

Sub. S.B. 184
As Passed by the Senate
HC 33

Topic: Comprehensive firearm/handgun amendment 1

_____ moved to amend as follows:

In line 21, after "2901.05," insert "2923.12, 2923.121, 2
2923.122, 2923.125, 2923.126, 2923.128, 2923.129, 2923.1210, 3
2923.1212, 2923.1213, 2923.16," 4

In line 22, delete the second "and" and insert a comma; after 5
"2901.09" insert ", and 2923.163" 6

Between lines 200 and 201, insert: 7

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

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

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

(3) A dangerous ordnance. 13

(B) No person who has been issued a license or temporary 14
emergency license to carry a concealed handgun under section 15
2923.125 or 2923.1213 of the Revised Code or a license to carry a 16
concealed handgun that was issued by another state with which the 17
attorney general has entered into a reciprocity agreement under 18
section 109.69 of the Revised Code shall do any of the following: 19

(1) If the person is stopped for a law enforcement purpose 20
and is carrying a concealed handgun, fail to promptly inform any 21
law enforcement officer who approaches the person after the person 22
has been stopped that the person has been issued a license or 23
temporary emergency license to carry a concealed handgun and that 24
the person then is carrying a concealed handgun; 25

(2) If the person is stopped for a law enforcement purpose 26
and if the person is carrying a concealed handgun, knowingly fail 27
to keep the person's hands in plain sight at any time after any 28
law enforcement officer begins approaching the person while 29
stopped and before the law enforcement officer leaves, unless the 30
failure is pursuant to and in accordance with directions given by 31
a law enforcement officer; 32

(3) If the person is stopped for a law enforcement purpose, 33
if the person is carrying a concealed handgun, and if the person 34
is approached by any law enforcement officer while stopped, 35
knowingly remove or attempt to remove the loaded handgun from the 36
holster, pocket, or other place in which the person is carrying 37
it, knowingly grasp or hold the loaded handgun, or knowingly have 38
contact with the loaded handgun by touching it with the person's 39
hands or fingers at any time after the law enforcement officer 40
begins approaching and before the law enforcement officer leaves, 41
unless the person removes, attempts to remove, grasps, holds, or 42
has contact with the loaded handgun pursuant to and in accordance 43
with directions given by the law enforcement officer; 44

(4) If the person is stopped for a law enforcement purpose 45
and if the person is carrying a concealed handgun, knowingly 46
disregard or fail to comply with any lawful order of any law 47
enforcement officer given while the person is stopped, including, 48
but not limited to, a specific order to the person to keep the 49
person's hands in plain sight. 50

(C)(1) This section does not apply to any of the following: 51

(a) An officer, agent, or employee of this or any other state 52
or the United States, or to a law enforcement officer, who is 53
authorized to carry concealed weapons or dangerous ordnance or is 54
authorized to carry handguns and is acting within the scope of the 55
officer's, agent's, or employee's duties; 56

(b) Any person who is employed in this state, who is 57
authorized to carry concealed weapons or dangerous ordnance or is 58
authorized to carry handguns, and who is subject to and in 59
compliance with the requirements of section 109.801 of the Revised 60
Code, unless the appointing authority of the person has expressly 61
specified that the exemption provided in division (C)(1)(b) of 62
this section does not apply to the person; 63

(c) A person's transportation or storage of a firearm, other 64
than a firearm described in divisions (G) to (M) of section 65
2923.11 of the Revised Code, in a motor vehicle for any lawful 66
purpose if the firearm is not on the actor's person; 67

(d) A person's storage or possession of a firearm, other than 68
a firearm described in divisions (G) to (M) of section 2923.11 of 69
the Revised Code, in the actor's own home for any lawful purpose. 70

(2) Division (A)(2) of this section does not apply to any 71
person who, at the time of the alleged carrying or possession of a 72
handgun, is carrying a valid license or temporary emergency 73
license to carry a concealed handgun issued to the person under 74
section 2923.125 or 2923.1213 of the Revised Code or a license to 75
carry a concealed handgun that was issued by another state with 76
which the attorney general has entered into a reciprocity 77
agreement under section 109.69 of the Revised Code, unless the 78
person knowingly is in a place described in division (B) of 79
section 2923.126 of the Revised Code. 80

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

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

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

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

~~(4) The weapon was being transported in a motor vehicle for any lawful purpose, was not on the actor's person, and, if the weapon was a firearm, was carried in compliance with the applicable requirements of division (C) of section 2923.16 of the Revised Code.~~

~~(E) It is an affirmative defense to a charge under division (A) of this section of carrying or having control of a handgun other than a dangerous ordnance that the actor was not otherwise prohibited by law from having the handgun and that the handgun was carried or kept ready at hand by the actor for any lawful purpose and while in the actor's own home, provided that this affirmative defense is not available unless the actor, prior to arriving at~~

~~the actor's own home, did not transport or possess the handgun in 112
a motor vehicle in a manner prohibited by division (B) or (C) of 113
section 2923.16 of the Revised Code while the motor vehicle was 114
being operated on a street, highway, or other public or private 115
property used by the public for vehicular traffic. 116~~

~~(F)~~ No person who is charged with a violation of this section 117
shall be required to obtain a license or temporary emergency 118
license to carry a concealed handgun under section 2923.125 or 119
2923.1213 of the Revised Code as a condition for the dismissal of 120
the charge. 121

~~(G)(F)~~(1) Whoever violates this section is guilty of carrying 122
concealed weapons. Except as otherwise provided in this division 123
or division ~~(G)(F)~~(2) of this section, carrying concealed weapons 124
in violation of division (A) of this section is a misdemeanor of 125
the first degree. Except as otherwise provided in this division or 126
division ~~(G)(F)~~(2) of this section, if the offender previously has 127
been convicted of a violation of this section or of any offense of 128
violence, if the weapon involved is a firearm that is either 129
loaded or for which the offender has ammunition ready at hand, or 130
if the weapon involved is dangerous ordnance, carrying concealed 131
weapons in violation of division (A) of this section is a felony 132
of the fourth degree. Except as otherwise provided in division 133
~~(G)(F)~~(2) of this section, ~~if the weapon involved is a firearm and~~ 134
~~the violation of this section is committed at premises for which a~~ 135
~~D permit has been issued under Chapter 4303. of the Revised Code~~ 136
~~or~~ if the offense is committed aboard an aircraft, or with purpose 137
to carry a concealed weapon aboard an aircraft, regardless of the 138
weapon involved, carrying concealed weapons in violation of 139
division (A) of this section is a felony of the third degree. 140

(2) If a person being arrested for a violation of division 141
(A)(2) of this section promptly produces a valid license or 142

temporary emergency license to carry a concealed handgun issued
under section 2923.125 or 2923.1213 of the Revised Code or a
license to carry a concealed handgun that was issued by another
state with which the attorney general has entered into a
reciprocity agreement under section 109.69 of the Revised Code,
and if at the time of the violation the person was not knowingly
in a place described in division (B) of section 2923.126 of the
Revised Code, the officer shall not arrest the person for a
violation of that division. If the person is not able to promptly
produce any of those types of license and if the person is not in
a place described in that section, the officer may arrest the
person for a violation of that division, and the offender shall be
punished as follows:

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

(i) Within ten days after the arrest, the offender presents a
license or temporary emergency license to carry a concealed
handgun issued under section 2923.125 or 2923.1213 of the Revised
Code or a license to carry a concealed handgun that was issued by
another state with which the attorney general has entered into a
reciprocity agreement under section 109.69 of the Revised Code,
which license was valid at the time of the arrest to the law
enforcement agency that employs the arresting officer.

(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.

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

(i) The offender previously had been issued a license to
carry a concealed handgun under section 2923.125 of the Revised
Code or a license to carry a concealed handgun that was issued by

another state with which the attorney general has entered into a reciprocity agreement under section 109.69 of the Revised Code and that was similar in nature to a license issued under section 2923.125 of the Revised Code, and that license expired within the two years immediately preceding the arrest.

(ii) Within forty-five days after the arrest, the offender presents any type of license identified in division ~~(G)~~(F)(2)(a)(i) of this section 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.

(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.

(c) If neither division ~~(G)~~(F)(2)(a) nor (b) of this section applies, the offender shall be punished under division ~~(G)~~(F)(1) of this section.

(3) Carrying 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 license or temporary emergency license to carry a concealed handgun shall be suspended pursuant to division (A)(2) of section 2923.128 of the Revised Code. If, at the time of the stop of the offender for a law enforcement purpose that was the basis of the violation, any law enforcement officer involved with the stop had actual knowledge that the offender has been issued a license or temporary emergency license to carry a concealed handgun, carrying concealed weapons in violation of division (B)(1) of this section is a minor misdemeanor, and the offender's license or temporary emergency

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license to carry a concealed handgun shall not be suspended 205
pursuant to division (A)(2) of section 2923.128 of the Revised 206
Code. 207

(4) Carrying concealed weapons in violation of division 208
 (B)(2) or (4) of this section is a misdemeanor of the first degree 209
 or, if the offender previously has been convicted of or pleaded 210
 guilty to a violation of division (B)(2) or (4) of this section, a 211
 felony of the fifth degree. In addition to any other penalty or 212
 sanction imposed for a misdemeanor violation of division (B)(2) or 213
 (4) of this section, the offender's license or temporary emergency 214
 license to carry a concealed handgun shall be suspended pursuant 215
 to division (A)(2) of section 2923.128 of the Revised Code. 216

(5) Carrying concealed weapons in violation of division 217
 (B)(3) of this section is a felony of the fifth degree. 218

~~(H)~~(G) If a law enforcement officer stops a person to 219
 question the person regarding a possible violation of this 220
 section, for a traffic stop, or for any other law enforcement 221
 purpose, if the person surrenders a firearm to the officer, either 222
 voluntarily or pursuant to a request or demand of the officer, and 223
 if the officer does not charge the person with a violation of this 224
 section or arrest the person for any offense, the person is not 225
 otherwise prohibited by law from possessing the firearm, and the 226
 firearm is not contraband, the officer shall return the firearm to 227
 the person at the termination of the stop. If a court orders a law 228
enforcement officer to return a firearm to a person pursuant to 229
the requirement set forth in this division, division (B) of 230
section 2923.163 of the Revised Code applies. 231

Sec. 2923.121. (A) No person shall possess a firearm in any 232
 room in which any person is consuming liquor ~~is being dispensed~~ in 233
 premises for which a D permit has been issued under Chapter 4303. 234
 of the Revised Code or in an open air arena for which a permit of 235

that nature has been issued. 236

(B)(1) This section does not apply to any of the following: 237

(a) An officer, agent, or employee of this or any other state 238
or the United States, or to a law enforcement officer, who is 239
authorized to carry firearms and is acting within the scope of the 240
officer's, agent's, or employee's duties; 241

(b) Any person who is employed in this state, who is 242
authorized to carry firearms, and who is subject to and in 243
compliance with the requirements of section 109.801 of the Revised 244
Code, unless the appointing authority of the person has expressly 245
specified that the exemption provided in division (B)(1)(b) of 246
this section does not apply to the person. ~~i~~ 247

~~(2) This section does not apply to any~~ (c) Any room used for 248
the accommodation of guests of a hotel, as defined in section 249
4301.01 of the Revised Code. ~~i~~ 250

(d) The principal holder of a D permit issued for premises or 251
an open air arena under Chapter 4303. of the Revised Code while in 252
the premises or open air arena for which the permit was issued if 253
the principal holder of the D permit also possesses a valid 254
license or temporary emergency license to carry a concealed 255
handgun issued to the principal holder under section 2923.125 or 256
2923.1213 of the Revised Code or a license to carry a concealed 257
handgun that was issued to the principal holder by another state 258
with which the attorney general has entered into a reciprocity 259
agreement under section 109.69 of the Revised Code and as long as 260
the principal holder is not consuming liquor or under the 261
influence of alcohol or a drug of abuse, or any agent or employee 262
of that holder who also is a peace officer, as defined in section 263
2151.3515 of the Revised Code, who is off duty, and who otherwise 264
is authorized to carry firearms while in the course of the 265

officer's official duties and while in the premises or open air 266
arena for which the permit was issued and as long as the agent or 267
employee of that holder is not consuming liquor or under the 268
influence of alcohol or a drug of abuse. 269

(e) Any person who is carrying a valid license or temporary 270
emergency license to carry a concealed handgun issued to the 271
person under section 2923.125 or 2923.1213 of the Revised Code or 272
a license to carry a concealed handgun that was issued to the 273
person by another state with which the attorney general has 274
entered into a reciprocity agreement under section 109.69 of the 275
Revised Code and who possesses the firearm in a retail store with 276
D-6 and D-8 permits issued for that store under sections 4303.182 277
and 4303.184 of the Revised Code or a D-8 permit issued for that 278
store under section 4303.184 of the Revised Code, as long as the 279
person is not consuming liquor or under the influence of alcohol 280
or a drug of abuse. 281

~~(3)~~(2) This section does not prohibit any person who is a 282
member of a veteran's organization, as defined in section 2915.01 283
of the Revised Code, from possessing a rifle in any room in any 284
premises owned, leased, or otherwise under the control of the 285
veteran's organization, if the rifle is not loaded with live 286
ammunition and if the person otherwise is not prohibited by law 287
from having the rifle. 288

~~(4)~~(3) This section does not apply to any person possessing 289
or displaying firearms in any room used to exhibit unloaded 290
firearms for sale or trade in a soldiers' memorial established 291
pursuant to Chapter 345. of the Revised Code, in a convention 292
center, or in any other public meeting place, if the person is an 293
exhibitor, trader, purchaser, or seller of firearms and is not 294
otherwise prohibited by law from possessing, trading, purchasing, 295
or selling the firearms. 296

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

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

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

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

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

Sec. 2923.122. (A) No person shall knowingly convey, or 328
attempt to convey, a deadly weapon or dangerous ordnance into a 329
school safety zone. 330

(B) No person shall knowingly possess a deadly weapon or 331
dangerous ordnance in a school safety zone. 332

(C) No person shall knowingly possess an object in a school 333
safety zone if both of the following apply: 334

(1) The object is indistinguishable from a firearm, whether 335
or not the object is capable of being fired. 336

(2) The person indicates that the person possesses the object 337
and that it is a firearm, or the person knowingly displays or 338
brandishes the object and indicates that it is a firearm. 339

(D)(1) This section does not apply to any of the following: 340

(a) An officer, agent, or employee of this or any other state 341
or the United States, or a law enforcement officer, who is 342
authorized to carry deadly weapons or dangerous ordnance and is 343
acting within the scope of the officer's, agent's, or employee's 344
duties, a security officer employed by a board of education or 345
governing body of a school during the time that the security 346
officer is on duty pursuant to that contract of employment, or any 347
other person who has written authorization from the board of 348
education or governing body of a school to convey deadly weapons 349
or dangerous ordnance into a school safety zone or to possess a 350
deadly weapon or dangerous ordnance in a school safety zone and 351
who conveys or possesses the deadly weapon or dangerous ordnance 352
in accordance with that authorization; 353

(b) Any person who is employed in this state, who is 354
authorized to carry deadly weapons or dangerous ordnance, and who 355
is subject to and in compliance with the requirements of section 356

109.801 of the Revised Code, unless the appointing authority of
the person has expressly specified that the exemption provided in
division (D)(1)(b) of this section does not apply to the person.

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

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

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

(b) The person is carrying a valid license or temporary
emergency license to carry a concealed handgun issued to the
person under section 2923.125 or 2923.1213 of the Revised Code or
a license to carry a concealed handgun that was issued by another
state with which the attorney general has entered into a
reciprocity agreement under section 109.69 of the Revised Code.

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

(d) The person is not knowingly in a place described in 388
division (B)(1) or (B)(3) to (10) of section 2923.126 of the 389
Revised Code. 390

(4) This section does not apply to a person who conveys or 391
attempts to convey a handgun into, or possesses a handgun in, a 392
school safety zone if at the time of that conveyance, attempted 393
conveyance, or possession of the handgun all of the following 394
apply: 395

(a) The person is carrying a valid license or temporary 396
emergency license to carry a concealed handgun issued to the 397
person under section 2923.125 or 2923.1213 of the Revised Code or 398
a license to carry a concealed handgun that was issued by another 399
state with which the attorney general has entered into a 400
reciprocity agreement under section 109.69 of the Revised Code. 401

(b) The person is the driver or passenger in a motor vehicle 402
and is in the school safety zone while immediately in the process 403
of picking up or dropping off a child. 404

(c) The person is not in violation of section 2923.16 of the 405
Revised Code. 406

(E)(1) Whoever violates division (A) or (B) of this section 407
is guilty of illegal conveyance or possession of a deadly weapon 408
or dangerous ordnance in a school safety zone. Except as otherwise 409
provided in this division, illegal conveyance or possession of a 410
deadly weapon or dangerous ordnance in a school safety zone is a 411
felony of the fifth degree. If the offender previously has been 412
convicted of a violation of this section, illegal conveyance or 413
possession of a deadly weapon or dangerous ordnance in a school 414
safety zone is a felony of the fourth degree. 415

(2) Whoever violates division (C) of this section is guilty 416
of illegal possession of an object indistinguishable from a 417

firearm in a school safety zone. Except as otherwise provided in 418
this division, illegal possession of an object indistinguishable 419
from a firearm in a school safety zone is a misdemeanor of the 420
first degree. If the offender previously has been convicted of a 421
violation of this section, illegal possession of an object 422
indistinguishable from a firearm in a school safety zone is a 423
felony of the fifth degree. 424

(F)(1) In addition to any other penalty imposed upon a person 425
who is convicted of or pleads guilty to a violation of this 426
section and subject to division (F)(2) of this section, if the 427
offender has not attained nineteen years of age, regardless of 428
whether the offender is attending or is enrolled in a school 429
operated by a board of education or for which the state board of 430
education prescribes minimum standards under section 3301.07 of 431
the Revised Code, the court shall impose upon the offender a class 432
four suspension of the offender's probationary driver's license, 433
restricted license, driver's license, commercial driver's license, 434
temporary instruction permit, or probationary commercial driver's 435
license that then is in effect from the range specified in 436
division (A)(4) of section 4510.02 of the Revised Code and shall 437
deny the offender the issuance of any permit or license of that 438
type during the period of the suspension. 439

If the offender is not a resident of this state, the court 440
shall impose a class four suspension of the nonresident operating 441
privilege of the offender from the range specified in division 442
(A)(4) of section 4510.02 of the Revised Code. 443

(2) If the offender shows good cause why the court should not 444
suspend one of the types of licenses, permits, or privileges 445
specified in division (F)(1) of this section or deny the issuance 446
of one of the temporary instruction permits specified in that 447
division, the court in its discretion may choose not to impose the 448

suspension, revocation, or denial required in that division. 449

(G) As used in this section, "object that is 450
indistinguishable from a firearm" means an object made, 451
constructed, or altered so that, to a reasonable person without 452
specialized training in firearms, the object appears to be a 453
firearm. 454

Sec. 2923.125. (A) Upon the request of a person who wishes to 455
obtain a license to carry a concealed handgun or to renew a 456
license to carry a concealed handgun, a sheriff, as provided in 457
division (I) of this section, shall provide to the person free of 458
charge an application form and a copy of the pamphlet described in 459
division (B) of section 109.731 of the Revised Code. A sheriff 460
shall accept a completed application form and the fee, items, 461
materials, and information specified in divisions (B)(1) to (5) of 462
this section at the times and in the manners described in division 463
(I) of this section. 464

(B) An applicant for a license to carry a concealed handgun 465
shall submit a completed application form and all of the following 466
to the sheriff of the county in which the applicant resides or to 467
the sheriff of any county adjacent to the county in which the 468
applicant resides: 469

(1) A nonrefundable license fee prescribed by the Ohio peace 470
officer training commission pursuant to division (C) of section 471
109.731 of the Revised Code, except that the sheriff shall waive 472
the payment of the license fee in connection with an initial or 473
renewal application for a license that is submitted by an 474
applicant who is a retired peace officer, a retired person 475
described in division (B)(1)(b) of section 109.77 of the Revised 476
Code, or a retired federal law enforcement officer who, prior to 477
retirement, was authorized under federal law to carry a firearm in 478

the course of duty, unless the retired peace officer, person, or
federal law enforcement officer retired as the result of a mental
disability;

(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
certification described in division (B)(3)(d) of this section, the
applicant currently is an active or reserve member of the armed
forces of the United States or within the six years immediately
preceding the application the honorable discharge or retirement to
which the competency certification relates occurred:

(a) An original or photocopy of a certificate of completion
of a firearms safety, training, or requalification or firearms
safety instructor course, class, or program that was offered by or
under the auspices of the national rifle association and that
complies with the requirements set forth in division (G) of this
section;

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

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

(ii) It utilized qualified instructors who were certified by
the national rifle association, the executive director of the Ohio
peace officer training commission pursuant to section 109.75 or

109.78 of the Revised Code, or a governmental official or entity
of another state.

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

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

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

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

(i) That the applicant is an active or reserve member of the
armed forces of the United States, was honorably discharged from
military service in the active or reserve armed forces of the
United States, is a retired trooper of the state highway patrol,
or is a retired peace officer or federal law enforcement officer
described in division (B)(1) of this section or a retired person
described in division (B)(1)(b) of section 109.77 of the Revised

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Code and division (B)(1) of this section;

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

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

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

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

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(5) A set of fingerprints of the applicant provided as described in section 311.41 of the Revised Code through use of an electronic fingerprint reading device or, if the sheriff to whom

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the application is submitted does not possess and does not have
ready access to the use of such a reading device, on a standard
impression sheet prescribed pursuant to division (C)(2) of section
109.572 of the Revised Code.

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

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(D)(1) Except as provided in division (D)(3) ~~or (4) or (5)~~
of this section, within forty-five days after a sheriff's receipt
of an applicant's completed application form for a license to
carry a concealed handgun, the supporting documentation, and, if
not waived, the license fee, the sheriff shall make available
through the law enforcement automated data system in accordance
with division (H) of this section the information described in
that division and, upon making the information available through
the system, shall issue to the applicant a license to carry a
concealed handgun that shall expire as described in division
(D)(2)(a) of this section if all of the following apply:

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(a) The applicant is legally living in the United States, has
been a resident of this state for at least forty-five days, and
has been a resident of the county in which the person seeks the
license or a county adjacent to the county in which the person
seeks the license for at least thirty days.

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

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

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(d) The applicant is not under indictment for or otherwise
charged with a felony; an offense under Chapter 2925., 3719., or

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4729. of the Revised Code that involves the illegal possession, 601
use, sale, administration, or distribution of or trafficking in a 602
drug of abuse; a misdemeanor offense of violence; or a violation 603
of section 2903.14 or 2923.1211 of the Revised Code. 604

(e) The Except as otherwise provided in division (D)(5) of 605
this section, the applicant has not been convicted of or pleaded 606
guilty to a felony or an offense under Chapter 2925., 3719., or 607
4729. of the Revised Code that involves the illegal possession, 608
use, sale, administration, or distribution of or trafficking in a 609
drug of abuse; has not been adjudicated a delinquent child for 610
committing an act that if committed by an adult would be a felony 611
or would be an offense under Chapter 2925., 3719., or 4729. of the 612
Revised Code that involves the illegal possession, use, sale, 613
administration, or distribution of or trafficking in a drug of 614
abuse; and has not been convicted of, pleaded guilty to, or 615
adjudicated a delinquent child for committing a violation of 616
section 2903.13 of the Revised Code when the victim of the 617
violation is a peace officer, regardless of whether the applicant 618
was sentenced under division (C)(3) of that section. 619

(f) The Except as otherwise provided in division (D)(5) of 620
this section, the applicant, within three years of the date of the 621
application, has not been convicted of or pleaded guilty to a 622
misdemeanor offense of violence other than a misdemeanor violation 623
of section 2921.33 of the Revised Code or a violation of section 624
2903.13 of the Revised Code when the victim of the violation is a 625
peace officer, or a misdemeanor violation of section 2923.1211 of 626
the Revised Code; and has not been adjudicated a delinquent child 627
for committing an act that if committed by an adult would be a 628
misdemeanor offense of violence other than a misdemeanor violation 629
of section 2921.33 of the Revised Code or a violation of section 630
2903.13 of the Revised Code when the victim of the violation is a 631

peace officer or for committing an act that if committed by an 632
adult would be a misdemeanor violation of section 2923.1211 of the 633
Revised Code. 634

(g) Except as otherwise provided in division (D)(1)(e) of 635
this section, the applicant, within five years of the date of the 636
application, has not been convicted of, pleaded guilty to, or 637
adjudicated a delinquent child for committing two or more 638
violations of section 2903.13 or 2903.14 of the Revised Code. 639

(h) The Except as otherwise provided in division (D)(5) of 640
this section, the applicant, within ten years of the date of the 641
application, has not been convicted of, pleaded guilty to, or 642
adjudicated a delinquent child for committing a violation of 643
section 2921.33 of the Revised Code. 644

(i) The applicant has not been adjudicated as a mental 645
defective, has not been committed to any mental institution, is 646
not under adjudication of mental incompetence, has not been found 647
by a court to be a mentally ill person subject to hospitalization 648
by court order, and is not an involuntary patient other than one 649
who is a patient only for purposes of observation. As used in this 650
division, "mentally ill person subject to hospitalization by court 651
order" and "patient" have the same meanings as in section 5122.01 652
of the Revised Code. 653

(j) The applicant is not currently subject to a civil 654
protection order, a temporary protection order, or a protection 655
order issued by a court of another state. 656

(k) The applicant certifies that the applicant desires a 657
legal means to carry a concealed handgun for defense of the 658
applicant or a member of the applicant's family while engaged in 659
lawful activity. 660

(l) The applicant submits a competency certification of the 661
type described in division (B)(3) of this section and submits a 662

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

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(m) The applicant currently is not subject to a suspension
imposed under division (A)(2) of section 2923.128 of the Revised
Code of a license to carry a concealed handgun, or a temporary
emergency license to carry a concealed handgun, that previously
was issued to the applicant under this section or section
2923.1213 of the Revised Code.

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(2)(a) A license to carry a concealed handgun that a sheriff
issues under division (D)(1) of this section on or after ~~the~~
~~effective date of this amendment~~ March 14, 2007, shall expire five
years after the date of issuance. A license to carry a concealed
handgun that a sheriff issued under division (D)(1) of this
section prior to ~~the effective date of this amendment~~ March 14,
2007, shall expire four years after the date of issuance.

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

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(b) If a sheriff denies an application under this section
because the applicant does not satisfy the criteria described in
division (D)(1) of this section, the sheriff shall specify the
grounds for the denial in a written notice to the applicant. The
applicant may appeal the denial pursuant to section 119.12 of the
Revised Code in the county served by the sheriff who denied the
application. If the denial was as a result of the criminal records
check conducted pursuant to section 311.41 of the Revised Code and
if, pursuant to section 2923.127 of the Revised Code, the

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applicant challenges the criminal records check results using the
appropriate challenge and review procedure specified in that
section, the time for filing the appeal pursuant to section 119.12
of the Revised Code and this division is tolled during the
pendency of the request or the challenge and review. If the court
in an appeal under section 119.12 of the Revised Code and this
division enters a judgment sustaining the sheriff's refusal to
grant to the applicant a license to carry a concealed handgun, the
applicant may file a new application beginning one year after the
judgment is entered. If the court enters a judgment in favor of
the applicant, that judgment shall not restrict the authority of a
sheriff to suspend or revoke the license pursuant to section
2923.128 or 2923.1213 of the Revised Code or to refuse to renew
the license for any proper cause that may occur after the date the
judgment is entered. In the appeal, the court shall have full
power to dispose of all costs.

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

(4) If the sheriff determines that the applicant is legally
living in the United States and is a resident of the county in
which the applicant seeks the license or of an adjacent county but
does not yet meet the residency requirements described in division
(D)(1)(a) of this section, the sheriff shall not deny the license
because of the residency requirements but shall not issue the
license until the applicant meets those residency requirements.

(5) If an applicant has been convicted of or pleaded guilty

to an offense identified in division (D)(1)(e), (f), or (h) of
this section or has been adjudicated a delinquent child for
committing an act or violation identified in any of those
divisions, and 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 a court has granted the applicant
relief pursuant to section 2923.14 of the Revised Code from the
disability imposed pursuant to section 2923.13 of the Revised Code
relative to that conviction, guilty plea, or adjudication, the
sheriff with whom the application was submitted shall not consider
the conviction, guilty plea, or adjudication in making a
determination under division (D)(1) or (F) of this section or, in
relation to an application for a temporary emergency license to
carry a concealed handgun submitted under section 2923.1213 of the
Revised Code, in making a determination under division (B)(2) of
that section.

(E) If a license to carry a concealed handgun 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.

(F)(1) A licensee who wishes to renew a license to carry a
concealed handgun issued under this section shall do so not
earlier than ninety days before the expiration date of the license
~~and not later than thirty days~~ or at any time after the expiration
date of the license by filing with the sheriff of the county in

which the applicant resides or with the sheriff of an adjacent 756
 county an application for renewal of the license obtained pursuant 757
 to division (D) of this section, ~~a new color photograph of the~~ 758
~~licensee that was taken within thirty days prior to the date of~~ 759
~~the renewal application,~~ a certification by the applicant that, 760
 subsequent to the issuance of the license, the applicant has 761
 reread the pamphlet prepared by the Ohio peace officer training 762
 commission pursuant to section 109.731 of the Revised Code that 763
 reviews firearms, dispute resolution, and use of deadly force 764
 matters, ~~a new set of fingerprints provided in the manner~~ 765
~~specified in division (B)(5) of this section regarding initial~~ 766
~~applications for a license to carry a concealed handgun, and a~~ 767
 nonrefundable license renewal fee unless the fee is waived. ~~The,~~ 768
and one of the following: 769

(a) If the licensee previously has not renewed a license to 770
carry a concealed handgun issued under this section, proof that 771
the licensee also shall submit at one time had a competency 772
 certification of the type described in division (B)(3) of this 773
 section ~~that is not older than six years or.~~ A valid license is 774
prima-facie evidence that the licensee at one time had a 775
competency certification of the type described in division (B)(3) 776
of this section. 777

(b) If the licensee previously has renewed a license to carry 778
a concealed handgun issued under this section, a renewed 779
 competency certification of the type described in division (G)(4) 780
 of this section ~~that is not older than six years.~~ A 781

(2) A sheriff shall accept a completed renewal application 782
~~and,~~ the license renewal fee, items, materials, and information 783
 specified in ~~this~~ division (F)(1) of this section at the times and 784
 in the manners described in division (I) of this section. Upon 785
~~Upon~~ receipt of a completed renewal application, ~~color~~ 786

~~photograph, of~~ certification that the applicant has reread the 787
specified pamphlet prepared by the Ohio peace officer training 788
commission, ~~new set of fingerprints, of proof of a prior~~ 789
competency certification for an initial renewal or of a renewed 790
competency certification for a second or subsequent renewal, and 791
of a license renewal fee unless the fee is waived, a sheriff, in 792
the manner specified in section 311.41 of the Revised Code shall 793
conduct or cause to be conducted the criminal records check and 794
the incompetency records check described in section 311.41 of the 795
Revised Code. The sheriff shall renew the license if the sheriff 796
determines that the applicant continues to satisfy the 797
requirements described in division (D)(1) of this section, except 798
that the applicant is not required to ~~submit a renewed competency~~ 799
~~certification only in the circumstances described in~~ meet the 800
requirements of division ~~(G)(4)~~ (D)(1)(1) of this section. A 801
renewed license that is renewed on or after ~~the effective date of~~ 802
~~this amendment~~ March 14, 2007, shall expire five years after the 803
date of issuance, and a renewed license that is renewed prior to 804
~~the effective date of this amendment~~ March 14, 2007, shall expire 805
four years after the date of issuance. A renewed license is 806
subject to division (E) of this section and sections 2923.126 and 807
2923.128 of the Revised Code. A sheriff shall comply with 808
divisions (D)(2) to (4) of this section when the circumstances 809
described in those divisions apply to a requested license renewal. 810
If a sheriff denies the renewal of a license to carry a concealed 811
handgun, the applicant may appeal the denial, or challenge the 812
criminal record check results that were the basis of the denial if 813
applicable, in the same manner as specified in division (D)(2)(b) 814
of this section and in section 2923.127 of the Revised Code, 815
regarding the denial of a license under this section. 816

(G)(1) Each course, class, or program described in division 817
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(B)(3)(a), (b), (c), or (e) of this section shall provide to each person who takes the course, class, or program a copy of the pamphlet prepared by the Ohio peace officer training commission pursuant to section 109.731 of the Revised Code that reviews firearms, dispute resolution, and use of deadly force matters. Each such course, class, or program described in one of those divisions shall include at least twelve hours of training in the safe handling and use of a firearm that shall include all of the following:

(a) At least ten hours of training on the following matters:

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

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

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

(iv) Gun handling training.

(b) At least two hours of training that consists of range time and live-fire training.

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

(a) A written section on the ability to name and explain the rules for the safe handling of a handgun and proper storage practices for handguns and ammunition;

(b) A physical demonstration of competence in the use of a handgun and in the rules for safe handling and storage of a

handgun and a physical demonstration of the attitude necessary to
shoot a handgun in a safe manner.

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

(4) A person who previously has received a competency
certification as described in division (B)(3) of this section, or
who previously has received a renewed competency certification as
described in this division, may obtain a renewed competency
certification pursuant to this division. If the person previously
has received a competency certification ~~within the preceding six
years,~~ or previously has received a renewed competency
certification ~~within the preceding six years,~~ the person may
obtain a renewed competency certification from an entity that
offers a course, class, or program described in division
(B)(3)(a), (b), (c), or (e) of this section by passing a
~~competency examination of the type described in division (G)(2) of
this section~~ test that demonstrates that the person is range
competent. In these circumstances, the person is not required to
attend the course, class, or program ~~in order to be eligible or~~ to
take the competency examination described in division (G)(2) of
this section for the renewed competency certification in order to
be eligible to receive a renewed competency certification. ~~If more
than six years has elapsed since the person last received a
competency certification or a renewed competency certification, in
order for the person to obtain a renewed competency certification,
the person shall both satisfactorily complete a course, class, or~~

~~program described in division (B)(3)(a), (b), (c), or (e) of this~~ 879
~~section and pass a competency examination of the type described in~~ 880
~~division (G)(2) of this section. A renewed competency~~ 881
certification issued under this division shall be dated and shall 882
attest that the applicant passed the competency examination of the 883
type described in division (G)(2) of this section and, if 884
applicable, that the person successfully completed a course, 885
class, or program that met the requirements described in division 886
(G)(1) of this section person has demonstrated range competency. 887

(H) Upon deciding to issue a license, deciding to issue a 889
replacement license, or deciding to renew a license to carry a 890
concealed handgun pursuant to this section, and before actually 891
issuing or renewing the license, the sheriff shall make available 892
through the law enforcement automated data system all information 893
contained on the license. If the license subsequently is suspended 894
under division (A)(1) or (2) of section 2923.128 of the Revised 895
Code, revoked pursuant to division (B)(1) of section 2923.128 of 896
the Revised Code, or lost or destroyed, the sheriff also shall 897
make available through the law enforcement automated data system a 898
notation of that fact. The superintendent of the state highway 899
patrol shall ensure that the law enforcement automated data system 900
is so configured as to permit the transmission through the system 901
of the information specified in this division. 902

(I) A sheriff shall accept a completed application form or 903
renewal application, and the fee, items, materials, and 904
information specified in divisions (B)(1) to (5) or division (F) 905
of this section, whichever is applicable, and shall provide an 906
application form or renewal application and a copy of the pamphlet 907
described in division (B) of section 109.731 of the Revised Code 908
to any person during at least fifteen hours a week. The sheriff 909
shall post notice of the hours during which the sheriff is 910

available to accept or provide the information described in this
division.

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Sec. 2923.126. (A) A license to carry a concealed handgun
that is issued under section 2923.125 of the Revised Code on or
~~after the effective date of this amendment~~ March 14, 2007, shall
expire five years after the date of issuance, and a license that
is so issued prior to ~~the effective date of this amendment~~ March
14, 2007, shall expire four years after the date of issuance. A
licensee who has been issued a license under that section shall be
granted a grace period of thirty days after the licensee's license
expires during which the licensee's license remains valid. Except
as provided in divisions (B) and (C) of this section, a licensee
who has been issued a license under section 2923.125 or 2923.1213
of the Revised Code may carry a concealed handgun anywhere in this
state if the licensee also carries a valid license and valid
identification when the licensee is in actual possession of a
concealed handgun. The licensee shall give notice of any change in
the licensee's residence address to the sheriff who issued the
license within forty-five days after that change.

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If a licensee is the driver or an occupant of a motor vehicle
that is stopped as the result of a traffic stop or a stop for
another law enforcement purpose and if the licensee is
transporting or has a loaded handgun in the motor vehicle at that
time, the licensee shall promptly inform any law enforcement
officer who approaches the vehicle while stopped that the licensee
has been issued a license or temporary emergency license to carry
a concealed handgun and that the licensee currently possesses or
has a loaded handgun; the licensee shall not knowingly disregard
or fail to comply with lawful orders of a law enforcement officer
given while the motor vehicle is stopped, knowingly fail to remain
in the motor vehicle while stopped, or knowingly fail to keep the

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licensee's hands in plain sight after any law enforcement officer
begins approaching the licensee while stopped and before the
officer leaves, unless directed otherwise by a law enforcement
officer; and the licensee shall not knowingly remove, attempt to
remove, grasp, or hold the loaded handgun or knowingly have
contact with the loaded handgun by touching it with the licensee's
hands or fingers, in any manner in violation of division (E) of
section 2923.16 of the Revised Code, after any law enforcement
officer begins approaching the licensee while stopped and before
the officer leaves. Additionally, if a licensee is the driver or
an occupant of a commercial motor vehicle that is stopped by an
employee of the motor carrier enforcement unit for the purposes
defined in section 5503.04 of the Revised Code and if the licensee
is transporting or has a loaded handgun in the commercial motor
vehicle at that time, the licensee shall promptly inform the
employee of the unit who approaches the vehicle while stopped that
the licensee has been issued a license or temporary emergency
license to carry a concealed handgun and that the licensee
currently possesses or has a loaded handgun.

If a licensee is stopped for a law enforcement purpose and if
the licensee is carrying a concealed handgun at the time the
officer approaches, the licensee shall promptly inform any law
enforcement officer who approaches the licensee while stopped that
the licensee has been issued a license or temporary emergency
license to carry a concealed handgun and that the licensee
currently is carrying a concealed handgun; the licensee shall not
knowingly disregard or fail to comply with lawful orders of a law
enforcement officer given while the licensee is stopped or
knowingly fail to keep the licensee's hands in plain sight after
any law enforcement officer begins approaching the licensee while
stopped and before the officer leaves, unless directed otherwise
by a law enforcement officer; and the licensee shall not knowingly

remove, attempt to remove, grasp, or hold the loaded handgun or
 knowingly have contact with the loaded handgun by touching it with
 the licensee's hands or fingers, in any manner in violation of
 division (B) of section 2923.12 of the Revised Code, after any law
 enforcement officer begins approaching the licensee while stopped
 and before the officer leaves.

(B) A valid license issued under section 2923.125 or
 2923.1213 of the Revised Code does not authorize the licensee to
 carry a concealed handgun in any manner prohibited under division
 (B) of section 2923.12 of the Revised Code or in any manner
 prohibited under section 2923.16 of the Revised Code. A valid
 license does not authorize the licensee to carry a concealed
 handgun into any of the following places:

(1) A police station, sheriff's office, or state highway
 patrol station, premises controlled by the bureau of criminal
 identification and investigation, a state correctional
 institution, jail, workhouse, or other detention facility, an
 airport passenger terminal, or an institution that is maintained,
 operated, managed, and governed pursuant to division (A) of
 section 5119.02 of the Revised Code or division (A)(1) of section
 5123.03 of the Revised Code;

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

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

(4) Any ~~room or open air arena in which liquor is being
 dispensed in~~ premises or open air arena for which a D permit has
 been issued under Chapter 4303. of the Revised Code, if the
 licensee's carrying the concealed handgun is in violation of

section 2923.121 of the Revised Code; 1005

(5) Any premises owned or leased by any public or private 1006
college, university, or other institution of higher education, 1007
unless the handgun is in a locked motor vehicle or the licensee is 1008
in the immediate process of placing the handgun in a locked motor 1009
vehicle; 1010

(6) Any church, synagogue, mosque, or other place of worship, 1011
unless the church, synagogue, mosque, or other place of worship 1012
posts or permits otherwise; 1013

(7) A child day-care center, a type A family day-care home, a 1014
type B family day-care home, or a type C family day-care home, 1015
except that this division does not prohibit a licensee who resides 1016
in a type A family day-care home, a type B family day-care home, 1017
or a type C family day-care home from carrying a concealed handgun 1018
at any time in any part of the home that is not dedicated or used 1019
for day-care purposes, or from carrying a concealed handgun in a 1020
part of the home that is dedicated or used for day-care purposes 1021
at any time during which no children, other than children of that 1022
licensee, are in the home; 1023

(8) An aircraft that is in, or intended for operation in, 1024
foreign air transportation, interstate air transportation, 1025
intrastate air transportation, or the transportation of mail by 1026
aircraft; 1027

(9) Any building that is owned by a government facility of 1028
this state or any a political subdivision of this state, and all 1029
portions of any building that is not owned by any governmental 1030
entity listed in this division but that is leased by such a 1031
governmental entity listed in this division and that is not a 1032
building that is used primarily as a shelter, restroom, parking 1033
facility for motor vehicles, or rest facility and is not a 1034
courthouse or other building or structure in which a courtroom is 1035

located that is subject to division (B)(3) of this section; 1036

(10) A place in which federal law prohibits the carrying of 1037
handguns. 1038

(C)(1) Nothing in this section shall negate or restrict a 1039
rule, policy, or practice of a private employer that is not a 1040
private college, university, or other institution of higher 1041
education concerning or prohibiting the presence of firearms on 1042
the private employer's premises or property, including motor 1043
vehicles owned by the private employer. Nothing in this section 1044
shall require a private employer of that nature to adopt a rule, 1045
policy, or practice concerning or prohibiting the presence of 1046
firearms on the private employer's premises or property, including 1047
motor vehicles owned by the private employer. 1048

(2)(a) A private employer shall be immune from liability in a 1049
civil action for any injury, death, or loss to person or property 1050
that allegedly was caused by or related to a licensee bringing a 1051
handgun onto the premises or property of the private employer, 1052
including motor vehicles owned by the private employer, unless the 1053
private employer acted with malicious purpose. A private employer 1054
is immune from liability in a civil action for any injury, death, 1055
or loss to person or property that allegedly was caused by or 1056
related to the private employer's decision to permit a licensee to 1057
bring, or prohibit a licensee from bringing, a handgun onto the 1058
premises or property of the private employer. As used in this 1059
division, "private employer" includes a private college, 1060
university, or other institution of higher education. 1061

(b) A political subdivision shall be immune from liability in 1062
a civil action, to the extent and in the manner provided in 1063
Chapter 2744. of the Revised Code, for any injury, death, or loss 1064
to person or property that allegedly was caused by or related to a 1065
licensee bringing a handgun onto any premises or property owned, 1066

leased, or otherwise under the control of the political
subdivision. As used in this division, "political subdivision" has
the same meaning as in section 2744.01 of the Revised Code.

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

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(b) A landlord may not prohibit or restrict a tenant who is a
licensee and who on or after the effective date of this amendment
enters into a rental agreement with the landlord for the use of
residential premises, and the tenant's quest while the tenant is
present, from lawfully carrying or possessing a handgun on those
residential premises.

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

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

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or university.

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

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(D) A person who holds a license to carry a concealed handgun that was issued pursuant to the law of 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 has the same right to carry a concealed handgun in this state as a person who was issued a license to carry a concealed handgun 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.

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

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(F)(1) A qualified retired peace officer who possesses a retired peace officer identification card issued pursuant to division (F)(2) of this section and a valid firearms requalification certification issued pursuant to division (F)(3) of this section has the same right to carry a concealed handgun in this state as a person who was issued a license to carry a concealed handgun 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. For purposes of reciprocity with other states, a qualified retired peace officer who possesses a retired peace officer identification card issued pursuant to division (F)(2) of this section and a valid firearms requalification certification issued pursuant to division (F)(3) of this section shall be considered to be a licensee in this

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(2)(a) Each public agency of this state or of a political 1130
subdivision of this state that is served by one or more peace 1131
officers shall issue a retired peace officer identification card 1132
to any person who retired from service as a peace officer with 1133
that agency, if the issuance is in accordance with the agency's 1134
policies and procedures and if the person, with respect to the 1135
person's service with that agency, satisfies all of the following: 1136

(i) The person retired in good standing from service as a 1137
peace officer with the public agency, and the retirement was not 1138
for reasons of mental instability. 1139

(ii) Before retiring from service as a peace officer with 1140
that agency, the person was authorized to engage in or supervise 1141
the prevention, detection, investigation, or prosecution of, or 1142
the incarceration of any person for, any violation of law and the 1143
person had statutory powers of arrest. 1144

(iii) At the time of the person's retirement as a peace 1145
officer with that agency, the person was trained and qualified to 1146
carry firearms in the performance of the peace officer's duties. 1147

(iv) Before retiring from service as a peace officer with 1148
that agency, the person was regularly employed as a peace officer 1149
for an aggregate of fifteen years or more, or, in the alternative, 1150
the person retired from service as a peace officer with that 1151
agency, after completing any applicable probationary period of 1152
that service, due to a service-connected disability, as determined 1153
by the agency. 1154

~~(v) The person has a nonforfeitable right to benefits under 1155
the retirement plan of that agency. 1156~~

(b) A retired peace officer identification card issued to a 1157
person under division (F)(2)(a) of this section shall identify the 1158

person by name, contain a photograph of the person, identify the
public agency of this state or of the political subdivision of
this state from which the person retired as a peace officer and
that is issuing the identification card, and specify that the
person retired in good standing from service as a peace officer
with the issuing public agency and satisfies the criteria set
forth in divisions (F)(2)(a)(i) to ~~(v)~~(iv) of this section. In
addition to the required content specified in this division, a
retired peace officer identification card issued to a person under
division (F)(2)(a) of this section may include the firearms
requalification certification described in division (F)(3) of this
section, and if the identification card includes that
certification, the identification card shall serve as the firearms
requalification certification for the retired peace officer. If
the issuing public agency issues credentials to active law
enforcement officers who serve the agency, the agency may comply
with division (F)(2)(a) of this section by issuing the same
credentials to persons who retired from service as a peace officer
with the agency and who satisfy the criteria set forth in
divisions (F)(2)(a)(i) to ~~(v)~~(iv) of this section, provided that
the credentials so issued to retired peace officers are stamped
with the word "RETIRED."

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

(3) If a person retired from service as a peace officer with
a public agency of this state or of a political subdivision of
this state and the person satisfies the criteria set forth in
divisions (F)(2)(a)(i) to ~~(v)~~(iv) of this section, the public

agency may provide the retired peace officer with the opportunity 1190
to attend a firearms requalification program that is approved for 1191
purposes of firearms requalification required under section 1192
109.801 of the Revised Code. The retired peace officer may be 1193
required to pay the cost of the course. 1194

If a retired peace officer who satisfies the criteria set 1195
forth in divisions (F)(2)(a)(i) to ~~(v)~~(iv) of this section attends 1196
a firearms requalification program that is approved for purposes 1197
of firearms requalification required under section 109.801 of the 1198
Revised Code, the retired peace officer's successful completion of 1199
the firearms requalification program requalifies the retired peace 1200
officer for purposes of division (F) of this section for ~~one-year~~ 1201
five years from the date on which the program was successfully 1202
completed, and the requalification is valid during that ~~one-year~~ 1203
five-year period. If a retired peace officer who satisfies the 1204
criteria set forth in divisions (F)(2)(a)(i) to ~~(v)~~(iv) of this 1205
section satisfactorily completes such a firearms requalification 1206
program, the retired peace officer shall be issued a firearms 1207
requalification certification that identifies the retired peace 1208
officer by name, identifies the entity that taught the program, 1209
specifies that the retired peace officer successfully completed 1210
the program, specifies the date on which the course was 1211
successfully completed, and specifies that the requalification is 1212
valid for ~~one-year~~ five years from that date of successful 1213
completion. The firearms requalification certification for a 1214
retired peace officer may be included in the retired peace officer 1215
identification card issued to the retired peace officer under 1216
division (F)(2) of this section. 1217

A retired peace officer who attends a firearms 1218
requalification program that is approved for purposes of firearms 1219
requalification required under section 109.801 of the Revised Code 1220
may be required to pay the cost of the program. 1221

(4)(G) As used in division (F) of this section:	1222
(a)(1) "Qualified retired peace officer" means a person who satisfies all of the following:	1223 1224
(i)(a) The person satisfies the criteria set forth in divisions (F)(2)(a)(i) to (v) of this section.	1225 1226
(ii)(b) The person is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.	1227 1228
(iii)(c) The person is not prohibited by federal law from receiving firearms.	1229 1230
(b)(2) "Retired peace officer identification card" means an identification card that is issued pursuant to division (F)(2) of this section to a person who is a retired peace officer.	1231 1232 1233
<u>(3) "Government facility of this state or a political subdivision of this state" means any of the following:</u>	1234 1235
<u>(a) A building or part of a building that is owned or leased by the government of this state or a political subdivision of this state and where employees of the government of this state or the political subdivision regularly are present for the purpose of performing their official duties as employees of the state or political subdivision;</u>	1236 1237 1238 1239 1240 1241
<u>(b) The office of a deputy registrar serving pursuant to Chapter 4503. of the Revised Code that is used to perform deputy registrar functions.</u>	1242 1243 1244
Sec. 2923.128. (A)(1)(a) If a licensee holding a valid license issued under section 2923.125 or 2923.1213 of the Revised Code is arrested for or otherwise charged with an offense described in division (D)(1)(d) of section 2923.125 of the Revised Code or with a violation of section 2923.15 of the Revised Code or becomes subject to a temporary protection order or to a protection	1245 1246 1247 1248 1249 1250

order issued by a court of another state that is substantially 1251
equivalent to a temporary protection order, the sheriff who issued 1252
the license or temporary emergency license shall suspend it and 1253
shall comply with division (A)(3) of this section upon becoming 1254
aware of the arrest, charge, or protection order. Upon suspending 1255
the license or temporary emergency license, the sheriff also shall 1256
comply with division (H) of section 2923.125 of the Revised Code. 1257

(b) A suspension under division (A)(1)(a) of this section 1258
shall be considered as beginning on the date that the licensee is 1259
arrested for or otherwise charged with an offense described in 1260
that division or on the date the appropriate court issued the 1261
protection order described in that division, irrespective of when 1262
the sheriff notifies the licensee under division (A)(3) of this 1263
section. The suspension shall end on the date on which the charges 1264
are dismissed or the licensee is found not guilty of the offense 1265
described in division (A)(1)(a) of this section or, subject to 1266
division (B) of this section, on the date the appropriate court 1267
terminates the protection order described in that division. If the 1268
suspension so ends, the sheriff shall return the license or 1269
temporary emergency license to the licensee. 1270

(2)(a) If a licensee holding a valid license issued under 1271
section 2923.125 or 2923.1213 of the Revised Code is convicted of 1272
or pleads guilty to a misdemeanor violation of division (B)(1), 1273
(2), or (4) of section 2923.12 of the Revised Code or of division 1274
(E)(3), (4), or (6) of section 2923.16 of the Revised Code, except 1275
as provided in division (A)(2)(c) of this section and subject to 1276
division (C) of this section, the sheriff who issued the license 1277
or temporary emergency license shall suspend it and shall comply 1278
with division (A)(3) of this section upon becoming aware of the 1279
conviction or guilty plea. Upon suspending the license or 1280
temporary emergency license, the sheriff also shall comply with 1281
division (H) of section 2923.125 of the Revised Code. 1282

(b) A suspension under division (A)(2)(a) of this section shall be considered as beginning on the date that the licensee is convicted of or pleads guilty to the offense described in that division, irrespective of when the sheriff notifies the licensee under division (A)(3) of this section. If the suspension is imposed for a misdemeanor violation of division (B)(1) or (2) of section 2923.12 of the Revised Code or of division (E)(3) or (4) of section 2923.16 of the Revised Code, it shall end ~~of~~ on the date that is one year after the date that the licensee is convicted of or pleads guilty to that violation. If the suspension is imposed for a misdemeanor violation of division (B)(4) of section 2923.12 of the Revised Code or of division (E)(6) of section 2923.16 of the Revised Code, it shall end on the date that is two years after the date that the licensee is convicted of or pleads guilty to that violation. If the licensee's license was issued under section 2923.125 of the Revised Code and the license remains valid after the suspension ends as described in this division, when the suspension ends, the sheriff shall return the license to the licensee. If the licensee's license was issued under section 2923.125 of the Revised Code and the license expires before the suspension ends as described in this division, or if the licensee's license was issued under section 2923.1213 of the Revised Code, the licensee is not eligible to apply for a new license under section 2923.125 or 2923.1213 of the Revised Code or to renew the license under section 2923.125 of the Revised Code until after the suspension ends as described in this division.

(c) The license of a licensee who is convicted of or pleads guilty to a violation of division (B)(1) of section 2923.12 or division (E)(3) of section 2923.16 of the Revised Code shall not be suspended pursuant to division (A)(2)(a) of this section if, at the time of the stop of the licensee for a law enforcement purpose, for a traffic stop, or for a purpose defined in section

5503.34 of the Revised Code that was the basis of the violation, 1315
any law enforcement officer involved with the stop or the employee 1316
of the motor carrier enforcement unit who made the stop had actual 1317
knowledge of the licensee's status as a licensee. 1318

(3) Upon becoming aware of an arrest, charge, or protection 1319
order described in division (A)(1)(a) of this section with respect 1320
to a licensee who was issued a license under section 2923.125 or 1321
2923.1213 of the Revised Code, or a conviction of or plea of 1322
guilty to a misdemeanor offense described in division (A)(2)(a) of 1323
this section with respect to a licensee who was issued a license 1324
under either section and with respect to which division (A)(2)(c) 1325
of this section does not apply, subject to division (C) of this 1326
section, the sheriff who issued the licensee's license or 1327
temporary emergency license to carry a concealed handgun shall 1328
notify the licensee, by certified mail, return receipt requested, 1329
at the licensee's last known residence address that the license or 1330
temporary emergency license has been suspended and that the 1331
licensee is required to surrender the license or temporary 1332
emergency license at the sheriff's office within ten days of the 1333
date on which the notice was mailed. If the suspension is pursuant 1334
to division (A)(2) of this section, the notice shall identify the 1335
date on which the suspension ends. 1336

(B)(1) A sheriff who issues a license or temporary emergency 1337
license to carry a concealed handgun to a licensee under section 1338
2923.125 or 2923.1213 of the Revised Code shall revoke the license 1339
or temporary emergency license in accordance with division (B)(2) 1340
of this section upon becoming aware that the licensee satisfies 1341
any of the following: 1342

(a) The licensee is under twenty-one years of age. 1343

(b) ~~At~~ Subject to division (C) of this section, at the time 1344
of the issuance of the license or temporary emergency license, the 1345

licensee did not satisfy the eligibility requirements of division 1346
(D)(1)(c), (d), (e), (f), (g), or (h) of section 2923.125 of the 1347
Revised Code. 1348

(c) ~~On~~ Subject to division (C) of this section, on or after 1349
the date on which the license or temporary emergency license was 1350
issued, the licensee is convicted of or pleads guilty to a 1351
violation of section 2923.15 of the Revised Code or an offense 1352
described in division (D)(1)(e), (f), (g), or (h) of section 1353
2923.125 of the Revised Code. 1354

(d) On or after the date on which the license or temporary 1355
emergency license was issued, the licensee becomes subject to a 1356
civil protection order or to a protection order issued by a court 1357
of another state that is substantially equivalent to a civil 1358
protection order. 1359

(e) The licensee knowingly carries a concealed handgun into a 1360
place that the licensee knows is an unauthorized place specified 1361
in division (B) of section 2923.126 of the Revised Code. 1362

(f) On or after the date on which the license or temporary 1363
emergency license was issued, the licensee is adjudicated as a 1364
mental defective or is committed to a mental institution. 1365

(g) At the time of the issuance of the license or temporary 1366
emergency license, the licensee did not meet the residency 1367
requirements described in division (D)(1) of section 2923.125 of 1368
the Revised Code and currently does not meet the residency 1369
requirements described in that division. 1370

(h) Regarding a license issued under section 2923.125 of the 1371
Revised Code, the competency certificate the licensee submitted 1372
was forged or otherwise was fraudulent. 1373

(2) Upon becoming aware of any circumstance listed in 1374
division (B)(1) of this section that applies to a particular 1375

licensee who was issued a license under section 2923.125 or 1376
2923.1213 of the Revised Code, subject to division (C) of this 1377
section, the sheriff who issued the license or temporary emergency 1378
license to carry a concealed handgun to the licensee shall notify 1379
the licensee, by certified mail, return receipt requested, at the 1380
licensee's last known residence address that the license or 1381
temporary emergency license is subject to revocation and that the 1382
licensee may come to the sheriff's office and contest the 1383
sheriff's proposed revocation within fourteen days of the date on 1384
which the notice was mailed. After the fourteen-day period and 1385
after consideration of any information that the licensee provides 1386
during that period, if the sheriff determines on the basis of the 1387
information of which the sheriff is aware that the licensee is 1388
described in division (B)(1) of this section and no longer 1389
satisfies the requirements described in division (D)(1) of section 1390
2923.125 of the Revised Code that are applicable to the licensee's 1391
type of license, the sheriff shall revoke the license or temporary 1392
emergency license, notify the licensee of that fact, and require 1393
the licensee to surrender the license or temporary emergency 1394
license. Upon revoking the license or temporary emergency license, 1395
the sheriff also shall comply with division (H) of section 1396
2923.125 of the Revised Code. 1397

(C) If a sheriff who issues a license or temporary emergency 1398
license to carry a concealed handgun to a licensee under section 1399
2923.125 or 2923.1213 of the Revised Code becomes aware that at 1400
the time of the issuance of the license or temporary emergency 1401
license the licensee had been convicted of or pleaded guilty to an 1402
offense identified in division (D)(1)(e), (f), or (h) of section 1403
2923.125 of the Revised Code or had been adjudicated a delinquent 1404
child for committing an act or violation identified in any of 1405
those divisions or becomes aware that on or after the date on 1406
which the license or temporary emergency license was issued the 1407

licensee has been convicted of or pleaded guilty to an offense 1408
identified in division (A)(2)(a) or (B)(1)(c) of this section, the 1409
sheriff shall not consider that conviction, guilty plea, or 1410
adjudication as having occurred for purposes of divisions (A)(2), 1411
(A)(3), (B)(1), and (B)(2) of this section if a court has ordered 1412
the sealing or expungement of the records of that conviction, 1413
guilty plea, or adjudication pursuant to sections 2151.355 to 1414
2151.358 or sections 2953.31 to 2953.36 of the Revised Code or a 1415
court has granted the licensee relief pursuant to section 2923.14 1416
of the Revised Code from the disability imposed pursuant to 1417
section 2923.13 of the Revised Code relative to that conviction, 1418
guilty plea, or adjudication. 1419

(D) As used in this section, "motor carrier enforcement unit" 1420
has the same meaning as in section 2923.16 of the Revised Code. 1421

Sec. 2923.129. (A)(1) If a sheriff, the superintendent of the 1422
 bureau of criminal identification and investigation, the employees 1423
 of the bureau, the Ohio peace officer training commission, or the 1424
 employees of the commission make a good faith effort in performing 1425
 the duties imposed upon the sheriff, the superintendent, the 1426
 bureau's employees, the commission, or the commission's employees 1427
 by sections 109.731, 311.41, and 2923.124 to 2923.1213 of the 1428
 Revised Code, in addition to the personal immunity provided by 1429
 section 9.86 of the Revised Code or division (A)(6) of section 1430
 2744.03 of the Revised Code and the governmental immunity of 1431
 sections 2744.02 and 2744.03 of the Revised Code and in addition 1432
 to any other immunity possessed by the bureau, the commission, and 1433
 their employees, the sheriff, the sheriff's office, the county in 1434
 which the sheriff has jurisdiction, the bureau, the superintendent 1435
 of the bureau, the bureau's employees, the commission, and the 1436
 commission's employees are immune from liability in a civil action 1437
 for injury, death, or loss to person or property that allegedly 1438

was caused by or related to any of the following: 1439

(a) The issuance, renewal, suspension, or revocation of a 1440
license to carry a concealed handgun or the issuance, suspension, 1441
or revocation of a temporary emergency license to carry a 1442
concealed handgun; 1443

(b) The failure to issue, renew, suspend, or revoke a license 1444
to carry a concealed handgun or the failure to issue, suspend, or 1445
revoke a temporary emergency license to carry a concealed handgun; 1446

(c) Any action or misconduct with a handgun committed by a 1447
licensee. 1448

(2) Any action of a sheriff relating to the issuance, 1449
renewal, suspension, or revocation of a license to carry a 1450
concealed handgun or the issuance, suspension, or revocation of a 1451
temporary emergency license to carry a concealed handgun shall be 1452
considered to be a governmental function for purposes of Chapter 1453
2744. of the Revised Code. 1454

(3) An entity that or instructor who provides a competency 1455
certification of a type described in division (B)(3) of section 1456
2923.125 of the Revised Code is immune from civil liability that 1457
might otherwise be incurred or imposed for any death or any injury 1458
or loss to person or property that is caused by or related to a 1459
person to whom the entity or instructor has issued the competency 1460
certificate if all of the following apply: 1461

(a) The alleged liability of the entity or instructor relates 1462
to the training provided in the course, class, or program covered 1463
by the competency certificate. 1464

(b) The entity or instructor makes a good faith effort in 1465
determining whether the person has satisfactorily completed the 1466
course, class, or program and makes a good faith effort in 1467
assessing the person in the competency examination conducted 1468

pursuant to division (G)(2) of section 2923.125 of the Revised Code. 1469
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(c) The entity or instructor did not issue the competency certificate with malicious purpose, in bad faith, or in a wanton or reckless manner. 1471
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(4) An entity that or instructor who provides a renewed competency certification of a type described in division (G)(4) of section 2923.125 of the Revised Code is immune from civil liability that might otherwise be incurred or imposed for any death or any injury or loss to person or property that is caused by or related to a person to whom the entity or instructor has issued the renewed competency certificate if all of the following apply: 1474
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(a) The entity or instructor makes a good faith effort in assessing the person in the physical demonstrations or the competency examination conducted pursuant to division (G)~~(2)~~(4) of section 2923.125 of the Revised Code. 1482
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(b) The entity or instructor did not issue the renewed competency certificate with malicious purpose, in bad faith, or in a wanton or reckless manner. 1486
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(5) A law enforcement agency that employs a peace officer is immune from liability in a civil action to recover damages for injury, death, or loss to person or property allegedly caused by any act of that peace officer if the act occurred while the peace officer carried a concealed handgun and was off duty and if the act allegedly involved the peace officer's use of the concealed handgun. Sections 9.86 and 9.87, and Chapter 2744., of the Revised Code apply to any civil action involving a peace officer's use of a concealed handgun in the performance of the peace officer's official duties while the peace officer is off duty. 1489
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(B)(1) Notwithstanding section 149.43 of the Revised Code, 1499
except as provided in division (B)(2) of this section, the records 1500
that a sheriff keeps relative to the issuance, renewal, 1501
suspension, or revocation of a license to carry a concealed 1502
handgun or the issuance, suspension, or revocation of a temporary 1503
emergency license to carry a concealed handgun, including, but not 1504
limited to, completed applications for the issuance or renewal of 1505
a license, completed affidavits submitted regarding an application 1506
for a temporary emergency license, reports of criminal records 1507
checks and incompetency records checks under section 311.41 of the 1508
Revised Code, and applicants' social security numbers and 1509
fingerprints that are obtained under division (A) of section 1510
311.41 of the Revised Code, are confidential and are not public 1511
records. Except as provided in division (B)(2) of this section, no 1512
person shall release or otherwise disseminate records that are 1513
confidential under this division unless required to do so pursuant 1514
to a court order. 1515

(2)(a) A journalist, on or after April 8, 2004, may submit to 1516
a sheriff a signed, written request to view the name, county of 1517
residence, and date of birth of each person to whom the sheriff 1518
has issued a license or replacement license to carry a concealed 1519
handgun, renewed a license to carry a concealed handgun, or issued 1520
a temporary emergency license or replacement temporary emergency 1521
license to carry a concealed handgun under section 2923.125 or 1522
2923.1213 of the Revised Code, or a signed, written request to 1523
view the name, county of residence, and date of birth of each 1524
person for whom the sheriff has suspended or revoked a license to 1525
carry a concealed handgun or a temporary emergency license to 1526
carry a concealed handgun under section 2923.128 of the Revised 1527
Code. The request shall include the journalist's name and title, 1528
shall include the name and address of the journalist's employer, 1529
and shall state that disclosure of the information sought would be 1530

in the public interest. If a journalist submits a signed, written
request to the sheriff to view the information described in this
division, the sheriff shall grant the journalist's request. The
journalist shall not copy the name, county of residence, or date
of birth of each person to or for whom the sheriff has issued,
suspended, or revoked a license described in this division.

(b) As used in division (B)(2) of this section, "journalist"
means a person engaged in, connected with, or employed by any news
medium, including a newspaper, magazine, press association, news
agency, or wire service, a radio or television station, or a
similar medium, for the purpose of gathering, processing,
transmitting, compiling, editing, or disseminating information for
the general public.

(C) Each sheriff shall report to the Ohio peace officer
training commission the number of licenses to carry a concealed
handgun that the sheriff issued, renewed, suspended, revoked, or
denied during the previous quarter of the calendar year, the
number of applications for those licenses for which processing was
suspended in accordance with division (D)(3) of section 2923.125
of the Revised Code during the previous quarter of the calendar
year, and the number of temporary emergency licenses to carry a
concealed handgun that the sheriff issued, suspended, revoked, or
denied during the previous quarter of the calendar year. The
sheriff shall not include in the report the name or any other
identifying information of an applicant or licensee. The sheriff
shall report that information in a manner that permits the
commission to maintain the statistics described in division (D) of
section 109.731 of the Revised Code and to timely prepare the
statistical report described in that division. The information
that is received by the commission under this division is a public
record kept by the commission for the purposes of section 149.43

of the Revised Code. 1562

(D) Law enforcement agencies may use the information a 1563
 sheriff makes available through the use of the law enforcement 1564
 automated data system pursuant to division (H) of section 2923.125 1565
 or division (B)(2) or (D) of section 2923.1213 of the Revised Code 1566
 for law enforcement purposes only. The information is confidential 1567
 and is not a public record. A person who releases or otherwise 1568
 disseminates this information obtained through the law enforcement 1569
 automated data system in a manner not described in this division 1570
 is guilty of a violation of section 2913.04 of the Revised Code. 1571

(E) Whoever violates division (B) of this section is guilty 1572
 of illegal release of confidential concealed handgun license 1573
 records, a felony of the fifth degree. In addition to any 1574
 penalties imposed under Chapter 2929. of the Revised Code for a 1575
 violation of division (B) of this section or a violation of 1576
 section 2913.04 of the Revised Code described in division (D) of 1577
 this section, if the offender is a sheriff, an employee of a 1578
 sheriff, or any other public officer or employee, and if the 1579
 violation was willful and deliberate, the offender shall be 1580
 subject to a civil fine of one thousand dollars. Any person who is 1581
 harmed by a violation of division (B) or (C) of this section or a 1582
 violation of section 2913.04 of the Revised Code described in 1583
 division (D) of this section has a private cause of action against 1584
 the offender for any injury, death, or loss to person or property 1585
 that is a proximate result of the violation and may recover court 1586
 costs and attorney's fees related to the action. 1587

Sec. 2923.1210. The application for a license to carry a 1588
 concealed handgun or for the renewal of a license of that nature 1589
 that is to be used under section 2923.125 of the Revised Code 1590
 shall conform substantially to the following form: 1591
 "Ohio Peace APPLICATION FOR A LICENSE TO 1592

Officer CARRY A CONCEALED HANDGUN
Training
Commission

Please Type or Print in Ink 1593

SECTION I. 1594

This application will not be processed unless 1595

all applicable questions have been answered and
until all required supporting documents as
described in division (B) or (F) of section
2923.125 of the Ohio Revised Code and, unless
waived, a cashier's check, certified check, or
money order in the amount of the applicable
license fee or license renewal fee have been
submitted. FEES ARE NONREFUNDABLE.

SECTION II. 1596

Name: 1597

Last First Middle 1598

..... 1599

Social Security Number: 1600

Current Residence: 1601

Street City State County Zip 1602

..... 1603

Mailing Address (If Different From Above): 1604

Street City State Zip 1605

..... 1606

Date of Birth Place of Birth Sex Race Residence 1607

Telephone

...../...../..... (.....)..... 1608

SECTION III. THE FOLLOWING QUESTIONS ARE TO BE ANSWERED YES OR NO 1609

(1)(a) Are you legally living in the United YES NO 1610

States?

- (b) Have you been a resident of Ohio for at least forty-five days and have you been a resident for thirty days of the county with whose sheriff you are filing this application or of a county adjacent to that county? YES NO 1611
- (2) Are you at least twenty-one years of age? YES NO 1612
- (3) Are you a fugitive from justice? YES NO 1613
- (4) Are you under indictment for a felony, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been convicted of or pleaded guilty to a felony, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been adjudicated a delinquent child for committing an act that would be a felony if committed by an adult? YES NO 1614
- (5) Are you under indictment for or otherwise charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been convicted of or pleaded guilty to, an offense under Chapter 2925., 3719., or 4729. of the Ohio Revised Code that involves the illegal possession,

use, sale, administration, or distribution of
 or trafficking in a drug of abuse, or, except
for a delinquent child adjudication the
records of which a court has ordered sealed or
expunged or relative to which a court has
granted relief from disability pursuant to
section 2923.14 of the Revised Code, have you
 ever been adjudicated a delinquent child for
 committing an act that would be an offense of
 that nature if committed by an adult?

(6) Are you under indictment for or otherwise YES NO 1616

charged with, or, except for a conviction or
guilty plea the records of which a court has
ordered sealed or expunged or relative to
which a court has granted relief from
disability pursuant to section 2923.14 of the
Revised Code, have you been convicted of or
 pleaded guilty to within three years of the
 date of this application, a misdemeanor that
 is an offense of violence or the offense of
 possessing a revoked or suspended concealed
 handgun license, or, except for a delinquent
child adjudication the records of which a
court has ordered sealed or expunged or
relative to which a court has granted relief
from disability pursuant to section 2923.14 of
the Revised Code, have you been adjudicated a
 delinquent child within three years of the
 date of this application for committing an act
 that would be a misdemeanor of that nature if
 committed by an adult?

(7) Are you under indictment for or otherwise YES NO 1617

charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been convicted of or pleaded guilty to within ten years of the date of this application, resisting arrest, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been adjudicated a delinquent child for committing, within ten years of the date of this application an act that if committed by an adult would be the offense of resisting arrest?

(8)(a) Are you under indictment for or otherwise charged with assault or negligent assault? YES NO 1618

(b) Have you been convicted of, pleaded guilty to, or adjudicated a delinquent child two or more times for committing assault or negligent assault within five years of the date of this application? YES NO 1619

(c) Have Except for a conviction, guilty plea, or delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you YES NO 1620

ever been convicted of, pleaded guilty to, or adjudicated a delinquent child for assaulting a peace officer?

(9)(a) Have you ever been adjudicated as a mental defective? YES NO 1621

(b) Have you ever been committed to a mental institution? YES NO 1622

(10) Are you currently subject to a civil protection order, a temporary protection order, or a protection order issued by a court of another state? YES NO 1623

(11) Are you currently subject to a suspension imposed under division (A)(2) of section 2923.128 of the Revised Code of a license to carry a concealed handgun, or a temporary emergency license to carry a concealed handgun, that previously was issued to you? YES NO 1624

SECTION IV. YOU MUST COMPLETE THIS SECTION OF THE APPLICATION BY PROVIDING, TO THE BEST OF YOUR KNOWLEDGE, THE ADDRESS OF EACH PLACE OF RESIDENCE AT WHICH YOU RESIDED AT ANY TIME AFTER YOU ATTAINED EIGHTEEN YEARS OF AGE AND UNTIL YOU COMMENCED YOUR RESIDENCE AT THE LOCATION IDENTIFIED IN SECTION II OF THIS FORM, AND THE DATES OF RESIDENCE AT EACH OF THOSE ADDRESSES. IF YOU NEED MORE SPACE, COMPLETE AN ADDITIONAL SHEET WITH THE RELEVANT INFORMATION, ATTACH IT TO THE APPLICATION, AND NOTE THE ATTACHMENT AT THE END OF THIS SECTION. 1625-1633

Residence 1: 1634
Street City State County Zip 1635
..... 1636
Dates of residence at this address 1637

Residence 2: 1638

Street City State County Zip 1639

..... 1640

Dates of residence at this address 1641

Residence 3: 1642

Street City State County Zip 1643

..... 1644

Dates of residence at this address 1645

Residence 4: 1646

Street City State County Zip 1647

..... 1648

Dates of residence at this address 1649

SECTION V. 1650

YOU MUST COMPLETE THIS SECTION OF THE APPLICATION BY ANSWERING THE 1651

QUESTION POSED IN PART (1) AND, IF THE ANSWER TO THE QUESTION IS 1652

"YES," BY PROVIDING IN PART (2) THE INFORMATION SPECIFIED. IF YOU 1653

NEED MORE SPACE, COMPLETE AN ADDITIONAL SHEET WITH THE RELEVANT 1654

INFORMATION, ATTACH IT TO THE APPLICATION, AND NOTE THE ATTACHMENT 1655

AT THE END OF THIS SECTION. 1656

(1) Have you previously applied in any county YES NO 1657

in Ohio or in any other state for a license to

carry a concealed handgun or a temporary

emergency license to carry a concealed

handgun?

(2) If your answer to the question in part (1) of this section of 1658

the application is "yes," you must complete this part by listing 1659

each county in Ohio, and each other state, in which you previously 1660

applied for either type of license and, to the best of your 1661

knowledge, the date on which you made the application. 1662

Previous application made in (insert name of Ohio 1663

county or other state) on (insert date of 1664

application.) 1665

Previous application made in (insert name of Ohio 1666
county or other state) on (insert date of 1667
application.) 1668

Previous application made in (insert name of Ohio 1669
county or other state) on (insert date of 1670
application.) 1671

Previous application made in (insert name of Ohio 1672
county or other state) on (insert date of 1673
application.) 1674

SECTION VI. 1675

AN APPLICANT WHO KNOWINGLY GIVES A FALSE ANSWER TO ANY QUESTION OR 1676
SUBMITS FALSE INFORMATION ON, OR A FALSE DOCUMENT WITH THE 1677
APPLICATION MAY BE PROSECUTED FOR FALSIFICATION TO OBTAIN A 1678
CONCEALED HANDGUN LICENSE, A FELONY OF THE FOURTH DEGREE, IN 1679
VIOLATION OF SECTION 2921.13 OF THE OHIO REVISED CODE. 1680

(1) I have been furnished, and have read, the pamphlet that 1681
explains the Ohio firearms laws, that provides instruction in 1682
dispute resolution and explains the Ohio laws related to that 1683
matter, and that provides information regarding all aspects 1684
of the use of deadly force with a firearm, and I am 1685
knowledgeable of the provisions of those laws and of the 1686
information on those matters. 1687

(2) I desire a legal means to carry a concealed handgun for 1688
defense of myself or a member of my family while engaged in 1689
lawful activity. 1690

(3) I have never been convicted of or pleaded guilty to a crime of 1691
violence in the state of Ohio or elsewhere (if you have been 1692
convicted of or pleaded guilty to such a crime, but the 1693
records of that conviction or guilty plea have been sealed or 1694
expunged by court order or a court has granted relief 1695

pursuant to section 2923.14 of the Revised Code from the 1696
disability imposed pursuant to section 2923.13 of the Revised 1697
Code relative to that conviction or guilty plea, you may 1698
treat the conviction or guilty plea for purposes of this 1699
paragraph as if it never had occurred). I am of sound mind. I 1700
 hereby certify that the statements contained herein are true 1701
 and correct to the best of my knowledge and belief. I 1702
 understand that if I knowingly make any false statements 1703
 herein I am subject to penalties prescribed by law. I 1704
 authorize the sheriff or the sheriff's designee to inspect 1705
 only those records or documents relevant to information 1706
 required for this application. 1707

- (4) The information contained in this application and all attached 1708
 documents are true and correct to the best of my knowledge. 1709
 1710
 Signature of Applicant" 1711

Sec. 2923.1212. (A) The following persons, boards, and 1712
 entities, or designees, shall post in the following locations a 1713
 sign that contains a statement in substantially the following 1714
 form: "Unless otherwise authorized by law, pursuant to the Ohio 1715
 Revised Code, no person shall knowingly possess, have under the 1716
 person's control, convey, or attempt to convey a deadly weapon or 1717
 dangerous ordnance onto these premises.": 1718

(1) The director of public safety or the person or board 1719
 charged with the erection, maintenance, or repair of police 1720
 stations, municipal jails, and the municipal courthouse and 1721
 courtrooms in a conspicuous location at all police stations, 1722
 municipal jails, and municipal courthouses and courtrooms; 1723

(2) The sheriff or sheriff's designee who has charge of the 1724
 sheriff's office in a conspicuous location in that office; 1725

- (3) The superintendent of the state highway patrol or the superintendent's designee in a conspicuous location at all state highway patrol stations; 1726
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- (4) Each sheriff, chief of police, or person in charge of every county, multicounty, municipal, municipal-county, or multicounty-municipal jail or workhouse, community-based correctional facility, halfway house, alternative residential facility, or other local or state correctional institution or detention facility within the state, or that person's designee, in a conspicuous location at that facility under that person's charge; 1729
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- (5) The board of trustees of a regional airport authority, chief administrative officer of an airport facility, or other person in charge of an airport facility in a conspicuous location at each airport facility under that person's control; 1737
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- (6) The officer or officer's designee who has charge of a courthouse or the building or structure in which a courtroom is located in a conspicuous location in that building or structure; 1741
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- (7) The superintendent of the bureau of criminal identification and investigation or the superintendent's designee in a conspicuous location in all premises controlled by that bureau; 1744
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- (8) The owner, administrator, or operator of a child day-care center, a type A family day-care home, a type B family day-care home, or a type C family day-care home; 1748
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- (9) The officer of this state or of ~~the~~ a political subdivision of this state, or the officer's designee, who has charge of a building that is ~~owned by a government facility of~~ a government facility of this state or the political subdivision of this state, ~~or who has charge of the portion of a building that is not owned by any~~ 1751
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~~governmental entity listed in this division but that is leased by~~ 1756
~~a governmental entity listed in this division, as defined in~~ 1757
~~section 2923.126 of the Revised Code, and that is not a building~~ 1758
~~that is used primarily as a shelter, restroom, parking facility~~ 1759
~~for motor vehicles, or rest facility and is not a courthouse or~~ 1760
~~other building or structure in which a courtroom is located that~~ 1761
~~is subject to division (B)(3) of that section.~~ 1762

(B) The following boards, bodies, and persons, or designees, 1763
 shall post in the following locations a sign that contains a 1764
 statement in substantially the following form: "Unless otherwise 1765
 authorized by law, pursuant to Ohio Revised Code section 2923.122, 1766
 no person shall knowingly possess, have under the person's 1767
 control, convey, or attempt to convey a deadly weapon or dangerous 1768
 ordnance into a school safety zone.": 1769

(1) A board of education of a city, local, exempted village, 1770
 or joint vocational school district or that board's designee in a 1771
 conspicuous location in each building and on each parcel of real 1772
 property owned or controlled by the board; 1773

(2) A governing body of a school for which the state board of 1774
 education prescribes minimum standards under section 3301.07 of 1775
 the Revised Code or that body's designee in a conspicuous location 1776
 in each building and on each parcel of real property owned or 1777
 controlled by the school; 1778

(3) The principal or chief administrative officer of a 1779
 nonpublic school in a conspicuous location on property owned or 1780
 controlled by that nonpublic school. 1781

Sec. 2923.1213. (A) As used in this section: 1782

(1) "Evidence of imminent danger" means any of the following: 1783

(a) A statement sworn by the person seeking to carry a 1784
 concealed handgun that is made under threat of perjury and that 1785

states that the person has reasonable cause to fear a criminal
attack upon the person or a member of the person's family, such as
would justify a prudent person in going armed;

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

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

(B)(1) A person seeking a temporary emergency license to
carry a concealed handgun shall submit to the sheriff of the
county in which the person resides all of the following:

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

(b) A sworn affidavit that contains all of the information
required to be on the license and attesting that the person is
legally living in the United States; is at least twenty-one years
of age; is not a fugitive from justice; is not under indictment
for or otherwise charged with an offense identified in division
(D)(1)(d) of section 2923.125 of the Revised Code; has not been
convicted of or pleaded guilty to an offense, and has not been
adjudicated a delinquent child for committing an act, identified
in division (D)(1)(e) of that section and to which division (B)(3)
of this section does not apply; within three years of the date of
the submission, has not been convicted of or pleaded guilty to an

offense, and has not been adjudicated a delinquent child for 1817
committing an act, identified in division (D)(1)(f) of that 1818
section and to which division (B)(3) of this section does not 1819
apply; within five years of the date of the submission, has not 1820
been convicted of, pleaded guilty, or adjudicated a delinquent 1821
child for committing two or more violations identified in division 1822
(D)(1)(g) of that section; within ten years of the date of the 1823
submission, has not been convicted of, pleaded guilty, or 1824
adjudicated a delinquent child for committing a violation 1825
identified in division (D)(1)(h) of that section and to which 1826
division (B)(3) of this section does not apply; has not been 1827
adjudicated as a mental defective, has not been committed to any 1828
mental institution, is not under adjudication of mental 1829
incompetence, has not been found by a court to be a mentally ill 1830
person subject to hospitalization by court order, and is not an 1831
involuntary patient other than one who is a patient only for 1832
purposes of observation, as described in division (D)(1)(i) of 1833
that section; is not currently subject to a civil protection 1834
order, a temporary protection order, or a protection order issued 1835
by a court of another state, as described in division (D)(1)(j) of 1836
that section; and is not currently subject to a suspension imposed 1837
under division (A)(2) of section 2923.128 of the Revised Code of a 1838
license to carry a concealed handgun, or a temporary emergency 1839
license to carry a concealed handgun, that previously was issued 1840
to the person; 1841

(c) A temporary emergency license fee established by the Ohio 1842
peace officer training commission for an amount that does not 1843
exceed the actual cost of conducting the criminal background check 1844
or thirty dollars; 1845

(d) A set of fingerprints of the applicant provided as 1846
described in section 311.41 of the Revised Code through use of an 1847
electronic fingerprint reading device or, if the sheriff to whom 1848

the application is submitted does not possess and does not have
ready access to the use of an electronic fingerprint reading
device, on a standard impression sheet prescribed pursuant to
division (C)(2) of section 109.572 of the Revised Code. If the
fingerprints are provided on a standard impression sheet, the
person also shall provide the person's social security number to
the sheriff.

(2) A sheriff shall accept the evidence of imminent danger,
the sworn affidavit, the fee, and the set of fingerprints required
under division (B)(1) of this section at the times and in the
manners described in division (I) of this section. Upon receipt of
the evidence of imminent danger, the sworn affidavit, the fee, and
the set of fingerprints required under division (B)(1) of this
section, the sheriff, in the manner specified in section 311.41 of
the Revised Code, immediately shall conduct or cause to be
conducted the criminal records check and the incompetency records
check described in section 311.41 of the Revised Code. Immediately
upon receipt of the results of the records checks, the sheriff
shall review the information and shall determine whether the
criteria set forth in divisions (D)(1)(a) to (j) and (m) of
section 2923.125 of the Revised Code apply regarding the person.
If the sheriff determines that all of criteria set forth in
divisions (D)(1)(a) to (j) and (m) of section 2923.125 of the
Revised Code apply regarding the person, the sheriff shall
immediately make available through the law enforcement automated
data system all information that will be contained on the
temporary emergency license for the person if one is issued, and
the superintendent of the state highway patrol shall ensure that
the system is so configured as to permit the transmission through
the system of that information. Upon making that information
available through the law enforcement automated data system, the
sheriff shall immediately issue to the person a temporary

emergency license to carry a concealed handgun. 1881

If the sheriff denies the issuance of a temporary emergency 1882
license to the person, the sheriff shall specify the grounds for 1883
the denial in a written notice to the person. The person may 1884
appeal the denial, or challenge criminal records check results 1885
that were the basis of the denial if applicable, in the same 1886
manners specified in division (D)(2) of section 2923.125 and in 1887
section 2923.127 of the Revised Code, regarding the denial of an 1888
application for a license to carry a concealed handgun under that 1889
section. 1890

The temporary emergency license under this division shall be 1891
in the form, and shall include all of the information, described 1892
in divisions (A)(2) and (5) of section 109.731 of the Revised 1893
Code, and also shall include a unique combination of identifying 1894
letters and numbers in accordance with division (A)(4) of that 1895
section. 1896

The temporary emergency license issued under this division is 1897
valid for ninety days and may not be renewed. A person who has 1898
been issued a temporary emergency license under this division 1899
shall not be issued another temporary emergency license unless at 1900
least four years has expired since the issuance of the prior 1901
temporary emergency license. 1902

(3) If a person seeking a temporary emergency license to 1903
carry a concealed handgun has been convicted of or pleaded guilty 1904
to an offense identified in division (D)(1)(e), (f), or (h) of 1905
section 2923.125 of the Revised Code or has been adjudicated a 1906
delinquent child for committing an act or violation identified in 1907
any of those divisions, and if a court has ordered the sealing or 1908
expungement of the records of that conviction, guilty plea, or 1909
adjudication pursuant to sections 2151.355 to 2151.358 or sections 1910
2953.31 to 2953.36 of the Revised Code or a court has granted the 1911

applicant relief pursuant to section 2923.14 of the Revised Code 1912
from the disability imposed pursuant to section 2923.13 of the 1913
Revised Code relative to that conviction, guilty plea, or 1914
adjudication, the conviction, guilty plea, or adjudication shall 1915
not be relevant for purposes of the sworn affidavit described in 1916
division (B)(1)(b) of this section, and the person may complete, 1917
and swear to the truth of, the affidavit as if the conviction, 1918
guilty plea, or adjudication never had occurred. 1919

(C) A person who holds a temporary emergency license to carry 1920
a concealed handgun has the same right to carry a concealed 1921
handgun as a person who was issued a license to carry a concealed 1922
handgun under section 2923.125 of the Revised Code, and any 1923
exceptions to the prohibitions contained in section 1547.69 and 1924
sections 2923.12 to 2923.16 of the Revised Code for a licensee 1925
under section 2923.125 of the Revised Code apply to a licensee 1926
under this section. The person is subject to the same 1927
restrictions, and to all other procedures, duties, and sanctions, 1928
that apply to a person who carries a license issued under section 1929
2923.125 of the Revised Code, other than the license renewal 1930
procedures set forth in that section. 1931

(D) A sheriff who issues a temporary emergency license to 1932
carry a concealed handgun under this section shall not require a 1933
person seeking to carry a concealed handgun in accordance with 1934
this section to submit a competency certificate as a prerequisite 1935
for issuing the license and shall comply with division (H) of 1936
section 2923.125 of the Revised Code in regards to the license. 1937
The sheriff shall suspend or revoke the license in accordance with 1938
section 2923.128 of the Revised Code. In addition to the 1939
suspension or revocation procedures set forth in section 2923.128 1940
of the Revised Code, the sheriff may revoke the license upon 1941
receiving information, verifiable by public documents, that the 1942

person is not eligible to possess a firearm under either the laws
of this state or of the United States or that the person committed
perjury in obtaining the license; if the sheriff revokes a license
under this additional authority, the sheriff shall notify the
person, by certified mail, return receipt requested, at the
person's last known residence address that the license has been
revoked and that the person is required to surrender the license
at the sheriff's office within ten days of the date on which the
notice was mailed. Division (H) of section 2923.125 of the Revised
Code applies regarding any suspension or revocation of a temporary
emergency license to carry a concealed handgun.

(E) A sheriff who issues a temporary emergency license to
carry a concealed handgun under this section shall retain, for the
entire period during which the temporary emergency 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 temporary emergency license to carry a concealed
handgun 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 Ohio peace officer training commission 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 temporary emergency license to carry a concealed

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handgun on the basis of imminent danger of a type described in
division (A)(1)(a) of this section.

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

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

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

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

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

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

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(2) In a compartment that can be reached only by leaving the

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vehicle;

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

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

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

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

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

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(E) No person who has been issued a license or temporary emergency license to carry a concealed handgun under section 2923.125 or 2923.1213 of the Revised Code shall do any of the following:

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(1) Knowingly transport or have a loaded handgun in a motor vehicle unless one of the following applies:

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(a) The loaded handgun is in a holster on the person's

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person. 2033

(b) The loaded handgun is in a closed case, bag, box, or 2034
other container that is in plain sight and that has a lid, a 2035
cover, or a closing mechanism with a zipper, snap, or buckle, 2036
which lid, cover, or closing mechanism must be opened for a person 2037
to gain access to the handgun. 2038

(c) The loaded handgun is securely encased by being stored in 2039
a closed, ~~locked~~ glove compartment or vehicle console or in a case 2040
that is locked. 2041

(2) If the person is transporting or has a loaded handgun in 2042
a motor vehicle in a manner authorized under division (E)(1) of 2043
this section, knowingly remove or attempt to remove the loaded 2044
handgun from the holster, case, bag, box, container, or glove 2045
compartment, knowingly grasp or hold the loaded handgun, or 2046
knowingly have contact with the loaded handgun by touching it with 2047
the person's hands or fingers while the motor vehicle is being 2048
operated on a street, highway, or public property unless the 2049
person removes, attempts to remove, grasps, holds, or has the 2050
contact with the loaded handgun pursuant to and in accordance with 2051
directions given by a law enforcement officer; 2052

(3) If the person is the driver or an occupant of a motor 2053
vehicle that is stopped as a result of a traffic stop or a stop 2054
for another law enforcement purpose or is the driver or an 2055
occupant of a commercial motor vehicle that is stopped by an 2056
employee of the motor carrier enforcement unit for the purposes 2057
defined in section 5503.34 of the Revised Code, and if the person 2058
is transporting or has a loaded handgun in the motor vehicle or 2059
commercial motor vehicle in any manner, fail to do any of the 2060
following that is applicable: 2061

(a) If the person is the driver or an occupant of a motor 2062
vehicle stopped as a result of a traffic stop or a stop for 2063

another law enforcement purpose, fail to promptly inform any law
enforcement officer who approaches the vehicle while stopped that
the person has been issued a license or temporary emergency
license to carry a concealed handgun and that the person then
possesses or has a loaded handgun in the motor vehicle;

(b) If the person is the driver or an occupant of a
commercial motor vehicle stopped by an employee of the motor
carrier enforcement unit for any of the defined purposes, fail to
promptly inform the employee of the unit who approaches the
vehicle while stopped that the person has been issued a license or
temporary emergency license to carry a concealed handgun and that
the person then possesses or has a loaded handgun in the
commercial motor vehicle.

(4) If the person is the driver or an occupant of a motor
vehicle that is stopped as a result of a traffic stop or a stop
for another law enforcement purpose and if the person is
transporting or has a loaded handgun in the motor vehicle in any
manner, knowingly fail to remain in the motor vehicle while
stopped or knowingly fail to keep the person's hands in plain
sight at any time after any law enforcement officer begins
approaching the person while stopped and before the law
enforcement officer leaves, unless the failure is pursuant to and
in accordance with directions given by a law enforcement officer;

(5) If the person is the driver or an occupant of a motor
vehicle that is stopped as a result of a traffic stop or a stop
for another law enforcement purpose, if the person is transporting
or has a loaded handgun in the motor vehicle in a manner
authorized under division (E)(1) of this section, and if the
person is approached by any law enforcement officer while stopped,
knowingly remove or attempt to remove the loaded handgun from the
holster, case, bag, box, container, or glove compartment,

2095 knowingly grasp or hold the loaded handgun, or knowingly have
 2096 contact with the loaded handgun by touching it with the person's
 2097 hands or fingers in the motor vehicle at any time after the law
 2098 enforcement officer begins approaching and before the law
 2099 enforcement officer leaves, unless the person removes, attempts to
 2100 remove, grasps, holds, or has contact with the loaded handgun
 2101 pursuant to and in accordance with directions given by the law
 2102 enforcement officer;

2103 (6) If the person is the driver or an occupant of a motor
 2104 vehicle that is stopped as a result of a traffic stop or a stop
 2105 for another law enforcement purpose and if the person is
 2106 transporting or has a loaded handgun in the motor vehicle in any
 2107 manner, knowingly disregard or fail to comply with any lawful
 2108 order of any law enforcement officer given while the motor vehicle
 2109 is stopped, including, but not limited to, a specific order to the
 2110 person to keep the person's hands in plain sight.

2111 (F)(1) Divisions (A), (B), (C), and (E) of this section do
 2112 not apply to any of the following:

2113 (a) An officer, agent, or employee of this or any other state
 2114 or the United States, or a law enforcement officer, when
 2115 authorized to carry or have loaded or accessible firearms in motor
 2116 vehicles and acting within the scope of the officer's, agent's, or
 2117 employee's duties;

2118 (b) Any person who is employed in this state, who is
 2119 authorized to carry or have loaded or accessible firearms in motor
 2120 vehicles, and who is subject to and in compliance with the
 2121 requirements of section 109.801 of the Revised Code, unless the
 2122 appointing authority of the person has expressly specified that
 2123 the exemption provided in division (F)(1)(b) of this section does
 2124 not apply to the person.

2125 (2) Division (A) of this section does not apply to a person

if all of the following circumstances apply:

2126

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

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

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

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

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

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

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

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

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(3) Divisions (B) and (C) of this section do not apply to a 2156
person if all of the following circumstances apply: 2157

(a) At the time of the alleged violation of either of those 2158
divisions, the person is the operator of or a passenger in a motor 2159
vehicle. 2160

(b) The motor vehicle is on real property that is located in 2161
an unincorporated area of a township and that either is zoned for 2162
agriculture or is used for agriculture. 2163

(c) The person owns the real property described in division 2164
(D)(3)(b) of this section, is the spouse or a child of another 2165
person who owns that real property, is a tenant of another person 2166
who owns that real property, or is the spouse or a child of a 2167
tenant of another person who owns that real property. 2168

(d) The person, prior to arriving at the real property 2169
described in division (D)(3)(b) of this section, did not transport 2170
or possess a firearm in the motor vehicle in a manner prohibited 2171
by division (B) or (C) of this section while the motor vehicle was 2172
being operated on a street, highway, or other public or private 2173
property used by the public for vehicular traffic or parking. 2174

(4) Divisions (B) and (C) of this section do not apply to a 2175
person who transports or possesses a handgun in a motor vehicle 2176
if, at the time of that transportation or possession, all of the 2177
following apply: 2178

(a) The person transporting or possessing the handgun is 2179
carrying a valid license or temporary emergency license to carry a 2180
concealed handgun issued to the person under section 2923.125 or 2181
2923.1213 of the Revised Code or a license to carry a concealed 2182
handgun that was issued by another state with which the attorney 2183
general has entered into a reciprocity agreement under section 2184
109.69 of the Revised Code. 2185

(b) The person transporting or possessing the handgun is not knowingly in a place described in division (B) of section 2923.126 of the Revised Code.	2186 2187 2188
(c) One of the following applies:	2189
(i) The handgun is in a holster on the person's person.	2190
(ii) The handgun is in a closed case, bag, box, or other container that is in plain sight and that has a lid, a cover, or a closing mechanism with a zipper, snap, or buckle, which lid, cover, or closing mechanism must be opened for a person to gain access to the handgun.	2191 2192 2193 2194 2195
(iii) The handgun is securely encased by being stored in a closed, locked glove compartment <u>or vehicle console</u> or in a case that is locked.	2196 2197 2198
(G)(1) The affirmative defenses authorized in divisions (D)(1) and (2) of section 2923.12 of the Revised Code are affirmative defenses to a charge under division (B) or (C) of this section that involves a firearm other than a handgun.	2199 2200 2201 2202
(2) It is an affirmative defense to a charge under division (B) or (C) of this section of improperly handling firearms in a motor vehicle that the actor transported or had the firearm in the motor vehicle for any lawful purpose and while the motor vehicle was on the actor's own property, provided that this affirmative defense is not available unless the person, <u>immediately</u> prior to arriving at the actor's own property, did not transport or possess the firearm in a motor vehicle in a manner prohibited by division (B) or (C) of this section while the motor vehicle was being operated on a street, highway, or other public or private property used by the public for vehicular traffic.	2203 2204 2205 2206 2207 2208 2209 2210 2211 2212 2213
(H) No person who is charged with a violation of division (B), (C), or (D) of this section shall be required to obtain a	2214 2215

license or temporary emergency license to carry a concealed
handgun under section 2923.125 or 2923.1213 of the Revised Code as
a condition for the dismissal of the charge.

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(I) Whoever violates this section is guilty of improperly
handling firearms in a motor vehicle. Violation of division (A) of
this section is a felony of the fourth degree. Violation of
division (C) of this section is a misdemeanor of the fourth
degree. A violation of division (D) of this section is a felony of
the fifth degree or, if the loaded handgun is concealed on the
person's person, a felony of the fourth degree. A Except as
otherwise provided in this division, a violation of division
(E)(3) of this section is a misdemeanor of the first degree, and,
in addition to any other penalty or sanction imposed for the
violation, the offender's license or temporary emergency license
to carry a concealed handgun 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 traffic stop, for another
law enforcement purpose, or for a purpose defined in section
5503.34 of the Revised Code that was the basis of the violation
any law enforcement officer involved with the stop or the employee
of the motor carrier enforcement unit who made the stop had actual
knowledge of the offender's status as a licensee, a violation of
division (E)(3) of this section is a minor misdemeanor, and the
offender's license or temporary emergency license to carry a
concealed handgun shall not be suspended pursuant to division
(A)(2) of section 2923.128 of the Revised Code. A violation of
division (E)(1), (2), or (5) of this section is a felony of the
fifth degree. A violation of division (E)(4) or (6) 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 (E)(4) or (6) of this section, a felony of the fifth
degree. In addition to any other penalty or sanction imposed for a

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misdemeanor violation of division (E)(4) or (6) of this section, 2248
the offender's license or temporary emergency license to carry a 2249
concealed handgun shall be suspended pursuant to division (A)(2) 2250
of section 2923.128 of the Revised Code. A violation of division 2251
(B) of this section is whichever of the following is applicable: 2252
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(1) If, at the time of the transportation or possession in 2254
violation of division (B) of this section, the offender was 2255
carrying a valid license or temporary emergency license to carry a 2256
concealed handgun issued to the offender under section 2923.125 or 2257
2923.1213 of the Revised Code or a license to carry a concealed 2258
handgun that was issued by another state with which the attorney 2259
general has entered into a reciprocity agreement under section 2260
109.69 of the Revised Code and the offender was not knowingly in a 2261
place described in division (B) of section 2923.126 of the Revised 2262
Code, the violation is a misdemeanor of the first degree or, if 2263
the offender previously has been convicted of or pleaded guilty to 2264
a violation of division (B) of this section, a felony of the 2265
fourth degree. 2266

(2) If division (I)(1) of this section does not apply, a 2267
felony of the fourth degree. 2268

(J) If a law enforcement officer stops a motor vehicle for a 2269
traffic stop or any other purpose, if any person in the motor 2270
vehicle surrenders a firearm to the officer, either voluntarily or 2271
pursuant to a request or demand of the officer, and if the officer 2272
does not charge the person with a violation of this section or 2273
arrest the person for any offense, the person is not otherwise 2274
prohibited by law from possessing the firearm, and the firearm is 2275
not contraband, the officer shall return the firearm to the person 2276
at the termination of the stop. If a court orders a law 2277
enforcement officer to return a firearm to a person pursuant to 2278

<u>the requirement set forth in this division, division (B) of</u>	2279
<u>section 2923.163 of the Revised Code applies.</u>	2280
(K) As used in this section:	2281
(1) "Motor vehicle," "street," and "highway" have the same	2282
meanings as in section 4511.01 of the Revised Code.	2283
(2) "Occupied structure" has the same meaning as in section	2284
2909.01 of the Revised Code.	2285
(3) "Agriculture" has the same meaning as in section 519.01	2286
of the Revised Code.	2287
(4) "Tenant" has the same meaning as in section 1531.01 of	2288
the Revised Code.	2289
(5) "Unloaded" means, <u>with any of the following:</u>	2290
<u>(a) No ammunition is in the firearm in question, and no</u>	2291
<u>ammunition is loaded into a magazine or speed loader that may be</u>	2292
<u>used with the firearm in question and that is located anywhere</u>	2293
<u>within the vehicle in question, without regard to where ammunition</u>	2294
<u>otherwise is located within the vehicle in question.</u>	2295
<u>(b) With respect to a firearm employing a percussion cap,</u>	2296
<u>flintlock, or other obsolete ignition system, when the weapon is</u>	2297
<u>uncapped or when the priming charge is removed from the pan.</u>	2298
(6) "Commercial motor vehicle" has the same meaning as in	2299
division (A) of section 4506.25 of the Revised Code.	2300
(7) "Motor carrier enforcement unit" means the motor carrier	2301
enforcement unit in the department of public safety, division of	2302
state highway patrol, that is created by section 5503.34 of the	2303
Revised Code.	2304
<u>Sec. 2923.163. If a law enforcement officer stops a person</u>	2305
<u>for any law enforcement purpose and the person voluntarily or</u>	2306

pursuant to a request or demand of the officer surrenders a 2307
firearm to the officer, if a law enforcement officer stops a motor 2308
vehicle for any purpose and a person in the motor vehicle 2309
voluntarily or pursuant to a request or demand of the officer 2310
surrenders a firearm to the officer, or if a law enforcement 2311
officer otherwise seizes a firearm from a person, all of the 2312
following apply: 2313

(A) If the law enforcement officer does not return the 2314
firearm to the person at the termination of the stop or otherwise 2315
promptly return the firearm to the person after the seizure of the 2316
firearm, the officer or other personnel at the officer's law 2317
enforcement agency shall maintain the integrity and identity of 2318
the firearm in such a manner so that if the firearm subsequently 2319
is to be returned to the person it can be identified and returned 2320
to the person in the same condition it was in when it was seized. 2321

(B) If the law enforcement officer does not return the 2322
firearm to the person at the termination of the stop or otherwise 2323
promptly return the firearm to the person after the seizure of the 2324
firearm, if a court finds that a law enforcement officer failed to 2325
return the firearm to the person after the person has demanded the 2326
return of the firearm from the officer, and if the court orders a 2327
law enforcement officer to return the firearm to the person, in 2328
addition to any other relief ordered, the court also shall award 2329
reasonable costs and attorney's fees to the person who sought the 2330
order to return the firearm." 2331

In line 271, after the stricken "A" insert "Except as 2332
provided in (D)(1)(g) of this section, a"; reinsert "court shall 2333
 not impose more than one prison term on an" 2334

Reinsert line 272 2335

In line 273, reinsert everything before "If" and delete the 2336
 balance of the line 2337

Delete lines 274 through 283 2338

In line 284, delete everything before the period 2339

In line 329, after the period insert "The court shall not 2340
impose any of the prison terms described in division (D)(1)(a) or 2341
(b) of this section upon an offender for a violation of section 2342
2923.122 that involves a deadly weapon that is a firearm other 2343
than a dangerous ordnance, section 2923.16, or section 2923.121 of 2344
the Revised Code." 2345

Between lines 373 and 374, insert: 2346

"(g) If an offender is convicted of or pleads guilty to two 2347
or more felonies, if one or more of those felonies is aggravated 2348
murder, murder, attempted aggravated murder, attempted murder, 2349
aggravated robbery, felonious assault, or rape, and if the 2350
offender is convicted of or pleads guilty to a specification of 2351
the type described under division (D)(1)(a) of this section in 2352
connection with two or more of the felonies, the sentencing court 2353
shall impose on the offender the prison term specified under 2354
division (D)(1)(a) of this section for each of the two most 2355
serious specifications of which the offender is convicted or to 2356
which the offender pleads guilty and, in its discretion, also may 2357
impose on the offender the prison term specified under that 2358
division for any or all of the remaining specifications." 2359

In line 804, after "2901.05" insert "2923.12, 2923.121, 2360
2923.122, 2923.125, 2923.126, 2923.128, 2923.129, 2923.1210, 2361
2923.1212, 2923.1213, 2923.16," 2362

In line 1 of the title, after "2901.05" insert "2923.12, 2363
2923.121, 2923.122, 2923.125, 2923.126, 2923.128, 2923.129, 2364
2923.1210, 2923.1212, 2923.1213, 2923.16," 2365

In line 2 of the title, delete "and" and insert a comma; 2366
after "2901.09" insert ", and 2923.163" 2367

In line 7 of the title, delete the comma and insert a 2368
 semicolon 2369

In line 16 of the title, delete the comma and insert "; to 2370
 provide in specified circumstances exemptions from illegal 2371
 possession of firearm in liquor permit premises for the principal 2372
 permit holder and the holder's agents and employees who are 2373
 off-duty peace officers; to relocate the penalty for carrying a 2374
 concealed firearm in liquor permit premises; to provide an 2375
 exemption from illegal conveyance or possession or deadly weapon 2376
 or dangerous ordnance in a school safety zone for a concealed 2377
 carry licensee immediately in the process of picking up or 2378
 dropping off a child; to change when a concealed carry licensee 2379
 cannot carry in a government facility; to specify that a concealed 2380
 carry licensee's carrying of a concealed handgun on a private, 2381
 posted parking lot is not criminal trespass; to conform the 2382
 OVI-related portion of improperly handling firearms in a motor 2383
 vehicle to R.C. 4511.19; to revise how a concealed carry licensee 2384
 may carry a handgun in a vehicle; to specify when carrying 2385
 concealed weapons does not apply to transporting or storing a 2386
 firearm in a motor vehicle or storing or possessing a firearm in 2387
 the home; to redefine "unloaded" for purposes of improperly 2388
 handling firearms in a motor vehicle and to revise the elements of 2389
 that offense as they apply to an unloaded firearm; to alter the 2390
 requirements for renewing a concealed carry license; to provide 2391
 that an applicant's convictions or delinquent child adjudications 2392
 that are sealed or expunged or for which relief from disability 2393
 has been granted cannot be considered in determining eligibility 2394
 for a concealed handgun license or whether to suspend or revoke 2395
 such a license; to remove the requirement for a retired peace 2396
 officer identification card that the officer have a nonforfeitable 2397
 right to retirement benefits; to provide that a retired police 2398
 officer's successful completion of a firearms requalification 2399

program requalifies the peace officer for five years for purposes
of obtaining the rights of a concealed carry licensee; to prohibit
a landlord from prohibiting a concealed carry licensee who is a
tenant or guest from lawfully carrying or possessing handguns in
residential premises; to require that the integrity and identity
of a firearm seized from a person by a law enforcement officer be
maintained so that if returned it can be identified and returned
in the same condition as when seized; to require a court that
finds that a law enforcement officer failed to return a seized
firearm upon demand and that orders the officer to return it to
the person to award reasonable costs and attorney's fees to the
person who sought the order; to make other firearms law-related
changes; to prohibit the imposition of a gun specification prison
term if the base offense is any of three specified
firearms-related offenses;"

The motion was _____ agreed to.