.111 of the Revised Code to have been issued a concealed weapons license under section 2923.125 of the Revised Code has the same right to carry a concealed ~~handgun-deadly~~ weapon that is not a restricted deadly weapon in this state as a person who was issued a concealed ~~handgun-weapons~~ license under section 2923.125 of the Revised Code and is subject to the same restrictions that apply to a person who carries a license issued under that section.

(E) (1) A peace officer has the same right to carry a concealed ~~handgun-deadly weapon that is not a restricted deadly~~ weapon in this state as a person who was issued a concealed ~~handgun-weapons~~ license under section 2923.125 of the Revised Code, provided that the officer when carrying a concealed ~~handgun-deadly weapon~~ under authority of this division is carrying validating identification. For purposes of reciprocity with other states, a peace officer shall be considered to be a licensee in this state who has been issued such a license under that section.

(2) An active duty member of the armed forces of the United States who 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 has the same right to carry a concealed ~~handgun-deadly~~

weapon that is not a restricted deadly weapon in this state as a 2689  
person who was issued a concealed ~~handgun-weapons~~ license under 2690  
section 2923.125 of the Revised Code and is subject to the same 2691  
restrictions as specified in this section. 2692

(3) A tactical medical professional who is qualified to 2693  
carry firearms while on duty under section 109.771 of the 2694  
Revised Code has the same right to carry a concealed ~~handgun-~~ 2695  
deadly weapon that is not a restricted deadly weapon in this 2696  
state as a person who was issued a concealed ~~handgun-weapons~~ 2697  
license under section 2923.125 of the Revised Code. 2698

(F) (1) A qualified retired peace officer who possesses a 2699  
retired peace officer identification card issued pursuant to 2700  
division (F) (2) of this section and a valid firearms 2701  
requalification certification issued pursuant to division (F) (3) 2702  
of this section has the same right to carry a concealed ~~handgun-~~ 2703  
deadly weapon that is not a restricted deadly weapon in this 2704  
state as a person who was issued a concealed ~~handgun-weapons~~ 2705  
license under section 2923.125 of the Revised Code and is 2706  
subject to the same restrictions that apply to a person who 2707  
carries a license issued under that section. For purposes of 2708  
reciprocity with other states, a qualified retired peace officer 2709  
who possesses a retired peace officer identification card issued 2710  
pursuant to division (F) (2) of this section and a valid firearms 2711  
requalification certification issued pursuant to division (F) (3) 2712  
of this section shall be considered to be a licensee in this 2713  
state who has been issued a concealed weapons license under 2714  
section 2923.125 of the Revised Code. 2715

(2) (a) Each public agency of this state or of a political 2716  
subdivision of this state that is served by one or more peace 2717  
officers shall issue a retired peace officer identification card 2718

to any person who retired from service as a peace officer with 2719  
that agency, if the issuance is in accordance with the agency's 2720  
policies and procedures and if the person, with respect to the 2721  
person's service with that agency, satisfies all of the 2722  
following: 2723

(i) The person retired in good standing from service as a 2724  
peace officer with the public agency, and the retirement was not 2725  
for reasons of mental instability. 2726

(ii) Before retiring from service as a peace officer with 2727  
that agency, the person was authorized to engage in or supervise 2728  
the prevention, detection, investigation, or prosecution of, or 2729  
the incarceration of any person for, any violation of law and 2730  
the person had statutory powers of arrest. 2731

(iii) At the time of the person's retirement as a peace 2732  
officer with that agency, the person was trained and qualified 2733  
to carry firearms in the performance of the peace officer's 2734  
duties. 2735

(iv) Before retiring from service as a peace officer with 2736  
that agency, the person was regularly employed as a peace 2737  
officer for an aggregate of fifteen years or more, or, in the 2738  
alternative, the person retired from service as a peace officer 2739  
with that agency, after completing any applicable probationary 2740  
period of that service, due to a service-connected disability, 2741  
as determined by the agency. 2742

(b) A retired peace officer identification card issued to 2743  
a person under division (F)(2)(a) of this section shall identify 2744  
the person by name, contain a photograph of the person, identify 2745  
the public agency of this state or of the political subdivision 2746  
of this state from which the person retired as a peace officer 2747

and that is issuing the identification card, and specify that 2748  
the person retired in good standing from service as a peace 2749  
officer with the issuing public agency and satisfies the 2750  
criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 2751  
section. In addition to the required content specified in this 2752  
division, a retired peace officer identification card issued to 2753  
a person under division (F) (2) (a) of this section may include 2754  
the firearms requalification certification described in division 2755  
(F) (3) of this section, and if the identification card includes 2756  
that certification, the identification card shall serve as the 2757  
firearms requalification certification for the retired peace 2758  
officer. If the issuing public agency issues credentials to 2759  
active law enforcement officers who serve the agency, the agency 2760  
may comply with division (F) (2) (a) of this section by issuing 2761  
the same credentials to persons who retired from service as a 2762  
peace officer with the agency and who satisfy the criteria set 2763  
forth in divisions (F) (2) (a) (i) to (iv) of this section, 2764  
provided that the credentials so issued to retired peace 2765  
officers are stamped with the word "RETIRED." 2766

(c) A public agency of this state or of a political 2767  
subdivision of this state may charge persons who retired from 2768  
service as a peace officer with the agency a reasonable fee for 2769  
issuing to the person a retired peace officer identification 2770  
card pursuant to division (F) (2) (a) of this section. 2771

(3) If a person retired from service as a peace officer 2772  
with a public agency of this state or of a political subdivision 2773  
of this state and the person satisfies the criteria set forth in 2774  
divisions (F) (2) (a) (i) to (iv) of this section, the public 2775  
agency may provide the retired peace officer with the 2776  
opportunity to attend a firearms requalification program that is 2777  
approved for purposes of firearms requalification required under 2778

section 109.801 of the Revised Code. The retired peace officer 2779  
may be required to pay the cost of the course. 2780

If a retired peace officer who satisfies the criteria set 2781  
forth in divisions (F)(2)(a)(i) to (iv) of this section attends 2782  
a firearms requalification program that is approved for purposes 2783  
of firearms requalification required under section 109.801 of 2784  
the Revised Code, the retired peace officer's successful 2785  
completion of the firearms requalification program requalifies 2786  
the retired peace officer for purposes of division (F) of this 2787  
section for five years from the date on which the program was 2788  
successfully completed, and the requalification is valid during 2789  
that five-year period. If a retired peace officer who satisfies 2790  
the criteria set forth in divisions (F)(2)(a)(i) to (iv) of this 2791  
section satisfactorily completes such a firearms requalification 2792  
program, the retired peace officer shall be issued a firearms 2793  
requalification certification that identifies the retired peace 2794  
officer by name, identifies the entity that taught the program, 2795  
specifies that the retired peace officer successfully completed 2796  
the program, specifies the date on which the course was 2797  
successfully completed, and specifies that the requalification 2798  
is valid for five years from that date of successful completion. 2799  
The firearms requalification certification for a retired peace 2800  
officer may be included in the retired peace officer 2801  
identification card issued to the retired peace officer under 2802  
division (F)(2) of this section. 2803

A retired peace officer who attends a firearms 2804  
requalification program that is approved for purposes of 2805  
firearms requalification required under section 109.801 of the 2806  
Revised Code may be required to pay the cost of the program. 2807

(G) As used in this section: 2808

- (1) "Qualified retired peace officer" means a person who 2809  
satisfies all of the following: 2810
- (a) The person satisfies the criteria set forth in 2811  
divisions (F) (2) (a) (i) to (v) of this section. 2812
- (b) The person is not under the influence of alcohol or 2813  
another intoxicating or hallucinatory drug or substance. 2814
- (c) The person is not prohibited by federal law from 2815  
receiving firearms. 2816
- (2) "Retired peace officer identification card" means an 2817  
identification card that is issued pursuant to division (F) (2) 2818  
of this section to a person who is a retired peace officer. 2819
- (3) "Government facility of this state or a political 2820  
subdivision of this state" means any of the following: 2821
- (a) A building or part of a building that is owned or 2822  
leased by the government of this state or a political 2823  
subdivision of this state and where employees of the government 2824  
of this state or the political subdivision regularly are present 2825  
for the purpose of performing their official duties as employees 2826  
of the state or political subdivision; 2827
- (b) The office of a deputy registrar serving pursuant to 2828  
Chapter 4503. of the Revised Code that is used to perform deputy 2829  
registrar functions. 2830
- (4) "Governing body" has the same meaning as in section 2831  
154.01 of the Revised Code. 2832
- (5) "Tactical medical professional" has the same meaning 2833  
as in section 109.71 of the Revised Code. 2834
- (6) "Validating identification" means photographic 2835



identification issued by the agency for which an individual 2836  
serves as a peace officer that identifies the individual as a 2837  
peace officer of the agency. 2838

**Sec. 2923.127.** (A) If a sheriff denies an application for 2839  
a concealed ~~handgun~~-weapons license under section 2923.125 of 2840  
the Revised Code, denies the renewal of a concealed ~~handgun~~- 2841  
weapons license under that section, or denies an application for 2842  
a concealed ~~handgun~~-weapons license on a temporary emergency 2843  
basis under section 2923.1213 of the Revised Code as a result of 2844  
the criminal records check conducted pursuant to section 311.41 2845  
of the Revised Code and if the applicant believes the denial was 2846  
based on incorrect information reported by the source the 2847  
sheriff used in conducting the criminal records check, the 2848  
applicant may challenge the criminal records check results using 2849  
whichever of the following is applicable: 2850

(1) If the bureau of criminal identification and 2851  
investigation performed the criminal records check, by using the 2852  
bureau's existing challenge and review procedures; 2853

(2) If division (A) (1) of this section does not apply, by 2854  
using the existing challenge and review procedure of the sheriff 2855  
who denied the application or, if the sheriff does not have a 2856  
challenge and review procedure, by using the challenge and 2857  
review procedure prescribed by the bureau of criminal 2858  
identification and investigation pursuant to division (B) of 2859  
this section. 2860

(B) The bureau of criminal identification and 2861  
investigation shall prescribe a challenge and review procedure 2862  
for applicants to use to challenge criminal records checks under 2863  
division (A) (2) of this section in counties in which the sheriff 2864  
with whom an application of a type described in division (A) of 2865

this section was filed or submitted does not have an existing 2866  
challenge and review procedure. 2867

**Sec. 2923.128.** (A) (1) (a) If a licensee holding a valid 2868  
concealed ~~handgun-weapons~~ license is arrested for or otherwise 2869  
charged with an offense described in division (D) (1) (d) of 2870  
section 2923.125 of the Revised Code or with a violation of 2871  
section 2923.15 of the Revised Code or becomes subject to a 2872  
temporary protection order or to a protection order issued by a 2873  
court of another state that is substantially equivalent to a 2874  
temporary protection order, the sheriff who issued the license 2875  
shall suspend it and shall comply with division (A) (3) of this 2876  
section upon becoming aware of the arrest, charge, or protection 2877  
order. Upon suspending the license, the sheriff also shall 2878  
comply with division (H) of section 2923.125 of the Revised 2879  
Code. 2880

(b) A suspension under division (A) (1) (a) of this section 2881  
shall be considered as beginning on the date that the licensee 2882  
is arrested for or otherwise charged with an offense described 2883  
in that division or on the date the appropriate court issued the 2884  
protection order described in that division, irrespective of 2885  
when the sheriff notifies the licensee under division (A) (3) of 2886  
this section. The suspension shall end on the date on which the 2887  
charges are dismissed or the licensee is found not guilty of the 2888  
offense described in division (A) (1) (a) of this section or, 2889  
subject to division (B) of this section, on the date the 2890  
appropriate court terminates the protection order described in 2891  
that division. If the suspension so ends, the sheriff shall 2892  
return the license or temporary emergency license to the 2893  
licensee. 2894

(2) (a) If a licensee holding a valid concealed ~~handgun-~~ 2895

weapons license is convicted of or pleads guilty to a 2896  
misdemeanor violation of division (B) (1), ~~(2)~~, or ~~(4)~~ (3) of 2897  
section 2923.12 of the Revised Code or of division (E) (1), ~~(2)~~, ~~2898~~  
~~(3)~~, or ~~(5)~~ (3) of section 2923.16 of the Revised Code, ~~except as~~ 2899  
~~provided in division (A) (2) (c) of this section and subject to~~ 2900  
~~division (C) of this section,~~ the sheriff who issued the license 2901  
shall suspend it and shall comply with division (A) (3) of this 2902  
section upon becoming aware of the conviction or guilty plea. 2903  
Upon suspending the license, the sheriff also shall comply with 2904  
division (H) of section 2923.125 of the Revised Code. 2905

(b) A suspension under division (A) (2) (a) of this section 2906  
shall be considered as beginning on the date that the licensee 2907  
is convicted of or pleads guilty to the offense described in 2908  
that division, irrespective of when the sheriff notifies the 2909  
licensee under division (A) (3) of this section. If the 2910  
suspension is imposed for a misdemeanor violation of division 2911  
(B) (1) ~~or (2)~~ of section 2923.12 of the Revised Code or of 2912  
division (E) (1), ~~(2)~~, ~~or (3)~~ of section 2923.16 of the Revised 2913  
Code, it shall end on the date that is one year after the date 2914  
that the licensee is convicted of or pleads guilty to that 2915  
violation. If the suspension is imposed for a misdemeanor 2916  
violation of division (B) ~~(4)~~ (3) of section 2923.12 of the 2917  
Revised Code or of division (E) ~~(5)~~ (3) of section 2923.16 of the 2918  
Revised Code, it shall end on the date that is two years after 2919  
the date that the licensee is convicted of or pleads guilty to 2920  
that violation. If the licensee's license was issued under 2921  
section 2923.125 of the Revised Code and the license remains 2922  
valid after the suspension ends as described in this division, 2923  
when the suspension ends, the sheriff shall return the license 2924  
to the licensee. If the licensee's license was issued under 2925  
section 2923.125 of the Revised Code and the license expires 2926

before the suspension ends as described in this division, or if 2927  
the licensee's license was issued under section 2923.1213 of the 2928  
Revised Code, the licensee is not eligible to apply for a new 2929  
license under section 2923.125 or 2923.1213 of the Revised Code 2930  
or to renew the license under section 2923.125 of the Revised 2931  
Code until after the suspension ends as described in this 2932  
division. 2933

~~(c) The license of a licensee who is convicted of or 2934  
pleads guilty to a violation of division (B) (1) of section 2935  
2923.12 or division (E) (1) or (2) of section 2923.16 of the 2936  
Revised Code shall not be suspended pursuant to division (A) (2) 2937  
(a) of this section if, at the time of the stop of the licensee 2938  
for a law enforcement purpose, for a traffic stop, or for a 2939  
purpose defined in section 5503.34 of the Revised Code that was 2940  
the basis of the violation, any law enforcement officer involved 2941  
with the stop or the employee of the motor carrier enforcement 2942  
unit who made the stop had actual knowledge of the licensee's 2943  
status as a licensee. 2944~~

(3) Upon becoming aware of an arrest, charge, or 2945  
protection order described in division (A) (1) (a) of this section 2946  
with respect to a licensee who was issued a concealed ~~handgun~~ 2947  
weapons license, or a conviction of or plea of guilty to a 2948  
misdemeanor offense described in division (A) (2) (a) of this 2949  
section with respect to a licensee who was issued a concealed 2950  
~~handgun weapons~~ license and with respect to which division (A) 2951  
(2) (c) of this section does not apply, subject to division (C) 2952  
of this section, the sheriff who issued the licensee's license 2953  
shall notify the licensee, by certified mail, return receipt 2954  
requested, at the licensee's last known residence address that 2955  
the license has been suspended and that the licensee is required 2956  
to surrender the license at the sheriff's office within ten days 2957

of the date on which the notice was mailed. If the suspension is 2958  
pursuant to division (A) (2) of this section, the notice shall 2959  
identify the date on which the suspension ends. 2960

(B) (1) A sheriff who issues a concealed ~~handgun~~ weapons 2961  
license to a licensee shall revoke the license in accordance 2962  
with division (B) (2) of this section upon becoming aware that 2963  
the licensee satisfies any of the following: 2964

(a) The licensee is under twenty-one years of age. 2965

(b) Subject to division (C) of this section, at the time 2966  
of the issuance of the license, the licensee did not satisfy the 2967  
eligibility requirements of division (D) (1) (c), (d), (e), (f), 2968  
(g), or (h) of section 2923.125 of the Revised Code. 2969

(c) Subject to division (C) of this section, on or after 2970  
the date on which the license was issued, the licensee is 2971  
convicted of or pleads guilty to a violation of section 2923.15 2972  
of the Revised Code or an offense described in division (D) (1) 2973  
(e), (f), (g), or (h) of section 2923.125 of the Revised Code. 2974

(d) On or after the date on which the license was issued, 2975  
the licensee becomes subject to a civil protection order or to a 2976  
protection order issued by a court of another state that is 2977  
substantially equivalent to a civil protection order. 2978

(e) The licensee knowingly carries a concealed ~~handgun~~ 2979  
deadly weapon into a place that the licensee knows is an 2980  
unauthorized place specified in division (B) of section 2923.126 2981  
of the Revised Code, knowingly carries a concealed deadly weapon 2982  
in any prohibited manner listed in that division, or knowingly 2983  
carries under alleged authority as a licensee a concealed 2984  
restricted deadly weapon. 2985

(f) On or after the date on which the license was issued, 2986

the licensee is adjudicated as a mental defective or is 2987  
committed to a mental institution. 2988

(g) At the time of the issuance of the license, the 2989  
licensee did not meet the residency requirements described in 2990  
division (D) (1) of section 2923.125 of the Revised Code and 2991  
currently does not meet the residency requirements described in 2992  
that division. 2993

(h) Regarding a license issued under section 2923.125 of 2994  
the Revised Code, the competency certificate the licensee 2995  
submitted was forged or otherwise was fraudulent. 2996

(2) Upon becoming aware of any circumstance listed in 2997  
division (B) (1) of this section that applies to a particular 2998  
licensee who was issued a concealed ~~handgun~~ weapons license, 2999  
subject to division (C) of this section, the sheriff who issued 3000  
the license to the licensee shall notify the licensee, by 3001  
certified mail, return receipt requested, at the licensee's last 3002  
known residence address that the license is subject to 3003  
revocation and that the licensee may come to the sheriff's 3004  
office and contest the sheriff's proposed revocation within 3005  
fourteen days of the date on which the notice was mailed. After 3006  
the fourteen-day period and after consideration of any 3007  
information that the licensee provides during that period, if 3008  
the sheriff determines on the basis of the information of which 3009  
the sheriff is aware that the licensee is described in division 3010  
(B) (1) of this section and no longer satisfies the requirements 3011  
described in division (D) (1) of section 2923.125 of the Revised 3012  
Code that are applicable to the licensee's type of license, the 3013  
sheriff shall revoke the license, notify the licensee of that 3014  
fact, and require the licensee to surrender the license. Upon 3015  
revoking the license, the sheriff also shall comply with 3016

division (H) of section 2923.125 of the Revised Code. 3017

(C) If a sheriff who issues a concealed ~~handgun~~ weapons license to a licensee becomes aware that at the time of the issuance of the license the licensee had been convicted of or pleaded guilty to an offense identified in division (D) (1) (e), (f), or (h) of section 2923.125 of the Revised Code or had been adjudicated a delinquent child for committing an act or violation identified in any of those divisions or becomes aware that on or after the date on which the license was issued the licensee has been convicted of or pleaded guilty to an offense identified in division (A) (2) (a) or (B) (1) (c) of this section, the sheriff shall not consider that conviction, guilty plea, or adjudication as having occurred for purposes of divisions (A) (2), (A) (3), (B) (1), and (B) (2) of this section if a court has ordered the sealing or expungement of the records of that conviction, guilty plea, or adjudication pursuant to sections 2151.355 to 2151.358 or sections 2953.31 to 2953.36 of the Revised Code or the licensee has been relieved under operation of law or legal process from the disability imposed pursuant to section 2923.13 of the Revised Code relative to that conviction, guilty plea, or adjudication. 3018  
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(D) As used in this section, "motor carrier enforcement unit" has the same meaning as in section 2923.16 of the Revised Code. 3038  
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**Sec. 2923.129.** (A) (1) If a sheriff, the superintendent of the bureau of criminal identification and investigation, the employees of the bureau, the Ohio peace officer training commission, or the employees of the commission make a good faith effort in performing the duties imposed upon the sheriff, the superintendent, the bureau's employees, the commission, or the 3041  
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commission's employees by sections 109.731, 311.41, and 2923.124 3047  
to 2923.1213 of the Revised Code, in addition to the personal 3048  
immunity provided by section 9.86 of the Revised Code or 3049  
division (A) (6) of section 2744.03 of the Revised Code and the 3050  
governmental immunity of sections 2744.02 and 2744.03 of the 3051  
Revised Code and in addition to any other immunity possessed by 3052  
the bureau, the commission, and their employees, the sheriff, 3053  
the sheriff's office, the county in which the sheriff has 3054  
jurisdiction, the bureau, the superintendent of the bureau, the 3055  
bureau's employees, the commission, and the commission's 3056  
employees are immune from liability in a civil action for 3057  
injury, death, or loss to person or property that allegedly was 3058  
caused by or related to any of the following: 3059

(a) The issuance, renewal, suspension, or revocation of a 3060  
concealed ~~handgun-weapons~~ license; 3061

(b) The failure to issue, renew, suspend, or revoke a 3062  
concealed ~~handgun-weapons~~ license; 3063

(c) Any action or misconduct with a ~~handgun-deadly weapon~~ 3064  
committed by a licensee. 3065

(2) Any action of a sheriff relating to the issuance, 3066  
renewal, suspension, or revocation of a concealed ~~handgun-~~ 3067  
~~weapons~~ license shall be considered to be a governmental 3068  
function for purposes of Chapter 2744. of the Revised Code. 3069

(3) An entity that or instructor who provides a competency 3070  
certification of a type described in division (B) (3) of section 3071  
2923.125 of the Revised Code is immune from civil liability that 3072  
might otherwise be incurred or imposed for any death or any 3073  
injury or loss to person or property that is caused by or 3074  
related to a person to whom the entity or instructor has issued 3075



the competency certificate if all of the following apply: 3076

(a) The alleged liability of the entity or instructor 3077  
relates to the training provided in the course, class, or 3078  
program covered by the competency certificate. 3079

(b) The entity or instructor makes a good faith effort in 3080  
determining whether the person has satisfactorily completed the 3081  
course, class, or program and makes a good faith effort in 3082  
assessing the person in the competency examination conducted 3083  
pursuant to division (G) (2) of section 2923.125 of the Revised 3084  
Code. 3085

(c) The entity or instructor did not issue the competency 3086  
certificate with malicious purpose, in bad faith, or in a wanton 3087  
or reckless manner. 3088

(4) An entity that or instructor who, prior to March 27, 3089  
2013, provides a renewed competency certification of a type 3090  
described in division (G) (4) of section 2923.125 of the Revised 3091  
Code as it existed prior to March 27, 2013, is immune from civil 3092  
liability that might otherwise be incurred or imposed for any 3093  
death or any injury or loss to person or property that is caused 3094  
by or related to a person to whom the entity or instructor has 3095  
issued the renewed competency certificate if all of the 3096  
following apply: 3097

(a) The entity or instructor makes a good faith effort in 3098  
assessing the person in the physical demonstrations or the 3099  
competency examination conducted pursuant to division (G) (4) of 3100  
section 2923.125 of the Revised Code as it existed prior to 3101  
March 27, 2013. 3102

(b) The entity or instructor did not issue the renewed 3103  
competency certificate with malicious purpose, in bad faith, or 3104

in a wanton or reckless manner. 3105

(B) Notwithstanding section 149.43 of the Revised Code, 3106  
the records that a sheriff keeps relative to the issuance, 3107  
renewal, suspension, or revocation of a concealed ~~handgun-~~ 3108  
weapons license, including, but not limited to, completed 3109  
applications for the issuance or renewal of a license, completed 3110  
affidavits submitted regarding an application for a license on a 3111  
temporary emergency basis, reports of criminal records checks 3112  
and incompetency records checks under section 311.41 of the 3113  
Revised Code, and applicants' social security numbers and 3114  
fingerprints that are obtained under division (A) of section 3115  
311.41 of the Revised Code, are confidential and are not public 3116  
records. No person shall release or otherwise disseminate 3117  
records that are confidential under this division unless 3118  
required to do so pursuant to a court order. 3119

(C) Each sheriff shall report to the Ohio peace officer 3120  
training commission the number of concealed ~~handgun-~~weapons 3121  
licenses that the sheriff issued, renewed, suspended, revoked, 3122  
or denied under section 2923.125 of the Revised Code during the 3123  
previous quarter of the calendar year, the number of 3124  
applications for those licenses for which processing was 3125  
suspended in accordance with division (D)(3) of section 2923.125 3126  
of the Revised Code during the previous quarter of the calendar 3127  
year, and the number of concealed ~~handgun-~~weapons licenses on a 3128  
temporary emergency basis that the sheriff issued, suspended, 3129  
revoked, or denied under section 2923.1213 of the Revised Code 3130  
during the previous quarter of the calendar year. The sheriff 3131  
shall not include in the report the name or any other 3132  
identifying information of an applicant or licensee. The sheriff 3133  
shall report that information in a manner that permits the 3134  
commission to maintain the statistics described in division (C) 3135

of section 109.731 of the Revised Code and to timely prepare the 3136  
statistical report described in that division. The information 3137  
that is received by the commission under this division is a 3138  
public record kept by the commission for the purposes of section 3139  
149.43 of the Revised Code. 3140

(D) Law enforcement agencies may use the information a 3141  
sheriff makes available through the use of the law enforcement 3142  
automated data system pursuant to division (H) of section 3143  
2923.125 or division (B) (2) or (D) of section 2923.1213 of the 3144  
Revised Code for law enforcement purposes only. The information 3145  
is confidential and is not a public record. Except as provided 3146  
in section 5503.101 of the Revised Code, a person who releases 3147  
or otherwise disseminates this information obtained through the 3148  
law enforcement automated data system in a manner not described 3149  
in this division is guilty of a violation of section 2913.04 of 3150  
the Revised Code. 3151

(E) Whoever violates division (B) of this section is 3152  
guilty of illegal release of confidential concealed ~~handgun~~ 3153  
weapons license records, a felony of the fifth degree. In 3154  
addition to any penalties imposed under Chapter 2929. of the 3155  
Revised Code for a violation of division (B) of this section or 3156  
a violation of section 2913.04 of the Revised Code described in 3157  
division (D) of this section, if the offender is a sheriff, an 3158  
employee of a sheriff, or any other public officer or employee, 3159  
and if the violation was willful and deliberate, the offender 3160  
shall be subject to a civil fine of one thousand dollars. Any 3161  
person who is harmed by a violation of division (B) or (C) of 3162  
this section or a violation of section 2913.04 of the Revised 3163  
Code described in division (D) of this section has a private 3164  
cause of action against the offender for any injury, death, or 3165  
loss to person or property that is a proximate result of the 3166

violation and may recover court costs and attorney's fees 3167  
related to the action. 3168

**Sec. 2923.1210.** (A) A business entity, property owner, or 3169  
public or private employer may not establish, maintain, or 3170  
enforce a policy or rule that prohibits or has the effect of 3171  
prohibiting a person who has been issued a valid concealed 3172  
~~handgun weapons license, or a person who is deemed under~~ 3173  
division (C) of section 2923.111 of the Revised Code to have 3174  
been issued a concealed weapons license under section 2923.125 3175  
of the Revised Code, from transporting or storing a ~~firearm-~~ 3176  
deadly weapon or ammunition for a deadly weapon that is a 3177  
firearm when both of the following conditions are met: 3178

(1) Each ~~firearm-deadly weapon and, if there is~~ 3179  
ammunition, all of the ammunition remains inside the person's 3180  
privately owned motor vehicle while the person is physically 3181  
present inside the motor vehicle, or each ~~firearm-deadly weapon~~ 3182  
and, if there is ammunition, all of the ammunition is locked 3183  
within the trunk, glove box, or other enclosed compartment or 3184  
container within or on the person's privately owned motor 3185  
vehicle; 3186

(2) The vehicle is in a location where it is otherwise 3187  
permitted to be. 3188

(B) A business entity, property owner, or public or 3189  
private employer that violates division (A) of this section may 3190  
be found liable in a civil action for injunctive relief brought 3191  
by any individual injured by the violation. The court may grant 3192  
any injunctive relief it finds appropriate. 3193

(C) No business entity, property owner, or public or 3194  
private employer shall be held liable in any civil action for 3195

damages, injuries, or death resulting from or arising out of 3196  
another person's actions involving a ~~firearm~~ deadly weapon or 3197  
ammunition for a deadly weapon that is a firearm transported or 3198  
stored pursuant to division (A) of this section including the 3199  
theft of a ~~firearm~~ deadly weapon from an employee's or invitee's 3200  
automobile, unless the business entity, property owner, or 3201  
public or private employer intentionally solicited or procured 3202  
the other person's injurious actions. 3203

**Sec. 2923.1211.** (A) No person shall alter a concealed 3204  
~~handgun~~ weapons license or create a fictitious document that 3205  
purports to be a license of that nature. 3206

(B) No person, except in the performance of official 3207  
duties, shall possess a concealed ~~handgun~~ weapons license that 3208  
was issued and that has been revoked or suspended. 3209

(C) Whoever violates division (A) of this section is 3210  
guilty of falsification of a concealed ~~handgun~~ weapons license, 3211  
a felony of the fifth degree. Whoever violates division (B) of 3212  
this section is guilty of possessing a revoked or suspended 3213  
concealed ~~handgun~~ weapons license, a misdemeanor of the third 3214  
degree. 3215

**Sec. 2923.1212.** ~~Each~~ (A) Except as provided in division 3216  
(B) of this section, each person, board, or entity that owns or 3217  
controls any place or premises identified in division (B) of 3218  
section 2923.126 of the Revised Code as a place into which a 3219  
valid license does not authorize the licensee to carry a 3220  
concealed ~~handgun~~ deadly weapon, or a designee of such a person, 3221  
board, or entity, shall post in one or more conspicuous 3222  
locations in the premises a sign that contains a statement in 3223  
substantially the following form: "Unless otherwise authorized 3224  
by law, pursuant to the Ohio Revised Code, no person shall 3225

knowingly possess, have under the person's control, convey, or 3226  
attempt to convey a deadly weapon or dangerous ordnance onto 3227  
these premises." 3228

(B) If a person, board, or entity that owns or controls 3229  
any place or premises identified in division (B) (6) or (7) of 3230  
section 2923.126 of the Revised Code as a place that may permit 3231  
the licensee to carry a concealed deadly weapon, or a designee 3232  
of such a person, board, or entity, does not post a sign as 3233  
provided in division (A) of this section, it shall be presumed 3234  
that the person, board, or entity that owns or controls the 3235  
place or premises permits the licensee to carry a concealed 3236  
deadly weapon on the premises. 3237

**Sec. 2923.1213.** (A) As used in this section: 3238

(1) "Evidence of imminent danger" means any of the 3239  
following: 3240

(a) A statement sworn by the person seeking to carry a 3241  
concealed ~~handgun~~ deadly weapon other than a restricted deadly 3242  
weapon that is made under threat of perjury and that states that 3243  
the person has reasonable cause to fear a criminal attack upon 3244  
the person or a member of the person's family, such as would 3245  
justify a prudent person in going armed; 3246

(b) A written document prepared by a governmental entity 3247  
or public official describing the facts that give the person 3248  
seeking to carry a concealed ~~handgun~~ deadly weapon other than a 3249  
restricted deadly weapon reasonable cause to fear a criminal 3250  
attack upon the person or a member of the person's family, such 3251  
as would justify a prudent person in going armed. Written 3252  
documents of this nature include, but are not limited to, any 3253  
temporary protection order, civil protection order, protection 3254

order issued by another state, or other court order, any court 3255  
report, and any report filed with or made by a law enforcement 3256  
agency or prosecutor. 3257

(2) "Prosecutor" has the same meaning as in section 3258  
2935.01 of the Revised Code. 3259

(B) (1) A person seeking a concealed ~~handgun~~ weapons 3260  
license on a temporary emergency basis shall submit to the 3261  
sheriff of the county in which the person resides or, if the 3262  
person usually resides in another state, to the sheriff of the 3263  
county in which the person is temporarily staying, all of the 3264  
following: 3265

(a) Evidence of imminent danger to the person or a member 3266  
of the person's family; 3267

(b) A sworn affidavit that contains all of the information 3268  
required to be on the license and attesting that the person is 3269  
legally living in the United States; is at least twenty-one 3270  
years of age; is not a fugitive from justice; is not under 3271  
indictment for or otherwise charged with an offense identified 3272  
in division (D) (1) (d) of section 2923.125 of the Revised Code; 3273  
has not been convicted of or pleaded guilty to an offense, and 3274  
has not been adjudicated a delinquent child for committing an 3275  
act, identified in division (D) (1) (e) of that section and to 3276  
which division (B) (3) of this section does not apply; within 3277  
three years of the date of the submission, has not been 3278  
convicted of or pleaded guilty to an offense, and has not been 3279  
adjudicated a delinquent child for committing an act, identified 3280  
in division (D) (1) (f) of that section and to which division (B) 3281  
(3) of this section does not apply; within five years of the 3282  
date of the submission, has not been convicted of, pleaded 3283  
guilty, or adjudicated a delinquent child for committing two or 3284

more violations identified in division (D) (1) (g) of that 3285  
section; within ten years of the date of the submission, has not 3286  
been convicted of, pleaded guilty, or been adjudicated a 3287  
delinquent child for committing a violation identified in 3288  
division (D) (1) (h) of that section and to which division (B) (3) 3289  
of this section does not apply; has not been adjudicated as a 3290  
mental defective, has not been committed to any mental 3291  
institution, is not under adjudication of mental incompetence, 3292  
has not been found by a court to be a mentally ill person 3293  
subject to court order, and is not an involuntary patient other 3294  
than one who is a patient only for purposes of observation, as 3295  
described in division (D) (1) (i) of that section; is not 3296  
currently subject to a civil protection order, a temporary 3297  
protection order, or a protection order issued by a court of 3298  
another state, as described in division (D) (1) (j) of that 3299  
section; is not currently subject to a suspension imposed under 3300  
division (A) (2) of section 2923.128 of the Revised Code of a 3301  
concealed ~~handgun~~-weapons license that previously was issued to 3302  
the person or a similar suspension imposed by another state 3303  
regarding a concealed ~~handgun~~-weapons license issued by that 3304  
state; is not an unlawful user of or addicted to any controlled 3305  
substance as defined in 21 U.S.C. 802; if applicable, is an 3306  
alien and has not been admitted to the United States under a 3307  
nonimmigrant visa, as defined in the "Immigration and 3308  
Nationality Act," 8 U.S.C. 1101(a) (26); has not been discharged 3309  
from the armed forces of the United States under dishonorable 3310  
conditions; if applicable, has not renounced the applicant's 3311  
United States citizenship; and has not been convicted of, 3312  
pleaded guilty to, or been adjudicated a delinquent child for 3313  
committing a violation identified in division (D) (1) (s) of 3314  
section 2923.125 of the Revised Code; 3315



(c) A nonrefundable temporary emergency license fee as 3316  
described in either of the following: 3317

(i) For an applicant who has been a resident of this state 3318  
for five or more years, a fee of fifteen dollars plus the actual 3319  
cost of having a background check performed by the bureau of 3320  
criminal identification and investigation pursuant to section 3321  
311.41 of the Revised Code; 3322

(ii) For an applicant who has been a resident of this 3323  
state for less than five years or who is not a resident of this 3324  
state, but is temporarily staying in this state, a fee of 3325  
fifteen dollars plus the actual cost of having background checks 3326  
performed by the federal bureau of investigation and the bureau 3327  
of criminal identification and investigation pursuant to section 3328  
311.41 of the Revised Code. 3329

(d) A set of fingerprints of the applicant provided as 3330  
described in section 311.41 of the Revised Code through use of 3331  
an electronic fingerprint reading device or, if the sheriff to 3332  
whom the application is submitted does not possess and does not 3333  
have ready access to the use of an electronic fingerprint 3334  
reading device, on a standard impression sheet prescribed 3335  
pursuant to division (C) (2) of section 109.572 of the Revised 3336  
Code. If the fingerprints are provided on a standard impression 3337  
sheet, the person also shall provide the person's social 3338  
security number to the sheriff. 3339

(2) A sheriff shall accept the evidence of imminent 3340  
danger, the sworn affidavit, the fee, and the set of 3341  
fingerprints required under division (B) (1) of this section at 3342  
the times and in the manners described in division (I) of this 3343  
section. Upon receipt of the evidence of imminent danger, the 3344  
sworn affidavit, the fee, and the set of fingerprints required 3345

under division (B)(1) of this section, the sheriff, in the 3346  
manner specified in section 311.41 of the Revised Code, 3347  
immediately shall conduct or cause to be conducted the criminal 3348  
records check and the incompetency records check described in 3349  
section 311.41 of the Revised Code. Immediately upon receipt of 3350  
the results of the records checks, the sheriff shall review the 3351  
information and shall determine whether the criteria set forth 3352  
in divisions (D)(1)(a) to (j) and (m) to (s) of section 2923.125 3353  
of the Revised Code apply regarding the person. If the sheriff 3354  
determines that all of the criteria set forth in divisions (D) 3355  
(1)(a) to (j) and (m) to (s) of section 2923.125 of the Revised 3356  
Code apply regarding the person, the sheriff shall immediately 3357  
make available through the law enforcement automated data system 3358  
all information that will be contained on the temporary 3359  
emergency license for the person if one is issued, and the 3360  
superintendent of the state highway patrol shall ensure that the 3361  
system is so configured as to permit the transmission through 3362  
the system of that information. Upon making that information 3363  
available through the law enforcement automated data system, the 3364  
sheriff shall immediately issue to the person a concealed 3365  
~~handgun~~ weapons license on a temporary emergency basis. 3366

If the sheriff denies the issuance of a license on a 3367  
temporary emergency basis to the person, the sheriff shall 3368  
specify the grounds for the denial in a written notice to the 3369  
person. The person may appeal the denial, or challenge criminal 3370  
records check results that were the basis of the denial if 3371  
applicable, in the same manners specified in division (D)(2) of 3372  
section 2923.125 and in section 2923.127 of the Revised Code, 3373  
regarding the denial of an application for a concealed ~~handgun~~ 3374  
weapons license under that section. 3375

The license on a temporary emergency basis issued under 3376

this division shall be in the form, and shall include all of the 3377  
information, described in divisions (A) (2) (a) and (d) of section 3378  
109.731 of the Revised Code, and also shall include a unique 3379  
combination of identifying letters and numbers in accordance 3380  
with division (A) (2) (c) of that section. 3381

The license on a temporary emergency basis issued under 3382  
this division is valid for ninety days and may not be renewed. A 3383  
person who has been issued a license on a temporary emergency 3384  
basis under this division shall not be issued another license on 3385  
a temporary emergency basis unless at least four years has 3386  
expired since the issuance of the prior license on a temporary 3387  
emergency basis. 3388

(3) If a person seeking a concealed ~~handgun~~ weapons 3389  
license on a temporary emergency basis has been convicted of or 3390  
pleaded guilty to an offense identified in division (D) (1) (e), 3391  
(f), or (h) of section 2923.125 of the Revised Code or has been 3392  
adjudicated a delinquent child for committing an act or 3393  
violation identified in any of those divisions, and if a court 3394  
has ordered the sealing or expungement of the records of that 3395  
conviction, guilty plea, or adjudication pursuant to sections 3396  
2151.355 to 2151.358 or sections 2953.31 to 2953.36 of the 3397  
Revised Code or the applicant has been relieved under operation 3398  
of law or legal process from the disability imposed pursuant to 3399  
section 2923.13 of the Revised Code relative to that conviction, 3400  
guilty plea, or adjudication, the conviction, guilty plea, or 3401  
adjudication shall not be relevant for purposes of the sworn 3402  
affidavit described in division (B) (1) (b) of this section, and 3403  
the person may complete, and swear to the truth of, the 3404  
affidavit as if the conviction, guilty plea, or adjudication 3405  
never had occurred. 3406

(4) The sheriff shall waive the payment pursuant to 3407  
division (B) (1) (c) of this section of the license fee in 3408  
connection with an application that is submitted by an applicant 3409  
who is a retired peace officer, a retired person described in 3410  
division (B) (1) (b) of section 109.77 of the Revised Code, or a 3411  
retired federal law enforcement officer who, prior to 3412  
retirement, was authorized under federal law to carry a firearm 3413  
in the course of duty, unless the retired peace officer, person, 3414  
or federal law enforcement officer retired as the result of a 3415  
mental disability. 3416

The sheriff shall deposit all fees paid by an applicant 3417  
under division (B) (1) (c) of this section into the sheriff's 3418  
concealed ~~handgun-weapons~~ license issuance fund established 3419  
pursuant to section 311.42 of the Revised Code. 3420

(C) A person who holds a concealed ~~handgun-weapons~~ license 3421  
on a temporary emergency basis, regardless of whether the 3422  
license was issued prior to, on, or after the effective date of 3423  
this amendment, has the same right to carry a concealed ~~handgun-~~ 3424  
deadly weapon that is not a restricted deadly weapon as a person 3425  
who was issued a concealed ~~handgun-weapons~~ license under section 3426  
2923.125 of the Revised Code, ~~and any exceptions to the~~ 3427  
~~prohibitions contained in section 1547.69 and sections 2923.12-~~ 3428  
~~to 2923.16 of the Revised Code for a licensee under section-~~ 3429  
~~2923.125 of the Revised Code apply to a licensee under this-~~ 3430  
~~section.~~ The person is subject to the same restrictions, and to 3431  
all other procedures, duties, and sanctions, that apply to a 3432  
person who carries a license issued under section 2923.125 of 3433  
the Revised Code, other than the license renewal procedures set 3434  
forth in that section. A concealed weapons license on a 3435  
temporary emergency basis that a sheriff issued as a concealed 3436  
handgun license on a temporary emergency basis prior to the 3437

effective date of this amendment and that has not expired prior 3438  
to the effective date of this amendment has the same validity as 3439  
a concealed weapons license on a temporary emergency basis 3440  
issued on or after that date and shall be treated for purposes 3441  
of this section, sections 2923.127 to 2923.1212 of the Revised 3442  
Code, and other Revised Code provisions as if it were a license 3443  
issued on or after that date. 3444

(D) A sheriff who issues a concealed ~~handgun~~ weapons 3445  
license on a temporary emergency basis under this section shall 3446  
not require a person seeking to carry a concealed ~~handgun~~ deadly 3447  
weapon that is not a restricted deadly weapon in accordance with 3448  
this section to submit a competency certificate as a 3449  
prerequisite for issuing the license and shall comply with 3450  
division (H) of section 2923.125 of the Revised Code in regards 3451  
to the license. The sheriff shall suspend or revoke the license 3452  
in accordance with section 2923.128 of the Revised Code. In 3453  
addition to the suspension or revocation procedures set forth in 3454  
section 2923.128 of the Revised Code, the sheriff may revoke the 3455  
license upon receiving information, verifiable by public 3456  
documents, that the person is not eligible to possess a firearm 3457  
or deadly weapon under either the laws of this state or of the 3458  
United States or that the person committed perjury in obtaining 3459  
the license; if the sheriff revokes a license under this 3460  
additional authority, the sheriff shall notify the person, by 3461  
certified mail, return receipt requested, at the person's last 3462  
known residence address that the license has been revoked and 3463  
that the person is required to surrender the license at the 3464  
sheriff's office within ten days of the date on which the notice 3465  
was mailed. Division (H) of section 2923.125 of the Revised Code 3466  
applies regarding any suspension or revocation of a concealed 3467  
~~handgun~~ weapons license on a temporary emergency basis. 3468

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

(F) If a concealed ~~handgun-weapons~~ license on a temporary emergency basis issued under this section is lost or is destroyed, the licensee may obtain from the sheriff who issued that license a duplicate license upon the payment of a fee of fifteen dollars and the submission of an affidavit attesting to the loss or destruction of the license. The sheriff, in accordance with the procedures prescribed in section 109.731 of the Revised Code, shall place on the replacement license a combination of identifying numbers different from the combination on the license that is being replaced.

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

(H) A sheriff who receives any fees paid by a person under 3499  
this section shall deposit all fees so paid into the sheriff's 3500  
concealed ~~handgun~~-weapons license issuance expense fund 3501  
established under section 311.42 of the Revised Code. 3502

(I) A sheriff shall accept evidence of imminent danger, a 3503  
sworn affidavit, the fee, and the set of fingerprints specified 3504  
in division (B)(1) of this section at any time during normal 3505  
business hours. In no case shall a sheriff require an 3506  
appointment, or designate a specific period of time, for the 3507  
submission or acceptance of evidence of imminent danger, a sworn 3508  
affidavit, the fee, and the set of fingerprints specified in 3509  
division (B)(1) of this section, or for the provision to any 3510  
person of a standard form to be used for a person to apply for a 3511  
concealed ~~handgun~~-weapons license on a temporary emergency 3512  
basis. 3513

**Sec. 2923.16.** (A) No person shall knowingly discharge a 3514  
firearm while in or on a motor vehicle. 3515

(B) No person shall knowingly transport or have a loaded 3516  
firearm in a motor vehicle in such a manner that the firearm is 3517  
accessible to the operator or any passenger without leaving the 3518  
vehicle. 3519

(C) No person shall knowingly transport or have a firearm 3520  
in a motor vehicle, unless the person may lawfully possess that 3521  
firearm under applicable law of this state or the United States, 3522  
the firearm is unloaded, and the firearm is carried in one of 3523  
the following ways: 3524

(1) In a closed package, box, or case; 3525

(2) In a compartment that can be reached only by leaving 3526  
the vehicle; 3527

(3) In plain sight and secured in a rack or holder made 3528  
for the purpose; 3529

(4) If the firearm is at least twenty-four inches in 3530  
overall length as measured from the muzzle to the part of the 3531  
stock furthest from the muzzle and if the barrel is at least 3532  
eighteen inches in length, either in plain sight with the action 3533  
open or the weapon stripped, or, if the firearm is of a type on 3534  
which the action will not stay open or which cannot easily be 3535  
stripped, in plain sight. 3536

(D) No person shall knowingly transport or have a loaded 3537  
~~handgun~~-firearm in a motor vehicle if, at the time of that 3538  
transportation or possession, any of the following applies: 3539

(1) The person is under the influence of alcohol, a drug 3540  
of abuse, or a combination of them. 3541

(2) The person's whole blood, blood serum or plasma, 3542  
breath, or urine contains a concentration of alcohol, a listed 3543  
controlled substance, or a listed metabolite of a controlled 3544  
substance prohibited for persons operating a vehicle, as 3545  
specified in division (A) of section 4511.19 of the Revised 3546  
Code, regardless of whether the person at the time of the 3547  
transportation or possession as described in this division is 3548  
the operator of or a passenger in the motor vehicle. 3549

(E) No person who has been issued a concealed ~~handgun~~- 3550  
weapons license, who is deemed under division (C) of section 3551  
2923.111 of the Revised Code to have been issued a concealed 3552  
weapons license under section 2923.125 of the Revised Code, or 3553  
who is an active duty member of the armed forces of the United 3554  
States and is carrying a valid military identification card and 3555  
documentation of successful completion of firearms training that 3556



meets or exceeds the training requirements described in division 3557  
(G) (1) of section 2923.125 of the Revised Code, who is the 3558  
driver or an occupant of a motor vehicle that is stopped as a 3559  
result of a traffic stop or a stop for another law enforcement 3560  
purpose or is the driver or an occupant of a commercial motor 3561  
vehicle that is stopped by an employee of the motor carrier 3562  
enforcement unit for the purposes defined in section 5503.34 of 3563  
the Revised Code, and who is transporting or has a loaded 3564  
~~handgun~~ firearm that is not a restricted firearm in the motor 3565  
vehicle or commercial motor vehicle in any manner, shall do any 3566  
of the following: 3567

~~(1) Fail to promptly inform any law enforcement officer~~ 3568  
~~who approaches the vehicle while stopped that the person has~~ 3569  
~~been issued a concealed handgun license or is authorized to~~ 3570  
~~carry a concealed handgun as an active duty member of the armed~~ 3571  
~~forces of the United States and that the person then possesses~~ 3572  
~~or has a loaded handgun in the motor vehicle;~~ 3573

~~(2) Fail to promptly inform the employee of the unit who~~ 3574  
~~approaches the vehicle while stopped that the person has been~~ 3575  
~~issued a concealed handgun license or is authorized to carry a~~ 3576  
~~concealed handgun as an active duty member of the armed forces~~ 3577  
~~of the United States and that the person then possesses or has a~~ 3578  
~~loaded handgun in the commercial motor vehicle;~~ 3579

~~(3) Knowingly fail to remain in the motor vehicle while~~ 3580  
~~stopped or knowingly fail to keep the person's hands in plain~~ 3581  
~~sight at any time after any law enforcement officer begins~~ 3582  
~~approaching the person while stopped and before the law~~ 3583  
~~enforcement officer leaves, unless the failure is pursuant to~~ 3584  
~~and in accordance with directions given by a law enforcement~~ 3585  
~~officer;~~ 3586

~~(4)~~(2) Knowingly have contact with the loaded ~~handgun~~  
firearm by touching it with the person's hands or fingers in the 3587  
motor vehicle at any time after the law enforcement officer 3588  
begins approaching and before the law enforcement officer 3589  
leaves, unless the person has contact with the loaded ~~handgun~~ 3590  
firearm pursuant to and in accordance with directions given by 3591  
the law enforcement officer; 3592  
3593

~~(5)~~(3) Knowingly disregard or fail to comply with any 3594  
lawful order of any law enforcement officer given while the 3595  
motor vehicle is stopped, including, but not limited to, a 3596  
specific order to the person to keep the person's hands in plain 3597  
sight. 3598

(F) (1) Divisions (A), (B), (C), and (E) of this section do 3599  
not apply to any of the following: 3600

(a) An officer, agent, or employee of this or any other 3601  
state or the United States, or a law enforcement officer, when 3602  
authorized to carry or have loaded or accessible firearms in 3603  
motor vehicles and acting within the scope of the officer's, 3604  
agent's, or employee's duties; 3605

(b) Any person who is employed in this state, who is 3606  
authorized to carry or have loaded or accessible firearms in 3607  
motor vehicles, and who is subject to and in compliance with the 3608  
requirements of section 109.801 of the Revised Code, unless the 3609  
appointing authority of the person has expressly specified that 3610  
the exemption provided in division (F) (1) (b) of this section 3611  
does not apply to the person. 3612

(2) Division (A) of this section does not apply to a 3613  
person if all of the following circumstances apply: 3614

(a) The person discharges a firearm from a motor vehicle 3615

at a coyote or groundhog, the discharge is not during the deer 3616  
gun hunting season as set by the chief of the division of 3617  
wildlife of the department of natural resources, and the 3618  
discharge at the coyote or groundhog, but for the operation of 3619  
this section, is lawful. 3620

(b) The motor vehicle from which the person discharges the 3621  
firearm is on real property that is located in an unincorporated 3622  
area of a township and that either is zoned for agriculture or 3623  
is used for agriculture. 3624

(c) The person owns the real property described in 3625  
division (F)(2)(b) of this section, is the spouse or a child of 3626  
another person who owns that real property, is a tenant of 3627  
another person who owns that real property, or is the spouse or 3628  
a child of a tenant of another person who owns that real 3629  
property. 3630

(d) The person does not discharge the firearm in any of 3631  
the following manners: 3632

(i) While under the influence of alcohol, a drug of abuse, 3633  
or alcohol and a drug of abuse; 3634

(ii) In the direction of a street, highway, or other 3635  
public or private property used by the public for vehicular 3636  
traffic or parking; 3637

(iii) At or into an occupied structure that is a permanent 3638  
or temporary habitation; 3639

(iv) In the commission of any violation of law, including, 3640  
but not limited to, a felony that includes, as an essential 3641  
element, purposely or knowingly causing or attempting to cause 3642  
the death of or physical harm to another and that was committed 3643  
by discharging a firearm from a motor vehicle. 3644

(3) Division (A) of this section does not apply to a 3645  
person if all of the following apply: 3646

(a) The person possesses a valid all-purpose vehicle 3647  
permit issued under section 1533.103 of the Revised Code by the 3648  
chief of the division of wildlife. 3649

(b) The person discharges a firearm at a wild quadruped or 3650  
game bird as defined in section 1531.01 of the Revised Code 3651  
during the open hunting season for the applicable wild quadruped 3652  
or game bird. 3653

(c) The person discharges a firearm from a stationary all- 3654  
purpose vehicle as defined in section 1531.01 of the Revised 3655  
Code from private or publicly owned lands or from a motor 3656  
vehicle that is parked on a road that is owned or administered 3657  
by the division of wildlife. 3658

(d) The person does not discharge the firearm in any of 3659  
the following manners: 3660

(i) While under the influence of alcohol, a drug of abuse, 3661  
or alcohol and a drug of abuse; 3662

(ii) In the direction of a street, a highway, or other 3663  
public or private property that is used by the public for 3664  
vehicular traffic or parking; 3665

(iii) At or into an occupied structure that is a permanent 3666  
or temporary habitation; 3667

(iv) In the commission of any violation of law, including, 3668  
but not limited to, a felony that includes, as an essential 3669  
element, purposely or knowingly causing or attempting to cause 3670  
the death of or physical harm to another and that was committed 3671  
by discharging a firearm from a motor vehicle. 3672

(4) Divisions (B) and (C) of this section do not apply to 3673  
a person if all of the following circumstances apply: 3674

(a) At the time of the alleged violation of either of 3675  
those divisions, the person is the operator of or a passenger in 3676  
a motor vehicle. 3677

(b) The motor vehicle is on real property that is located 3678  
in an unincorporated area of a township and that either is zoned 3679  
for agriculture or is used for agriculture. 3680

(c) The person owns the real property described in 3681  
division (D) (4) (b) of this section, is the spouse or a child of 3682  
another person who owns that real property, is a tenant of 3683  
another person who owns that real property, or is the spouse or 3684  
a child of a tenant of another person who owns that real 3685  
property. 3686

(d) The person, prior to arriving at the real property 3687  
described in division (D) (4) (b) of this section, did not 3688  
transport or possess a firearm in the motor vehicle in a manner 3689  
prohibited by division (B) or (C) of this section while the 3690  
motor vehicle was being operated on a street, highway, or other 3691  
public or private property used by the public for vehicular 3692  
traffic or parking. 3693

(5) Divisions (B) and (C) of this section do not apply to 3694  
a person who transports or possesses a ~~handgun~~ firearm that is 3695  
not a restricted firearm in a motor vehicle if, at the time of 3696  
that transportation or possession, both of the following apply: 3697

(a) The person transporting or possessing the ~~handgun~~ is 3698  
either carrying ~~firearm~~ has been issued a valid concealed 3699  
~~handgun~~ weapons license, is deemed under division (C) of section 3700  
2923.111 of the Revised Code to have been issued a concealed 3701

weapons license under section 2923.125 of the Revised Code, or 3702  
is an active duty member of the armed forces of the United 3703  
States and is carrying a valid military identification card and 3704  
documentation of successful completion of firearms training that 3705  
meets or exceeds the training requirements described in division 3706  
(G) (1) of section 2923.125 of the Revised Code. 3707

(b) The person transporting or possessing the ~~handgun~~ 3708  
firearm is not knowingly in ~~a~~ an unauthorized place described 3709  
specified in division (B) of section 2923.126 of the Revised 3710  
Code and is not knowingly transporting or possessing the firearm 3711  
in any prohibited manner listed in that division. 3712

(6) Divisions (B) and (C) of this section do not apply to 3713  
a person if all of the following apply: 3714

(a) The person possesses a valid all-purpose vehicle 3715  
permit issued under section 1533.103 of the Revised Code by the 3716  
chief of the division of wildlife. 3717

(b) The person is on or in an all-purpose vehicle as 3718  
defined in section 1531.01 of the Revised Code or a motor 3719  
vehicle during the open hunting season for a wild quadruped or 3720  
game bird. 3721

(c) The person is on or in an all-purpose vehicle as 3722  
defined in section 1531.01 of the Revised Code on private or 3723  
publicly owned lands or on or in a motor vehicle that is parked 3724  
on a road that is owned or administered by the division of 3725  
wildlife. 3726

(7) Nothing in this section prohibits or restricts a 3727  
person from possessing, storing, or leaving a firearm in a 3728  
locked motor vehicle that is parked in the state underground 3729  
parking garage at the state capitol building or in the parking 3730

garage at the Riffe center for government and the arts in 3731  
Columbus, if the person's transportation and possession of the 3732  
firearm in the motor vehicle while traveling to the premises or 3733  
facility was not in violation of division (A), (B), (C), (D), or 3734  
(E) of this section or any other provision of the Revised Code. 3735

(G) (1) The affirmative defenses authorized in divisions 3736  
(D) (1) and (2) of section 2923.12 of the Revised Code are 3737  
affirmative defenses to a charge under division (B) or (C) of 3738  
this section that involves a firearm other than a handgun if 3739  
division (E) (3) of this section does not apply to the person 3740  
charged. 3741

(2) It is an affirmative defense to a charge under 3742  
division (B) or (C) of this section of improperly handling 3743  
firearms in a motor vehicle that the actor transported or had 3744  
the firearm in the motor vehicle for any lawful purpose and 3745  
while the motor vehicle was on the actor's own property, 3746  
provided that this affirmative defense is not available unless 3747  
the person, immediately prior to arriving at the actor's own 3748  
property, did not transport or possess the firearm in a motor 3749  
vehicle in a manner prohibited by division (B) or (C) of this 3750  
section while the motor vehicle was being operated on a street, 3751  
highway, or other public or private property used by the public 3752  
for vehicular traffic. 3753

(H) (1) No person who is charged with a violation of 3754  
division (B), (C), or (D) of this section shall be required to 3755  
obtain a concealed ~~handgun~~ weapons license as a condition for 3756  
the dismissal of the charge. 3757

(2) (a) If a person is convicted of, was convicted of, 3758  
pleads guilty to, or has pleaded guilty to a violation of 3759  
division (E) of this section as it existed prior to September 3760

30, 2011, and ~~if~~ the conduct that was the basis of the violation 3761  
no longer would be a violation of division (E) of this section 3762  
on or after September 30, 2011, or if a person is convicted of, 3763  
was convicted of, pleads guilty to, or has pleaded guilty to a 3764  
violation of division (E) (1) or (2) of this section as it 3765  
existed prior to the effective date of this amendment, the 3766  
person may file an application under section 2953.37 of the 3767  
Revised Code requesting the expungement of the record of 3768  
conviction. 3769

If a person is convicted of, was convicted of, pleads 3770  
guilty to, or has pleaded guilty to a violation of division (B) 3771  
or (C) of this section as the division existed prior to 3772  
September 30, 2011, and if the conduct that was the basis of the 3773  
violation no longer would be a violation of division (B) or (C) 3774  
of this section on or after September 30, 2011, due to the 3775  
application of division (F) (5) of this section as it exists on 3776  
and after September 30, 2011, the person may file an application 3777  
under section 2953.37 of the Revised Code requesting the 3778  
expungement of the record of conviction. 3779

(b) The attorney general shall develop a public media 3780  
advisory that summarizes the expungement procedure established 3781  
under section 2953.37 of the Revised Code and the offenders 3782  
identified in division (H) (2) (a) of this section and those 3783  
identified in division (E) (2) of section 2923.12 of the Revised 3784  
Code who are authorized to apply for the expungement. Within 3785  
thirty days after September 30, 2011, with respect to violations 3786  
of division (B), (C), or (E) of this section as they existed 3787  
prior to that date, and within thirty days after the effective 3788  
date of this amendment with respect to a violation of division 3789  
(E) (1) or (2) of this section or division (B) (1) of section 3790  
2923.12 of the Revised Code as they existed prior to the 3791



effective date of this amendment, the attorney general shall 3792  
provide a copy of the advisory to each daily newspaper published 3793  
in this state and each television station that broadcasts in 3794  
this state. The attorney general may provide the advisory in a 3795  
tangible form, an electronic form, or in both tangible and 3796  
electronic forms. 3797

(I) Whoever violates this section is guilty of improperly 3798  
handling firearms in a motor vehicle. Violation of division (A) 3799  
of this section is a felony of the fourth degree. Violation of 3800  
division (C) of this section is a misdemeanor of the fourth 3801  
degree. A violation of division (D) of this section is a felony 3802  
of the fifth degree or, if the loaded ~~handgun~~ firearm is 3803  
concealed on the person's person, a felony of the fourth degree. 3804  
~~Except as otherwise provided in this division, a violation of~~ 3805  
~~division (E) (1) or (2) of this section is a misdemeanor of the~~ 3806  
~~first degree, and, in addition to any other penalty or sanction~~ 3807  
~~imposed for the violation, the offender's concealed handgun~~ 3808  
~~license shall be suspended pursuant to division (A) (2) of~~ 3809  
~~section 2923.128 of the Revised Code. If at the time of the stop~~ 3810  
~~of the offender for a traffic stop, for another law enforcement~~ 3811  
~~purpose, or for a purpose defined in section 5503.34 of the~~ 3812  
~~Revised Code that was the basis of the violation any law~~ 3813  
~~enforcement officer involved with the stop or the employee of~~ 3814  
~~the motor carrier enforcement unit who made the stop had actual~~ 3815  
~~knowledge of the offender's status as a licensee, a violation of~~ 3816  
~~division (E) (1) or (2) of this section is a minor misdemeanor,~~ 3817  
~~and the offender's concealed handgun license shall not be~~ 3818  
~~suspended pursuant to division (A) (2) of section 2923.128 of the~~ 3819  
~~Revised Code.~~ A violation of division (E) ~~(4)~~ (2) of this section 3820  
is a felony of the fifth degree. A violation of division (E) ~~(3)~~ 3821  
(1) or ~~(5)~~ (3) of this section is a misdemeanor of the first 3822

degree or, if the offender previously has been convicted of or 3823  
pleaded guilty to a violation of division (E) ~~(3)(1)~~ or ~~(5)(3)~~ of 3824  
this section, a felony of the fifth degree. In addition to any 3825  
other penalty or sanction imposed for a misdemeanor violation of 3826  
division (E) ~~(3)(1)~~ or ~~(5)(3)~~ of this section, if the offender 3827  
has been issued a concealed weapons license, the offender's 3828  
~~concealed handgun~~ license shall be suspended pursuant to 3829  
division (A) (2) of section 2923.128 of the Revised Code. A 3830  
violation of division (B) of this section is a felony of the 3831  
fourth degree. 3832

(J) If a law enforcement officer stops a motor vehicle for 3833  
a traffic stop or any other purpose, if any person in the motor 3834  
vehicle surrenders a ~~firearm~~ deadly weapon to the officer, 3835  
either voluntarily or pursuant to a request or demand of the 3836  
officer, and if the officer does not charge the person with a 3837  
violation of this section or arrest the person for any offense, 3838  
the person is not otherwise prohibited by law from possessing 3839  
the ~~firearm~~ deadly weapon, and the ~~firearm~~ deadly weapon is not 3840  
contraband, the officer shall return the ~~firearm~~ deadly weapon 3841  
to the person at the termination of the stop. If a court orders 3842  
a law enforcement officer to return a ~~firearm~~ deadly weapon to a 3843  
person pursuant to the requirement set forth in this division, 3844  
division (B) of section 2923.163 of the Revised Code applies. 3845

(K) As used in this section: 3846

(1) "Motor vehicle," "street," and "highway" have the same 3847  
meanings as in section 4511.01 of the Revised Code. 3848

(2) "Occupied structure" has the same meaning as in 3849  
section 2909.01 of the Revised Code. 3850

(3) "Agriculture" has the same meaning as in section 3851

519.01 of the Revised Code. 3852

(4) "Tenant" has the same meaning as in section 1531.01 of 3853  
the Revised Code. 3854

(5) (a) "Unloaded" means, with respect to a firearm other 3855  
than a firearm described in division (K) (6) of this section, 3856  
that no ammunition is in the firearm in question, no magazine or 3857  
speed loader containing ammunition is inserted into the firearm 3858  
in question, and one of the following applies: 3859

(i) There is no ammunition in a magazine or speed loader 3860  
that is in the vehicle in question and that may be used with the 3861  
firearm in question. 3862

(ii) Any magazine or speed loader that contains ammunition 3863  
and that may be used with the firearm in question is stored in a 3864  
compartment within the vehicle in question that cannot be 3865  
accessed without leaving the vehicle or is stored in a container 3866  
that provides complete and separate enclosure. 3867

(b) For the purposes of division (K) (5) (a) (ii) of this 3868  
section, a "container that provides complete and separate 3869  
enclosure" includes, but is not limited to, any of the 3870  
following: 3871

(i) A package, box, or case with multiple compartments, as 3872  
long as the loaded magazine or speed loader and the firearm in 3873  
question either are in separate compartments within the package, 3874  
box, or case, or, if they are in the same compartment, the 3875  
magazine or speed loader is contained within a separate 3876  
enclosure in that compartment that does not contain the firearm 3877  
and that closes using a snap, button, buckle, zipper, hook and 3878  
loop closing mechanism, or other fastener that must be opened to 3879  
access the contents or the firearm is contained within a 3880

separate enclosure of that nature in that compartment that does 3881  
not contain the magazine or speed loader; 3882

(ii) A pocket or other enclosure on the person of the 3883  
person in question that closes using a snap, button, buckle, 3884  
zipper, hook and loop closing mechanism, or other fastener that 3885  
must be opened to access the contents. 3886

(c) For the purposes of divisions (K) (5) (a) and (b) of 3887  
this section, ammunition held in stripper-clips or in en-bloc 3888  
clips is not considered ammunition that is loaded into a 3889  
magazine or speed loader. 3890

(6) "Unloaded" means, with respect to a firearm employing 3891  
a percussion cap, flintlock, or other obsolete ignition system, 3892  
when the weapon is uncapped or when the priming charge is 3893  
removed from the pan. 3894

(7) "Commercial motor vehicle" has the same meaning as in 3895  
division (A) of section 4506.25 of the Revised Code. 3896

(8) "Motor carrier enforcement unit" means the motor 3897  
carrier enforcement unit in the department of public safety, 3898  
division of state highway patrol, that is created by section 3899  
5503.34 of the Revised Code. 3900

(L) Divisions (K) (5) (a) and (b) of this section do not 3901  
affect the authority of a person who ~~is carrying~~ has been issued 3902  
a valid concealed ~~handgun~~ weapons license or who is deemed under 3903  
division (C) of section 2923.111 of the Revised Code to have 3904  
been issued a concealed weapons license under section 2923.125 3905  
of the Revised Code to have one or more magazines or speed 3906  
loaders containing ammunition anywhere in a vehicle, without 3907  
being transported as described in those divisions, as long as no 3908  
ammunition is in a firearm, other than a handgun, in the vehicle 3909

other than as permitted under any other provision of this 3910  
chapter. A person who ~~is carrying~~ has been issued a valid 3911  
concealed ~~handgun weapons~~ license or who is deemed under 3912  
division (C) of section 2923.111 of the Revised Code to have 3913  
been issued a concealed weapons license under section 2923.125 3914  
of the Revised Code may have one or more magazines or speed 3915  
loaders containing ammunition anywhere in a vehicle without 3916  
further restriction, as long as no ammunition is in a firearm, 3917  
other than a handgun, in the vehicle other than as permitted 3918  
under any provision of this chapter. 3919

**Sec. 2953.37.** (A) As used in this section: 3920

(1) "Expunge" means to destroy, delete, and erase a record 3921  
as appropriate for the record's physical or electronic form or 3922  
characteristic so that the record is permanently irretrievable. 3923

(2) "Official records" has the same meaning as in section 3924  
2953.51 of the Revised Code. 3925

(3) "Prosecutor" has the same meaning as in section 3926  
2953.31 of the Revised Code. 3927

(4) "Record of conviction" means the record related to a 3928  
conviction of or plea of guilty to an offense. 3929

(B) Any person who is convicted of, was convicted of, 3930  
pleads guilty to, or has pleaded guilty to a violation of 3931  
division (B), (C), or (E) of section 2923.16 of the Revised Code 3932  
as the division existed prior to September 30, 2011, or a 3933  
violation of division (E) (1) or (2) of section 2923.16 of the 3934  
Revised Code as the division existed prior to the effective date 3935  
of this amendment, and who is authorized by division (H) (2) (a) 3936  
of that section to file an application under this section for 3937  
the expungement of the conviction record may apply to the 3938

sentencing court for the expungement of the record of 3939  
conviction. Any person who is convicted of, was convicted of, 3940  
pleads guilty to, or has pleaded guilty to a violation of 3941  
division (B) (1) of section 2923.12 of the Revised Code as it 3942  
existed prior to the effective date of this amendment and who is 3943  
authorized by division (E) (2) of that section may apply to the 3944  
sentencing court for the expungement of the record of 3945  
conviction. The person may file the application at any time on 3946  
or after September 30, 2011, with respect to violations of 3947  
division (B), (C), or (E) of section 2923.16 of the Revised Code 3948  
as they existed prior to that date, or at any time on or after 3949  
the effective date of this amendment with respect to a violation 3950  
of division (B) (1) of section 2923.12 or of division (E) (1) or 3951  
(2) of section 2923.16 of the Revised Code as the particular 3952  
division existed prior to the effective date of this amendment. 3953  
The application shall do all of the following: 3954

(1) Identify the applicant, the offense for which the 3955  
expungement is sought, the date of the conviction of or plea of 3956  
guilty to that offense, and the court in which the conviction 3957  
occurred or the plea of guilty was entered; 3958

(2) Include evidence that the offense was a violation of 3959  
division (B), (C), or (E) of section 2923.16 of the Revised Code 3960  
as the division existed prior to September 30, 2011, or was a 3961  
violation of division (B) (1) of section 2923.12 or of division 3962  
(E) (1) or (2) of section 2923.16 of the Revised Code as the 3963  
particular division existed prior to the effective date of this 3964  
amendment, and that the applicant is authorized by division (H) 3965  
(2) (a) of ~~that~~ section 2923.16 or division (E) (2) of section 3966  
2923.12 of the Revised Code, whichever is applicable, to file an 3967  
application under this section; 3968

(3) Include a request for expungement of the record of conviction of that offense under this section. 3969  
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(C) Upon the filing of an application under division (B) of this section and the payment of the fee described in division (D) (3) of this section if applicable, the court shall set a date for a hearing and shall notify the prosecutor for the case of the hearing on the application. The prosecutor may object to the granting of the application by filing an objection with the court prior to the date set for the hearing. The prosecutor shall specify in the objection the reasons for believing a denial of the application is justified. The court shall direct its regular probation officer, a state probation officer, or the department of probation of the county in which the applicant resides to make inquiries and written reports as the court requires concerning the applicant. The court shall hold the hearing scheduled under this division. 3971  
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(D) (1) At the hearing held under division (C) of this section, the court shall do each of the following: 3985  
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(a) Determine whether the applicant has been convicted of or pleaded guilty to a violation of division (E) of section 2923.16 of the Revised Code as the division existed prior to September 30, 2011, and whether the conduct that was the basis of the violation no longer would be a violation of that division on or after September 30, 2011; 3987  
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(b) Determine whether the applicant has been convicted of or pleaded guilty to a violation of division (B) or (C) of section 2923.16 of the Revised Code as the division existed prior to September 30, 2011, and whether the conduct that was the basis of the violation no longer would be a violation of that division on or after September 30, 2011, due to the 3993  
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application of division (F) (5) of that section as it exists on 3999  
and after September 30, 2011; 4000

(c) Determine whether the applicant has been convicted of 4001  
or pleaded guilty to a violation of division (B) (1) of section 4002  
2923.12 of the Revised Code or of division (E) (1) or (2) of 4003  
section 2923.16 of the Revised Code as the particular division 4004  
existed prior to the effective date of this amendment; 4005

(d) If the prosecutor has filed an objection in accordance 4006  
with division (C) of this section, consider the reasons against 4007  
granting the application specified by the prosecutor in the 4008  
objection; 4009

~~(d)~~ (e) Weigh the interests of the applicant in having the 4010  
records pertaining to the applicant's conviction or guilty plea 4011  
expunged against the legitimate needs, if any, of the government 4012  
to maintain those records. 4013

(2) (a) The court may order the expungement of all official 4014  
records pertaining to the case and the deletion of all index 4015  
references to the case and, if it does order the expungement, 4016  
shall send notice of the order to each public office or agency 4017  
that the court has reason to believe may have an official record 4018  
pertaining to the case if the court, after complying with 4019  
division (D) (1) of this section, determines both of the 4020  
following: 4021

(i) That the applicant has been convicted of or pleaded 4022  
guilty to a violation of division (E) of section 2923.16 of the 4023  
Revised Code as it existed prior to September 30, 2011, and the 4024  
conduct that was the basis of the violation no longer would be a 4025  
violation of that division on or after September 30, 2011, ~~or;~~ 4026  
that the applicant has been convicted of or pleaded guilty to a 4027



violation of division (B) or (C) of section 2923.16 of the Revised Code as the division existed prior to September 30, 2011, and the conduct that was the basis of the violation no longer would be a violation of that division on or after September 30, 2011, due to the application of division (F) (5) of that section as it exists on and after September 30, 2011; or that the applicant has been convicted of or pleaded guilty to a violation of division (B) (1) of section 2923.12 of the Revised Code or of division (E) (1) or (2) of section 2923.16 of the Revised Code as the particular division existed prior to the effective date of this amendment;

(ii) That the interests of the applicant in having the records pertaining to the applicant's conviction or guilty plea expunged are not outweighed by any legitimate needs of the government to maintain those records.

(b) The proceedings in the case that is the subject of an order issued under division (D) (2) (a) of this section shall be considered not to have occurred and the conviction or guilty plea of the person who is the subject of the proceedings shall be expunged. The record of the conviction shall not be used for any purpose, including, but not limited to, a criminal records check under section 109.572 of the Revised Code or a determination under section 2923.125 or 2923.1213 of the Revised Code of eligibility for a concealed ~~handgun~~ weapons license. The applicant may, and the court shall, reply that no record exists with respect to the applicant upon any inquiry into the matter.

(3) Upon the filing of an application under this section, the applicant, unless indigent, shall pay a fee of fifty dollars. The court shall pay thirty dollars of the fee into the state treasury and shall pay twenty dollars of the fee into the

county general revenue fund. 4058

**Sec. 4749.10.** (A) No class A, B, or C licensee and no 4059  
registered employee of a class A, B, or C licensee shall carry a 4060  
firearm, as defined in section 2923.11 of the Revised Code, in 4061  
the course of engaging in the business of private investigation, 4062  
the business of security services, or both businesses, unless 4063  
all of the following apply: 4064

(1) The licensee or employee either has successfully 4065  
completed a basic firearm training program at a training school 4066  
approved by the Ohio peace officer training commission, which 4067  
program includes twenty hours of training in handgun use and, if 4068  
any firearm other than a handgun is to be used, five hours of 4069  
training in the use of other firearms, and has received a 4070  
certificate of satisfactory completion of that program from the 4071  
executive director of the commission; the licensee or employee 4072  
has, within three years prior to November 27, 1985, 4073  
satisfactorily completed firearms training that has been 4074  
approved by the commission as being equivalent to such a program 4075  
and has received written evidence of approval of that training 4076  
from the executive director of the commission; or the licensee 4077  
or employee is a former peace officer, as defined in section 4078  
109.71 of the Revised Code, who previously had successfully 4079  
completed a firearms training course at a training school 4080  
approved by the Ohio peace officer training commission and has 4081  
received a certificate or other evidence of satisfactory 4082  
completion of that course from the executive director of the 4083  
commission. 4084

(2) The licensee or employee submits an application to the 4085  
director of public safety, on a form prescribed by the director, 4086  
in which the licensee or employee requests registration as a 4087

class A, B, or C licensee or employee who may carry a firearm. 4088  
The application shall be accompanied by a copy of the 4089  
certificate or the written evidence or other evidence described 4090  
in division (A) (1) of this section, the identification card 4091  
issued pursuant to section 4749.03 or 4749.06 of the Revised 4092  
Code if one has previously been issued, a statement of the 4093  
duties that will be performed while the licensee or employee is 4094  
armed, and a fee the director determines, not to exceed fifteen 4095  
dollars. In the case of a registered employee, the statement 4096  
shall be prepared by the employing class A, B, or C licensee. 4097

(3) The licensee or employee receives a notation on the 4098  
licensee's or employee's identification card that the licensee 4099  
or employee is a firearm-bearer and carries the identification 4100  
card whenever the licensee or employee carries a firearm in the 4101  
course of engaging in the business of private investigation, the 4102  
business of security services, or both businesses. 4103

(4) At any time within the immediately preceding twelve- 4104  
month period, the licensee or employee has requalified in 4105  
firearms use on a firearms training range at a firearms 4106  
requalification program certified by the Ohio peace officer 4107  
training commission or on a firearms training range under the 4108  
supervision of an instructor certified by the commission and has 4109  
received a certificate of satisfactory requalification from the 4110  
certified program or certified instructor, provided that this 4111  
division does not apply to any licensee or employee prior to the 4112  
expiration of eighteen months after the licensee's or employee's 4113  
completion of the program described in division (A) (1) of this 4114  
section. A certificate of satisfactory requalification is valid 4115  
and remains in effect for twelve months from the date of the 4116  
requalification. 4117

(5) If division (A) (4) of this section applies to the 4118  
licensee or employee, the licensee or employee carries the 4119  
certificate of satisfactory requalification that then is in 4120  
effect or any other evidence of requalification issued or 4121  
provided by the director. 4122

(B) (1) The director of public safety shall register an 4123  
applicant under division (A) of this section who satisfies 4124  
divisions (A) (1) and (2) of this section, and place a notation 4125  
on the applicant's identification card indicating that the 4126  
applicant is a firearm-bearer and the date on which the 4127  
applicant completed the program described in division (A) (1) of 4128  
this section. 4129

(2) A firearms requalification training program or 4130  
instructor certified by the commission for the annual 4131  
requalification of class A, B, or C licensees or employees who 4132  
are authorized to carry a firearm under section 4749.10 of the 4133  
Revised Code shall award a certificate of satisfactory 4134  
requalification to each class A, B, or C licensee or registered 4135  
employee of a class A, B, or C licensee who satisfactorily 4136  
requalifies in firearms training. The certificate shall identify 4137  
the licensee or employee and indicate the date of the 4138  
requalification. A licensee or employee who receives such a 4139  
certificate shall submit a copy of it to the director of public 4140  
safety. A licensee shall submit the copy of the requalification 4141  
certificate at the same time that the licensee makes application 4142  
for renewal of the licensee's class A, B, or C license. The 4143  
director shall keep a record of all copies of requalification 4144  
certificates the director receives under this division and shall 4145  
establish a procedure for the updating of identification cards 4146  
to provide evidence of compliance with the annual 4147  
requalification requirement. The procedure for the updating of 4148

identification cards may provide for the issuance of a new card 4149  
containing the evidence, the entry of a new notation containing 4150  
the evidence on the existing card, the issuance of a separate 4151  
card or paper containing the evidence, or any other procedure 4152  
determined by the director to be reasonable. Each person who is 4153  
issued a requalification certificate under this division 4154  
promptly shall pay to the Ohio peace officer training commission 4155  
established by section 109.71 of the Revised Code a fee the 4156  
director determines, not to exceed fifteen dollars, which fee 4157  
shall be transmitted to the treasurer of state for deposit in 4158  
the peace officer private security fund established by section 4159  
109.78 of the Revised Code. 4160

(C) Nothing in this section prohibits a private 4161  
investigator or a security guard provider from carrying a 4162  
concealed ~~handgun~~ deadly weapon that is not a restricted deadly 4163  
weapon if the private investigator or security guard provider 4164  
complies with sections 2923.124 to 2923.1213 of the Revised 4165  
Code. 4166

**Section 2.** That existing sections 9.68, 109.69, 109.731, 4167  
311.41, 311.42, 311.43, 1547.69, 2921.13, 2923.11, 2923.12, 4168  
2923.121, 2923.122, 2923.123, 2923.124, 2923.125, 2923.126, 4169  
2923.127, 2923.128, 2923.129, 2923.1210, 2923.1211, 2923.1212, 4170  
2923.1213, 2923.16, 2953.37, and 4749.10 of the Revised Code are 4171  
hereby repealed. 4172

**Section 3.** That the version of section 9.68 of the Revised 4173  
Code that is scheduled to take effect on December 28, 2019, be 4174  
amended to read as follows: 4175

**Sec. 9.68.** (A) The individual right to keep and bear arms, 4176  
being a fundamental individual right that predates the United 4177  
States Constitution and Ohio Constitution, and being a 4178

constitutionally protected right in every part of Ohio, the 4179  
general assembly finds the need to provide uniform laws 4180  
throughout the state regulating the ownership, possession, 4181  
purchase, other acquisition, transport, storage, carrying, sale, 4182  
other transfer, manufacture, taxation, keeping, and reporting of 4183  
loss or theft of deadly weapons, including firearms, and their 4184  
components, accessories, attachments, and their ammunition. The 4185  
general assembly also finds and declares that it is proper for 4186  
law-abiding people to protect themselves, their families, and 4187  
others from intruders and attackers without fear of prosecution 4188  
or civil action for acting in defense of themselves or others. 4189  
Except as specifically provided by the United States 4190  
Constitution, Ohio Constitution, state law, or federal law, a 4191  
person, without further license, permission, restriction, delay, 4192  
or process, including by any ordinance, rule, regulation, 4193  
resolution, practice, or other action or any threat of citation, 4194  
prosecution, or other legal process, may own, possess, purchase, 4195  
acquire, transport, store, carry, sell, transfer, manufacture, 4196  
or keep any deadly weapon, including any firearm, part of a 4197  
firearm, and its components, accessories, attachments, and its 4198  
ammunition. Any such further license, permission, restriction, 4199  
delay, or process interferes with the fundamental individual 4200  
right described in this division and unduly inhibits law-abiding 4201  
people from protecting themselves, their families, and others 4202  
from intruders and attackers and from other legitimate uses of 4203  
constitutionally protected deadly weapons, including firearms, 4204  
including such as hunting and sporting activities, and the. The 4205  
state by this section preempts, supersedes, and declares null 4206  
and void any such further license, permission, restriction, 4207  
delay, or process. 4208

(B) A person, group, or entity adversely affected by any 4209

manner of ordinance, rule, regulation, resolution, practice, or 4210  
other action enacted or enforced by a political subdivision in 4211  
conflict with division (A) of this section may bring a civil 4212  
action against the political subdivision seeking damages from 4213  
the political subdivision, declaratory relief, injunctive 4214  
relief, or a combination of those remedies. Any damages awarded 4215  
shall be awarded against, and paid by, the political 4216  
subdivision. In addition to any actual damages awarded against 4217  
the political subdivision and other relief provided with respect 4218  
to such an action, the court shall award reasonable expenses to 4219  
any person, group, or entity that brings the action, to be paid 4220  
by the political subdivision, if either of the following 4221  
applies: 4222

(1) The person, group, or entity prevails in a challenge 4223  
to the ordinance, rule, regulation, resolution, practice, or 4224  
action as being in conflict with division (A) of this section. 4225

(2) The ordinance, rule, regulation, resolution, practice, 4226  
or action or the manner of its enforcement is repealed or 4227  
rescinded after the civil action was filed but prior to a final 4228  
court determination of the action. 4229

(C) As used in this section: 4230

(1) The possession, transporting, or carrying of deadly 4231  
weapons, including firearms, their components, or their 4232  
ammunition, include, but are not limited to, the possession, 4233  
transporting, or carrying, openly or concealed on a person's 4234  
person or concealed ready at hand, of deadly weapons, including 4235  
firearms, their components, or their ammunition. 4236

(2) "Firearm" ~~has~~ and "deadly weapon" have the same 4237  
~~meaning~~ meanings as in section 2923.11 of the Revised Code. 4238

(3) "Reasonable expenses" include, but are not limited to, 4239  
reasonable attorney's fees, court costs, expert witness fees, 4240  
and compensation for loss of income. 4241

(D) This section does not apply to either of the 4242  
following: 4243

(1) A zoning ordinance that regulates or prohibits the 4244  
commercial sale of deadly weapons, including firearms, firearm 4245  
components, or ammunition for firearms, in areas zoned for 4246  
residential or agricultural uses; 4247

(2) A zoning ordinance that specifies the hours of 4248  
operation or the geographic areas where the commercial sale of 4249  
deadly weapons, including firearms, firearm components, or 4250  
ammunition for firearms, may occur, provided that the zoning 4251  
ordinance is consistent with zoning ordinances for other retail 4252  
establishments in the same geographic area and does not result 4253  
in a de facto prohibition of the commercial sale of deadly 4254  
weapons, including firearms, firearm components, or ammunition 4255  
for firearms, in areas zoned for commercial, retail, or 4256  
industrial uses. 4257

**Section 4.** That the version of existing section 9.68 of 4258  
the Revised Code that is scheduled to take effect on December 4259  
28, 2019, is hereby repealed. 4260

**Section 5.** Sections 3 and 4 of this act take effect on 4261  
December 28, 2019. 4262

**Section 6.** The General Assembly, applying the principle 4263  
stated in division (B) of section 1.52 of the Revised Code that 4264  
amendments are to be harmonized if reasonably capable of 4265  
simultaneous operation, finds that the following sections, 4266  
presented in this act as composites of the sections as amended 4267



by the acts indicated, are the resulting versions of the 4268  
sections in effect prior to the effective date of the sections 4269  
as presented in this act: 4270

Section 2923.126 of the Revised Code as amended by both 4271  
Am. Sub. H.B. 79 and Am. Sub. H.B. 228 of the 132nd General 4272  
Assembly. 4273

Section 2923.1213 of the Revised Code as amended by both 4274  
Am. Sub. H.B. 234 and Am. Sub. S.B. 43 of the 130th General 4275  
Assembly. 4276

Section 2953.37 of the Revised Code as amended by both Am. 4277  
Sub. H.B. 228 and Sub. H.B. 425 of the 132nd General Assembly. 4278