

LSC 130 0540-6

130th General Assembly

Regular Session

2013-2014

Sub. H. B. No. 203

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**A B I L L**

To amend sections 9.68, 109.69, 109.731, 109.85, 1  
109.86, 311.41, 311.42, 2901.09, 2917.11, 2917.31, 2  
2923.11, 2923.125, 2923.1213, 2923.13, and 2923.14 3  
and to repeal sections 2923.1210 and 2923.22 of 4  
the Revised Code to modify concealed handgun law; 5  
to permit investigators employed by the Attorney 6  
General to investigate Medicaid fraud to go armed 7  
in the same manner as sheriffs and regularly 8  
appointed police officers; to expand the locations 9  
at which a person has no duty to retreat before 10  
using force in self-defense; and to provide that 11  
the exercise of a constitutional or statutory 12  
right is not, in itself, the offense of disorderly 13  
conduct or inducing panic and does not constitute 14  
reasonable, articulable suspicion of criminal 15  
activity. 16

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

Section 1. That sections 9.68, 109.69, 109.731, 109.85, 17  
109.86, 311.41, 311.42, 2901.09, 2917.11, 2917.31, 2923.11, 18  
2923.125, 2923.1213, 2923.13, and 2923.14 of the Revised Code be 19  
amended to read as follows: 20

Sec. 9.68. (A) The individual right to keep and bear arms, 21  
being a fundamental individual right that predates the United 22

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States Constitution and Ohio Constitution, and being a 23  
constitutionally protected right in every part of Ohio, the 24  
general assembly finds the need to provide uniform laws throughout 25  
the state regulating the ownership, possession, purchase, other 26  
acquisition, transport, storage, carrying, sale, or other transfer 27  
of firearms, their components, and their ammunition. Except as 28  
specifically provided by the United States Constitution, Ohio 29  
Constitution, state law, or federal law, a person, without further 30  
license, permission, restriction, delay, or process, may own, 31  
possess, purchase, sell, transfer, transport, store, or keep any 32  
firearm, part of a firearm, its components, and its ammunition. 33

(B) If, in an action or proceeding, the validity of a 34  
firearms ordinance, rule, or regulation is questioned under 35  
division (A) of this section: 36

(1) Voluntary repeal of the ordinance, rule, or regulation 37  
during the action or proceeding entitles the person, group, or 38  
entity questioning the ordinance, rule, or regulation to judgement 39  
in the person's, group's, or entity's favor, and the court shall 40  
award to the person, group, or entity a civil forfeiture of one 41  
hundred dollars for each day the challenged ordinance, rule, or 42  
regulation remained in effect after the action or proceeding 43  
commenced. 44

(2) In addition to any other relief provided, the court shall 45  
award costs and reasonable attorney fees to any person, group, or 46  
entity that prevails in a challenge to an a firearms ordinance, 47  
rule, or regulation as being in conflict with ~~this section~~ Ohio 48  
law. 49

(C) As used in this section: 50

(1) The possession, transporting, or carrying of firearms, 51  
their components, or their ammunition include, but are not limited 52  
to, the possession, transporting, or carrying, openly or concealed 53

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on a person's person or concealed ready at hand, of firearms, 54  
their components, or their ammunition. 55

(2) "Firearm" has the same meaning as in section 2923.11 of 56  
the Revised Code. 57

(D) This section does not apply to either of the following: 58

(1) A zoning ordinance that regulates or prohibits the 59  
commercial sale of firearms, firearm components, or ammunition for 60  
firearms in areas zoned for residential or agricultural uses; 61

(2) A zoning ordinance that specifies the hours of operation 62  
or the geographic areas where the commercial sale of firearms, 63  
firearm components, or ammunition for firearms may occur, provided 64  
that the zoning ordinance is consistent with zoning ordinances for 65  
other retail establishments in the same geographic area and does 66  
not result in a de facto prohibition of the commercial sale of 67  
firearms, firearm components, or ammunition for firearms in areas 68  
zoned for commercial, retail, or industrial uses. 69

Sec. 109.69. (A) The attorney general shall determine if 70  
another state automatically, without written agreement, recognizes 71  
a concealed handgun license issued under section 2923.125 or 72  
2923.1213 of the Revised Code. If the attorney general determines 73  
that another state automatically, without written agreement, 74  
recognizes a concealed carry license issued under either of those 75  
sections, all of the following apply: 76

(1) The attorney general shall publish that determination in 77  
the same manner that written agreements entered into under 78  
division (B) (1) or (2) of this section are published. 79

(2) That determination shall have the same force and effect 80  
as a written agreement entered into under division (B) (1) or (2) 81  
of this section. 82

(3) The concealed handgun license issued by the other state 83

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shall be accepted and is valid in this state in the same manner as 84  
if a written agreement between this state and the other state 85  
existed under division (B) (1) or (2) of this section. 86

(B) (1) The attorney general shall negotiate and enter into a 87  
reciprocity agreement with any other license-issuing state under 88  
which a concealed handgun license that is issued by the other 89  
state is recognized in this state if the attorney general 90  
determines that both of the following apply: 91

~~(a) The eligibility requirements imposed by that~~ 92  
~~license issuing state for that license are substantially~~ 93  
~~comparable to the eligibility requirements for a concealed handgun~~ 94  
~~license issued under section 2923.125 of the Revised Code.~~ 95

~~(b) That the license-issuing state recognizes a concealed~~ 96  
~~handgun license issued under section 2923.125 of the Revised Code~~ 97  
~~and the license-issuing state requires a reciprocity agreement in~~ 98  
~~order to recognize a license issued under section 2923.125 of the~~ 99  
~~Revised Code.~~ 100

(2) A reciprocity agreement entered into under division 101  
~~(A) (B) (1) of this section also may provide for the recognition in~~ 102  
~~this state of a concealed handgun license issued on a temporary or~~ 103  
~~emergency basis by the other license-issuing state, if the~~ 104  
~~eligibility requirements imposed by that license issuing state for~~ 105  
~~the temporary or emergency license are substantially comparable to~~ 106  
~~the eligibility requirements for a concealed handgun license~~ 107  
~~issued under section 2923.125 or 2923.1213 of the Revised Code and~~ 108  
~~if that license-issuing state recognizes a concealed handgun~~ 109  
~~license issued under section 2923.1213 of the Revised Code.~~ 110

~~(3) The attorney general shall not negotiate any agreement~~ 111  
~~with any other license issuing state under which a concealed~~ 112  
~~handgun license issued by the other state is recognized in this~~ 113  
~~state other than as provided in divisions (A) (1) and (2) of this~~ 114

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<del>section.</del>	115
<del>(B)(C)</del> As used in this section:	116
(1) "Handgun" and "concealed handgun license" have the same meanings as in section 2923.11 of the Revised Code.	117 118
(2) "License-issuing state" means a state other than this state that, pursuant to law, provides for the issuance of a license to carry a concealed handgun.	119 120 121
Sec. 109.731. (A) <del>(1)</del> The <del>Ohio peace officer training commission</del> <u>attorney general</u> shall prescribe, and shall make available to sheriffs, <del>all of the following:</del>	122 123 124
<del>(1)</del> <del>An</del> <u>an</u> application form that is to be used under section 2923.125 of the Revised Code by a person who applies for a concealed handgun license and an application form that is to be used under section 2923.125 of the Revised Code by a person who applies for the renewal of a license of that nature, <del>both of which shall conform substantially to the forms prescribed in section 2923.1210 of the Revised Code,</del>	125 126 127 128 129 130 131
<del>(2)</del> <u>A. The attorney general shall design the form to enable applicants to provide the information that is required by law to be collected, and shall update the form as necessary. Burdens or restrictions to obtaining a concealed handgun license that are not expressly prescribed in law shall not be incorporated into the form.</u>	132 133 134 135 136 137
<u>(2) The Ohio peace officer training commission shall prescribe, and shall make available to sheriffs, a form for the concealed handgun license that is to be issued by sheriffs to persons who qualify for a concealed handgun license under section 2923.125 of the Revised Code and that conforms to the following requirements:</u>	138 139 140 141 142 143
(a) It has space for the licensee's full name, residence	144

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address, and date of birth and for a color photograph of the 145  
licensee. 146

(b) It has space for the date of issuance of the license, its 147  
expiration date, its county of issuance, the name of the sheriff 148  
who issues the license, and the unique combination of letters and 149  
numbers that identify the county of issuance and the license given 150  
to the licensee by the sheriff in accordance with division (A) (4) 151  
of this section. 152

(c) It has space for the signature of the licensee and the 153  
signature or a facsimile signature of the sheriff who issues the 154  
license. 155

(d) It does not require the licensee to include serial 156  
numbers of handguns, other identification related to handguns, or 157  
similar data that is not pertinent or relevant to obtaining the 158  
license and that could be used as a de facto means of registration 159  
of handguns owned by the licensee. 160

(3) A series of three-letter county codes that identify each 161  
county in this state; 162

(4) A procedure by which a sheriff shall give each concealed 163  
handgun license, replacement concealed handgun license, or renewal 164  
concealed handgun license and each concealed handgun license on a 165  
temporary emergency basis or replacement license on a temporary 166  
emergency basis the sheriff issues under section 2923.125 or 167  
2923.1213 of the Revised Code a unique combination of letters and 168  
numbers that identifies the county in which the license was issued 169  
and that uses the county code and a unique number for each license 170  
the sheriff of that county issues; 171

(5) A form for a concealed handgun license on a temporary 172  
emergency basis that is to be issued by sheriffs to persons who 173  
qualify for such a license under section 2923.1213 of the Revised 174  
Code, which form shall conform to all the requirements set forth 175

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in divisions (A) (2) (a) to (d) of this section and shall 176  
additionally conspicuously specify that the license is issued on a 177  
temporary emergency basis and the date of its issuance. 178

(B) (1) The Ohio peace officer training commission, in 179  
consultation with the attorney general, shall prepare a pamphlet 180  
that does all of the following, in everyday language: 181

(a) Explains the firearms laws of this state; 182

(b) Instructs the reader in dispute resolution and explains 183  
the laws of this state related to that matter; 184

(c) Provides information to the reader regarding all aspects 185  
of the use of deadly force with a firearm, including, but not 186  
limited to, the steps that should be taken before contemplating 187  
the use of, or using, deadly force with a firearm, possible 188  
alternatives to using deadly force with a firearm, and the law 189  
governing the use of deadly force with a firearm. 190

(2) The attorney general shall consult with and assist the 191  
commission in the preparation of the pamphlet described in 192  
division (B) (1) of this section and, as necessary, shall recommend 193  
to the commission changes in the pamphlet to reflect changes in 194  
the law that are relevant to it. The attorney general shall 195  
publish the pamphlet on the web site of the attorney general and 196  
shall provide the address of the web site to any person who 197  
requests the pamphlet. 198

(C) The Ohio peace officer training commission shall maintain 199  
statistics with respect to the issuance, renewal, suspension, 200  
revocation, and denial of concealed handgun licenses under section 201  
2923.125 of the Revised Code and the suspension of processing of 202  
applications for those licenses, and with respect to the issuance, 203  
suspension, revocation, and denial of concealed handgun licenses 204  
on a temporary emergency basis under section 2923.1213 of the 205  
Revised Code, as reported by the sheriffs pursuant to division (C) 206

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of section 2923.129 of the Revised Code. Not later than the first 207  
day of March in each year, the commission shall submit a 208  
statistical report to the governor, the president of the senate, 209  
and the speaker of the house of representatives indicating the 210  
number of concealed handgun licenses that were issued, renewed, 211  
suspended, revoked, and denied under section 2923.125 of the 212  
Revised Code in the previous calendar year, the number of 213  
applications for those licenses for which processing was suspended 214  
in accordance with division (D)(3) of that section in the previous 215  
calendar year, and the number of concealed handgun licenses on a 216  
temporary emergency basis that were issued, suspended, revoked, or 217  
denied under section 2923.1213 of the Revised Code in the previous 218  
calendar year. Nothing in the statistics or the statistical report 219  
shall identify, or enable the identification of, any individual 220  
who was issued or denied a license, for whom a license was 221  
renewed, whose license was suspended or revoked, or for whom 222  
application processing was suspended. The statistics and the 223  
statistical report are public records for the purpose of section 224  
149.43 of the Revised Code. 225

(D) As used in this section, "concealed handgun license" and 226  
"handgun" have the same meanings as in section 2923.11 of the 227  
Revised Code. 228

**Sec. 109.85.** (A) Upon the written request of the governor, 229  
the general assembly, the auditor of state, the medicaid director, 230  
the director of health, or the director of budget and management, 231  
or upon the attorney general's becoming aware of criminal or 232  
improper activity related to Chapter 3721. of the Revised Code and 233  
the medicaid program, the attorney general shall investigate any 234  
criminal or civil violation of law related to Chapter 3721. of the 235  
Revised Code or the medicaid program. 236

(B) When it appears to the attorney general, as a result of 237

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an investigation under division (A) of this section, that there is 238  
cause to prosecute for the commission of a crime or to pursue a 239  
civil remedy, the attorney general may refer the evidence to the 240  
prosecuting attorney having jurisdiction of the matter, or to a 241  
regular grand jury drawn and impaneled pursuant to sections 242  
2939.01 to 2939.24 of the Revised Code, or to a special grand jury 243  
drawn and impaneled pursuant to section 2939.17 of the Revised 244  
Code, or the attorney general may initiate and prosecute any 245  
necessary criminal or civil actions in any court or tribunal of 246  
competent jurisdiction in this state. When proceeding under this 247  
section, the attorney general, and any assistant or special 248  
counsel designated by the attorney general for that purpose, have 249  
all rights, privileges, and powers of prosecuting attorneys. The 250  
attorney general shall have exclusive supervision and control of 251  
all investigations and prosecutions initiated by the attorney 252  
general under this section. The forfeiture provisions of Chapter 253  
2981. of the Revised Code apply in relation to any such criminal 254  
action initiated and prosecuted by the attorney general. 255

(C) Nothing in this section shall prevent a county 256  
prosecuting attorney from investigating and prosecuting criminal 257  
activity related to Chapter 3721. of the Revised Code and the 258  
medicaid program. The forfeiture provisions of Chapter 2981. of 259  
the Revised Code apply in relation to any prosecution of criminal 260  
activity related to the medicaid program undertaken by the 261  
prosecuting attorney. 262

Investigators conducting an investigation pursuant to this 263  
section may be authorized to go armed while conducting an 264  
investigation under this section and if so authorized are exempt 265  
from section 2923.12 of the Revised Code in the same manner as 266  
sheriffs and regularly appointed police officers. 267

Sec. 109.86. (A) The attorney general shall investigate any 268

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activity the attorney general has reasonable cause to believe is 269  
in violation of section 2903.34 of the Revised Code. Upon written 270  
request of the governor, the general assembly, the auditor of 271  
state, or the director of health, job and family services, aging, 272  
mental health and addiction services, or developmental 273  
disabilities, the attorney general shall investigate any activity 274  
these persons believe is in violation of section 2903.34 of the 275  
Revised Code. If after an investigation the attorney general has 276  
probable cause to prosecute for the commission of a crime, the 277  
attorney general shall refer the evidence to the prosecuting 278  
attorney, director of law, or other similar chief legal officer 279  
having jurisdiction over the matter. If the prosecuting attorney 280  
decides to present the evidence to a grand jury, the prosecuting 281  
attorney shall notify the attorney general in writing of the 282  
decision within thirty days after referral of the matter and shall 283  
present the evidence prior to the discharge of the next regular 284  
grand jury. If the director of law or other chief legal officer 285  
decides to prosecute the case, the director or officer shall 286  
notify the attorney general in writing of the decision within 287  
thirty days and shall initiate prosecution within sixty days after 288  
the matter was referred to the director or officer. 289

(B) If the prosecuting attorney, director of law, or other 290  
chief legal officer fails to notify the attorney general or to 291  
present evidence or initiate prosecution in accordance with 292  
division (A) of this section, the attorney general may present the 293  
evidence to a regular grand jury drawn and impaneled pursuant to 294  
sections 2939.01 to 2939.24 of the Revised Code, or to a special 295  
grand jury drawn and impaneled pursuant to section 2939.17 of the 296  
Revised Code, or the attorney general may initiate and prosecute 297  
any action in any court or tribunal of competent jurisdiction in 298  
this state. The attorney general, and any assistant or special 299  
counsel designated by the attorney general, have all the powers of 300  
a prosecuting attorney, director of law, or other chief legal 301

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officer when proceeding under this section. Nothing in this 302  
section shall limit or prevent a prosecuting attorney, director of 303  
law, or other chief legal officer from investigating and 304  
prosecuting criminal activity committed against a resident or 305  
patient of a care facility. 306

Investigators conducting an investigation pursuant to this 307  
section may be authorized to go armed while conducting an 308  
investigation under this section and if so authorized are exempt 309  
from section 2923.12 of the Revised Code in the same manner as 310  
sheriffs and regularly appointed police officers. 311

Sec. 311.41. (A)(1) Upon receipt of an application for a 312  
concealed handgun license under division (C) of section 2923.125 313  
of the Revised Code, an application to renew a concealed handgun 314  
license under division (F) of that section, or an application for 315  
a concealed handgun license on a temporary emergency basis under 316  
section 2923.1213 of the Revised Code, the sheriff shall conduct a 317  
criminal records check and an incompetency check of the applicant 318  
to determine whether the applicant fails to meet the criteria 319  
described in division (D)(1) of section 2923.125 of the Revised 320  
Code. As part of any such criminal records check, the sheriff 321  
shall contact the national instant criminal background check 322  
system to verify that the applicant is eligible lawfully to 323  
receive or possess a firearm in the United States. The sheriff 324  
shall conduct the criminal records check and the incompetency 325  
records check required by this division through use of an 326  
electronic fingerprint reading device or, if the sheriff does not 327  
possess and does not have ready access to the use of an electronic 328  
fingerprint reading device, by requesting the bureau of criminal 329  
identification and investigation to conduct the checks as 330  
described in this division. 331

In order to conduct the criminal records check and the 332

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incompetency records check, the sheriff shall obtain the 333  
fingerprints of at least four fingers of the applicant by using an 334  
electronic fingerprint reading device for the purpose of 335  
conducting the criminal records check and the incompetency records 336  
check or, if the sheriff does not possess and does not have ready 337  
access to the use of an electronic fingerprint reading device, 338  
shall obtain from the applicant a completed standard fingerprint 339  
impression sheet prescribed pursuant to division (C) (2) of section 340  
109.572 of the Revised Code. The fingerprints so obtained, along 341  
with the applicant's social security number, shall be used to 342  
conduct the criminal records check and the incompetency records 343  
check. If the sheriff does not use an electronic fingerprint 344  
reading device to obtain the fingerprints and conduct the records 345  
checks, the sheriff shall submit the completed standard 346  
fingerprint impression sheet of the applicant, along with the 347  
applicant's social security number, to the superintendent of the 348  
bureau of criminal identification and investigation and shall 349  
request the bureau to conduct the criminal records check and the 350  
incompetency records check of the applicant and, if necessary, 351  
shall request the superintendent of the bureau to obtain 352  
information from the federal bureau of investigation as part of 353  
the criminal records check for the applicant. If it is not 354  
possible to use an electronic fingerprint reading device to 355  
conduct an incompetency records check, the sheriff shall submit 356  
the completed standard fingerprint impression sheet of the 357  
applicant, along with the applicant's social security number, to 358  
the superintendent of the bureau of criminal identification and 359  
investigation and shall request the bureau to conduct the 360  
incompetency records check. The sheriff shall not retain the 361  
applicant's fingerprints as part of the application. 362

(2) Except as otherwise provided in this division, if at any 363  
time the applicant decides not to continue with the application 364  
process, the sheriff immediately shall cease any investigation 365

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that is being conducted under division (A) (1) of this section. The 366  
sheriff shall not cease that investigation if, at the time of the 367  
applicant's decision not to continue with the application process, 368  
the sheriff had determined from any of the sheriff's 369  
investigations that the applicant then was engaged in activity of 370  
a criminal nature. 371

(B) If a criminal records check and an incompetency records 372  
check conducted under division (A) of this section do not indicate 373  
that the applicant fails to meet the criteria described in 374  
division (D) (1) of section 2923.125 of the Revised Code, except as 375  
otherwise provided in this division, the sheriff shall destroy or 376  
cause a designated employee to destroy all records other than the 377  
application for a concealed handgun license, the application to 378  
renew a concealed handgun license, or the affidavit submitted 379  
regarding an application for a concealed handgun license on a 380  
temporary emergency basis that were made in connection with the 381  
criminal records check and incompetency records check within 382  
twenty days after conducting the criminal records check and 383  
incompetency records check. If an applicant appeals a denial of an 384  
application as described in division (D) (2) of section 2923.125 of 385  
the Revised Code or challenges the results of a criminal records 386  
check pursuant to section 2923.127 of the Revised Code, records of 387  
fingerprints of the applicant shall not be destroyed during the 388  
pendency of the appeal or the challenge and review. When an 389  
applicant appeals a denial as described in that division, the 390  
twenty-day period described in this division commences regarding 391  
the fingerprints upon the determination of the appeal. When 392  
required as a result of a challenge and review performed pursuant 393  
to section 2923.127 of the Revised Code, the source the sheriff 394  
used in conducting the criminal records check shall destroy or the 395  
chief operating officer of the source shall cause an employee of 396  
the source designated by the chief to destroy all records other 397  
than the application for a concealed handgun license, the 398

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application to renew a concealed handgun license, or the affidavit 399  
submitted regarding an application for a concealed handgun license 400  
on a temporary emergency basis that were made in connection with 401  
the criminal records check within twenty days after completion of 402  
that challenge and review. 403

(C) If division (B) of this section applies to a particular 404  
criminal records check or incompetency records check, no sheriff, 405  
employee of a sheriff designated by the sheriff to destroy records 406  
under that division, source the sheriff used in conducting the 407  
criminal records check or incompetency records check, or employee 408  
of the source designated by the chief operating officer of the 409  
source to destroy records under that division shall fail to 410  
destroy or cause to be destroyed within the applicable twenty-day 411  
period specified in that division all records other than the 412  
application for a concealed handgun license, the application to 413  
renew a concealed handgun license, or the affidavit submitted 414  
regarding an application for a concealed handgun license on a 415  
temporary emergency basis made in connection with the particular 416  
criminal records check or incompetency records check. 417

(D) Whoever violates division (C) of this section is guilty 418  
of failure to destroy records, a misdemeanor of the second degree. 419

(E) As used in this section, ~~"concealed;~~ 420

(1) "Concealed handgun license" and "handgun" have the same 421  
meanings as in section 2923.11 of the Revised Code. 422

(2) "National instant criminal background check system" means 423  
the system established by the United States attorney general 424  
pursuant to section 103 of the "Brady Handgun Violence Prevention 425  
Act," Pub. L. No. 103-159. 426

Sec. 311.42. (A) Each county shall establish in the county 427  
treasury a sheriff's concealed handgun license issuance expense 428

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fund. The sheriff of that county shall deposit into that fund all 429  
fees paid by applicants for the issuance or renewal of a concealed 430  
handgun license or duplicate concealed handgun license under 431  
section 2923.125 of the Revised Code and all fees paid by the 432  
person seeking a concealed handgun license on a temporary 433  
emergency basis under section 2923.1213 of the Revised Code. The 434  
county shall distribute all fees deposited into the fund except 435  
forty dollars of each fee paid by an applicant under division (B) 436  
of section 2923.125 of the Revised Code, fifteen dollars of each 437  
fee paid under section 2923.1213 of the Revised Code, and 438  
thirty-five dollars of each fee paid under division (F) of section 439  
2923.125 of the Revised Code to the attorney general to be used to 440  
pay the cost of background checks performed by the bureau of 441  
criminal identification and investigation and the federal bureau 442  
of investigation and to cover administrative costs associated with 443  
issuing the license. 444

(B) The sheriff, with the approval of the board of county 445  
commissioners, may expend any county portion of the fees deposited 446  
into the sheriff's concealed handgun license issuance expense fund 447  
for any costs incurred by the sheriff in connection with 448  
performing; 449

(1) Performing any administrative functions related to the 450  
issuance of concealed handgun licenses under section 2923.125 or 451  
2923.1213 of the Revised Code, including, but not limited to, 452  
personnel expenses and the costs of any handgun safety education 453  
program that the sheriff chooses to fund. Additionally, the 454  
sheriff, with the approval of the board of county commissioners, 455  
may expend any county portion of the fees deposited into the 456  
sheriff's concealed handgun license issuance expense fund for 457  
costs of ammunition used in a course, class, or program 458  
administered by the sheriff for a concealed handgun license; or 459

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(2) Firearm training, education, or qualification programs. 460

A sheriff shall not expend fees for the purposes described in 461  
division (B)(2) of this section if, within that sheriff's county, 462  
both of the following conditions exist: 463

(a) A person must make an appointment with the sheriff's 464  
office to submit an application for a concealed handgun license 465  
under section 2923.125 of the Revised Code; and 466

(b) The sheriff's office does not typically have appointments 467  
available within thirty days of the day the person requests an 468  
appointment. 469

~~Sec. 2901.09. (A) As used in this section, "residence" and~~ 470  
~~"vehicle" have the same meanings as in section 2901.05 of the~~ 471  
~~Revised Code.~~ 472

~~(B) For purposes of any section of the Revised Code that sets~~ 473  
~~forth a criminal offense, a person who lawfully is in that~~ 474  
~~person's residence has no duty to retreat before using force in~~ 475  
~~self-defense, defense of another, or defense of that person's~~ 476  
~~residence, and a person who lawfully is an occupant of that~~ 477  
~~person's vehicle or who lawfully is an occupant in a vehicle owned~~ 478  
~~by an immediate family member of the person has no duty to retreat~~ 479  
~~before using force in self-defense or defense of another if that~~ 480  
~~person is in a place that the person lawfully has a right to be.~~ 481

Sec. 2917.11. (A) No person shall recklessly cause 482  
inconvenience, annoyance, or alarm to another by doing any of the 483  
following: 484

(1) Engaging in fighting, in threatening harm to persons or 485  
property, or in violent or turbulent behavior; 486

(2) Making unreasonable noise or an offensively coarse 487  
utterance, gesture, or display or communicating unwarranted and 488

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grossly abusive language to any person;	489
(3) Insulting, taunting, or challenging another, under	490
circumstances in which that conduct is likely to provoke a violent	491
response;	492
(4) Hindering or preventing the movement of persons on a	493
public street, road, highway, or right-of-way, or to, from,	494
within, or upon public or private property, so as to interfere	495
with the rights of others, and by any act that serves no lawful	496
and reasonable purpose of the offender;	497
(5) Creating a condition that is physically offensive to	498
persons or that presents a risk of physical harm to persons or	499
property, by any act that serves no lawful and reasonable purpose	500
of the offender.	501
(B) No person, while voluntarily intoxicated, shall do either	502
of the following:	503
(1) In a public place or in the presence of two or more	504
persons, engage in conduct likely to be offensive or to cause	505
inconvenience, annoyance, or alarm to persons of ordinary	506
sensibilities, which conduct the offender, if the offender were	507
not intoxicated, should know is likely to have that effect on	508
others;	509
(2) Engage in conduct or create a condition that presents a	510
risk of physical harm to the offender or another, or to the	511
property of another.	512
(C) Violation of any statute or ordinance of which an element	513
is operating a motor vehicle, locomotive, watercraft, aircraft, or	514
other vehicle while under the influence of alcohol or any drug of	515
abuse, is not a violation of division (B) of this section.	516
(D) If a person appears to an ordinary observer to be	517
intoxicated, it is probable cause to believe that person is	518

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voluntarily intoxicated for purposes of division (B) of this 519  
section. 520

(E) The exercise of a constitutional or statutory right is 521  
not, in itself, a violation of this section and does not 522  
constitute reasonable, articulable suspicion of criminal activity. 523

(F)(1) Whoever violates this section is guilty of disorderly 524  
conduct. 525

(2) Except as otherwise provided in division ~~(E)~~(F)(3) of 526  
this section, disorderly conduct is a minor misdemeanor. 527

(3) Disorderly conduct is a misdemeanor of the fourth degree 528  
if any of the following applies: 529

(a) The offender persists in disorderly conduct after 530  
reasonable warning or request to desist. 531

(b) The offense is committed in the vicinity of a school or 532  
in a school safety zone. 533

(c) The offense is committed in the presence of any law 534  
enforcement officer, firefighter, rescuer, medical person, 535  
emergency medical services person, or other authorized person who 536  
is engaged in the person's duties at the scene of a fire, 537  
accident, disaster, riot, or emergency of any kind. 538

(d) The offense is committed in the presence of any emergency 539  
facility person who is engaged in the person's duties in an 540  
emergency facility. 541

~~(F)~~(G) As used in this section: 542

(1) "Emergency medical services person" is the singular of 543  
"emergency medical services personnel" as defined in section 544  
2133.21 of the Revised Code. 545

(2) "Emergency facility person" is the singular of "emergency 546  
facility personnel" as defined in section 2909.04 of the Revised 547  
Code. 548

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(3) "Emergency facility" has the same meaning as in section 549  
2909.04 of the Revised Code. 550

(4) "Committed in the vicinity of a school" has the same 551  
meaning as in section 2925.01 of the Revised Code. 552

Sec. 2917.31. (A) No person shall cause the evacuation of any 553  
public place, or otherwise cause serious public inconvenience or 554  
alarm, by doing any of the following: 555

(1) Initiating or circulating a report or warning of an 556  
alleged or impending fire, explosion, crime, or other catastrophe, 557  
knowing that such report or warning is false; 558

(2) Threatening to commit any offense of violence; 559

(3) Committing any offense, with reckless disregard of the 560  
likelihood that its commission will cause serious public 561  
inconvenience or alarm. 562

(B) (1) Division (A) (1) of this section does not apply to any 563  
person conducting an authorized fire or emergency drill. 564

(2) The exercise of a constitutional or statutory right is 565  
not, in itself, a violation of this section and does not 566  
constitute reasonable, articulable suspicion of criminal activity. 567

(C) (1) Whoever violates this section is guilty of inducing 568  
panic. 569

(2) Except as otherwise provided in division (C) (3), (4), 570  
(5), (6), (7), or (8) of this section, inducing panic is a 571  
misdemeanor of the first degree. 572

(3) Except as otherwise provided in division (C) (4), (5), 573  
(6), (7), or (8) of this section, if a violation of this section 574  
results in physical harm to any person, inducing panic is a felony 575  
of the fourth degree. 576

(4) Except as otherwise provided in division (C) (5), (6), 577

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(7), or (8) of this section, if a violation of this section 578  
results in economic harm, the penalty shall be determined as 579  
follows: 580

(a) If the violation results in economic harm of one thousand 581  
dollars or more but less than seven thousand five hundred dollars 582  
and if division (C)(3) of this section does not apply, inducing 583  
panic is a felony of the fifth degree. 584

(b) If the violation results in economic harm of seven 585  
thousand five hundred dollars or more but less than one hundred 586  
fifty thousand dollars, inducing panic is a felony of the fourth 587  
degree. 588

(c) If the violation results in economic harm of one hundred 589  
fifty thousand dollars or more, inducing panic is a felony of the 590  
third degree. 591

(5) If the public place involved in a violation of division 592  
(A)(1) of this section is a school or an institution of higher 593  
education, inducing panic is a felony of the second degree. 594

(6) If the violation pertains to a purported, threatened, or 595  
actual use of a weapon of mass destruction, and except as 596  
otherwise provided in division (C)(5), (7), or (8) of this 597  
section, inducing panic is a felony of the fourth degree. 598

(7) If the violation pertains to a purported, threatened, or 599  
actual use of a weapon of mass destruction, and except as 600  
otherwise provided in division (C)(5) of this section, if a 601  
violation of this section results in physical harm to any person, 602  
inducing panic is a felony of the third degree. 603

(8) If the violation pertains to a purported, threatened, or 604  
actual use of a weapon of mass destruction, and except as 605  
otherwise provided in division (C)(5) of this section, if a 606  
violation of this section results in economic harm of one hundred 607  
thousand dollars or more, inducing panic is a felony of the third 608

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degree. 609

(D) (1) It is not a defense to a charge under this section 610  
that pertains to a purported or threatened use of a weapon of mass 611  
destruction that the offender did not possess or have the ability 612  
to use a weapon of mass destruction or that what was represented 613  
to be a weapon of mass destruction was not a weapon of mass 614  
destruction. 615

(2) Any act that is a violation of this section and any other 616  
section of the Revised Code may be prosecuted under this section, 617  
the other section, or both sections. 618

(E) As used in this section: 619

(1) "Economic harm" means any of the following: 620

(a) All direct, incidental, and consequential pecuniary harm 621  
suffered by a victim as a result of criminal conduct. "Economic 622  
harm" as described in this division includes, but is not limited 623  
to, all of the following: 624

(i) All wages, salaries, or other compensation lost as a 625  
result of the criminal conduct; 626

(ii) The cost of all wages, salaries, or other compensation 627  
paid to employees for time those employees are prevented from 628  
working as a result of the criminal conduct; 629

(iii) The overhead costs incurred for the time that a 630  
business is shut down as a result of the criminal conduct; 631

(iv) The loss of value to tangible or intangible property 632  
that was damaged as a result of the criminal conduct. 633

(b) All costs incurred by the state or any political 634  
subdivision as a result of, or in making any response to, the 635  
criminal conduct that constituted the violation of this section or 636  
section 2917.32 of the Revised Code, including, but not limited 637  
to, all costs so incurred by any law enforcement officers, 638

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firefighters, rescue personnel, or emergency medical services 639  
personnel of the state or the political subdivision. 640

(2) "School" means any school operated by a board of 641  
education or any school for which the state board of education 642  
prescribes minimum standards under section 3301.07 of the Revised 643  
Code, whether or not any instruction, extracurricular activities, 644  
or training provided by the school is being conducted at the time 645  
a violation of this section is committed. 646

(3) "Weapon of mass destruction" means any of the following: 647

(a) Any weapon that is designed or intended to cause death or 648  
serious physical harm through the release, dissemination, or 649  
impact of toxic or poisonous chemicals, or their precursors; 650

(b) Any weapon involving a disease organism or biological 651  
agent; 652

(c) Any weapon that is designed to release radiation or 653  
radioactivity at a level dangerous to human life; 654

(d) Any of the following, except to the extent that the item 655  
or device in question is expressly excepted from the definition of 656  
"destructive device" pursuant to 18 U.S.C. 921(a)(4) and 657  
regulations issued under that section: 658

(i) Any explosive, incendiary, or poison gas bomb, grenade, 659  
rocket having a propellant charge of more than four ounces, 660  
missile having an explosive or incendiary charge of more than 661  
one-quarter ounce, mine, or similar device; 662

(ii) Any combination of parts either designed or intended for 663  
use in converting any item or device into any item or device 664  
described in division (E)(3)(d)(i) of this section and from which 665  
an item or device described in that division may be readily 666  
assembled. 667

(4) "Biological agent" has the same meaning as in section 668

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2917.33 of the Revised Code. 669

(5) "Emergency medical services personnel" has the same 670  
meaning as in section 2133.21 of the Revised Code. 671

(6) "Institution of higher education" means any of the 672  
following: 673

(a) A state university or college as defined in division 674  
(A) (1) of section 3345.12 of the Revised Code, community college, 675  
state community college, university branch, or technical college; 676

(b) A private, nonprofit college, university or other 677  
post-secondary institution located in this state that possesses a 678  
certificate of authorization issued by the Ohio board of regents 679  
pursuant to Chapter 1713. of the Revised Code; 680

(c) A post-secondary institution with a certificate of 681  
registration issued by the state board of career colleges and 682  
schools under Chapter 3332. of the Revised Code. 683

**Sec. 2923.11.** As used in sections 2923.11 to 2923.24 of the 684  
Revised Code: 685

(A) "Deadly weapon" means any instrument, device, or thing 686  
capable of inflicting death, and designed or specially adapted for 687  
use as a weapon, or possessed, carried, or used as a weapon. 688

(B) (1) "Firearm" means any deadly weapon capable of expelling 689  
or propelling one or more projectiles by the action of an 690  
explosive or combustible propellant. "Firearm" includes an 691  
unloaded firearm, and any firearm that is inoperable but that can 692  
readily be rendered operable. 693

(2) When determining whether a firearm is capable of 694  
expelling or propelling one or more projectiles by the action of 695  
an explosive or combustible propellant, the trier of fact may rely 696  
upon circumstantial evidence, including, but not limited to, the 697  
representations and actions of the individual exercising control 698

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over the firearm. 699

(C) "Handgun" means any of the following: 700

(1) Any firearm that has a short stock and is designed to be 701  
held and fired by the use of a single hand; 702

(2) Any combination of parts from which a firearm of a type 703  
described in division (C) (1) of this section can be assembled. 704

(D) "Semi-automatic firearm" means any firearm designed or 705  
specially adapted to fire a single cartridge and automatically 706  
chamber a succeeding cartridge ready to fire, with a single 707  
function of the trigger. 708

(E) "Automatic firearm" means any firearm designed or 709  
specially adapted to fire a succession of cartridges with a single 710  
function of the trigger. "Automatic firearm" also means any 711  
semi-automatic firearm designed or specially adapted to fire more 712  
than thirty-one cartridges without reloading, other than a firearm 713  
chambering only .22 caliber short, long, or long-rifle cartridges. 714

(F) "Sawed-off firearm" means a shotgun with a barrel less 715  
than eighteen inches long, or a rifle with a barrel less than 716  
sixteen inches long, or a shotgun or rifle less than twenty-six 717  
inches long overall. 718

(G) "Zip-gun" means any of the following: 719

(1) Any firearm of crude and extemporized manufacture; 720

(2) Any device, including without limitation a starter's 721  
pistol, that is not designed as a firearm, but that is specially 722  
adapted for use as a firearm; 723

(3) Any industrial tool, signalling device, or safety device, 724  
that is not designed as a firearm, but that as designed is capable 725  
of use as such, when possessed, carried, or used as a firearm. 726

(H) "Explosive device" means any device designed or specially 727  
adapted to cause physical harm to persons or property by means of 728

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an explosion, and consisting of an explosive substance or agency 729  
and a means to detonate it. "Explosive device" includes without 730  
limitation any bomb, any explosive demolition device, any blasting 731  
cap or detonator containing an explosive charge, and any pressure 732  
vessel that has been knowingly tampered with or arranged so as to 733  
explode. 734

(I) "Incendiary device" means any firebomb, and any device 735  
designed or specially adapted to cause physical harm to persons or 736  
property by means of fire, and consisting of an incendiary 737  
substance or agency and a means to ignite it. 738

(J) "Ballistic knife" means a knife with a detachable blade 739  
that is propelled by a spring-operated mechanism. 740

(K) "Dangerous ordnance" means any of the following, except 741  
as provided in division (L) of this section: 742

(1) Any automatic or sawed-off firearm, zip-gun, or ballistic 743  
knife; 744

(2) Any explosive device or incendiary device; 745

(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, 746  
cyclonite, TNT, picric acid, and other high explosives; amatol, 747  
tritonol, tetrytol, pentolite, pecretol, cyclotol, and other high 748  
explosive compositions; plastic explosives; dynamite, blasting 749  
gelatin, gelatin dynamite, sensitized ammonium nitrate, 750  
liquid-oxygen blasting explosives, blasting powder, and other 751  
blasting agents; and any other explosive substance having 752  
sufficient brisance or power to be particularly suitable for use 753  
as a military explosive, or for use in mining, quarrying, 754  
excavating, or demolitions; 755

(4) Any firearm, rocket launcher, mortar, artillery piece, 756  
grenade, mine, bomb, torpedo, or similar weapon, designed and 757  
manufactured for military purposes, and the ammunition for that 758  
weapon; 759

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- (5) Any firearm muffler or silencer; 760
- (6) Any combination of parts that is intended by the owner 761  
for use in converting any firearm or other device into a dangerous 762  
ordnance. 763
- (L) "Dangerous ordnance" does not include any of the 764  
following: 765
- (1) Any firearm, including a military weapon and the 766  
ammunition for that weapon, and regardless of its actual age, that 767  
employs a percussion cap or other obsolete ignition system, or 768  
that is designed and safe for use only with black powder; 769
- (2) Any pistol, rifle, or shotgun, designed or suitable for 770  
sporting purposes, including a military weapon as issued or as 771  
modified, and the ammunition for that weapon, unless the firearm 772  
is an automatic or sawed-off firearm; 773
- (3) Any cannon or other artillery piece that, regardless of 774  
its actual age, is of a type in accepted use prior to 1887, has no 775  
mechanical, hydraulic, pneumatic, or other system for absorbing 776  
recoil and returning the tube into battery without displacing the 777  
carriage, and is designed and safe for use only with black powder; 778
- (4) Black powder, priming quills, and percussion caps 779  
possessed and lawfully used to fire a cannon of a type defined in 780  
division (L) (3) of this section during displays, celebrations, 781  
organized matches or shoots, and target practice, and smokeless 782  
and black powder, primers, and percussion caps possessed and 783  
lawfully used as a propellant or ignition device in small-arms or 784  
small-arms ammunition; 785
- (5) Dangerous ordnance that is inoperable or inert and cannot 786  
readily be rendered operable or activated, and that is kept as a 787  
trophy, souvenir, curio, or museum piece. 788
- (6) Any device that is expressly excepted from the definition 789

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of a destructive device pursuant to the "Gun Control Act of 1968," 790  
82 Stat. 1213, 18 U.S.C. 921(a)(4), as amended, and regulations 791  
issued under that act. 792

(M) "Explosive" means any chemical compound, mixture, or 793  
device, the primary or common purpose of which is to function by 794  
explosion. "Explosive" includes all materials that have been 795  
classified as division 1.1, division 1.2, division 1.3, or 796  
division 1.4 explosives by the United States department of 797  
transportation in its regulations and includes, but is not limited 798  
to, dynamite, black powder, pellet powders, initiating explosives, 799  
blasting caps, electric blasting caps, safety fuses, fuse 800  
igniters, squibs, cordeau detonant fuses, instantaneous fuses, and 801  
igniter cords and igniters. "Explosive" does not include 802  
"fireworks," as defined in section 3743.01 of the Revised Code, or 803  
any substance or material otherwise meeting the definition of 804  
explosive set forth in this section that is manufactured, sold, 805  
possessed, transported, stored, or used in any activity described 806  
in section 3743.80 of the Revised Code, provided the activity is 807  
conducted in accordance with all applicable laws, rules, and 808  
regulations, including, but not limited to, the provisions of 809  
section 3743.80 of the Revised Code and the rules of the fire 810  
marshal adopted pursuant to section 3737.82 of the Revised Code. 811

(N) (1) "Concealed handgun license" or "license to carry a 812  
concealed handgun" means, subject to division (N) (2) of this 813  
section, a license or temporary emergency license to carry a 814  
concealed handgun issued under section 2923.125 or 2923.1213 of 815  
the Revised Code or a license to carry a concealed handgun issued 816  
by another state with which the attorney general has entered into 817  
a reciprocity agreement under section 109.69 of the Revised Code. 818

(2) A reference in any provision of the Revised Code to a 819  
concealed handgun license issued under section 2923.125 of the 820  
Revised Code or a license to carry a concealed handgun issued 821

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under section 2923.125 of the Revised Code means only a license of 822  
the type that is specified in that section. A reference in any 823  
provision of the Revised Code to a concealed handgun license 824  
issued under section 2923.1213 of the Revised Code, a license to 825  
carry a concealed handgun issued under section 2923.1213 of the 826  
Revised Code, or a license to carry a concealed handgun on a 827  
temporary emergency basis means only a license of the type that is 828  
specified in section 2923.1213 of the Revised Code. A reference in 829  
any provision of the Revised Code to a concealed handgun license 830  
issued by another state or a license to carry a concealed handgun 831  
issued by another state means only a license issued by another 832  
state with which the attorney general has entered into a 833  
reciprocity agreement under section 109.69 of the Revised Code. 834

(O) "Valid concealed handgun license" or "valid license to 835  
carry a concealed handgun" means a concealed handgun license that 836  
is currently valid, that is not under a suspension under division 837  
(A)(1) of section 2923.128 of the Revised Code, under section 838  
2923.1213 of the Revised Code, or under a suspension provision of 839  
the state other than this state in which the license was issued, 840  
and that has not been revoked under division (B)(1) of section 841  
2923.128 of the Revised Code, under section 2923.1213 of the 842  
Revised Code, or under a revocation provision of the state other 843  
than this state in which the license was issued. 844

(P) "Crime punishable by imprisonment for a term exceeding 845  
one year" does not include any of the following: 846

(1) Any federal or state offense pertaining to antitrust 847  
violations, unfair trade practices, restraints of trade, or other 848  
similar offenses relating to the regulation of business practices; 849

(2) Any misdemeanor offense punishable by a term of 850  
imprisonment of two years or less. 851

(O) "Intimate partner" means, with respect to a person, the 852

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spouse of the person, a former spouse of the person, an individual 853  
who is a parent of a child of the person, and an individual who 854  
cohabitates or has cohabited with the person. 855

(R) "Alien registration number" means the number issued by 856  
the United States citizenship and immigration services agency that 857  
is located on the alien's permanent resident card and may also be 858  
commonly referred to as the "USCIS number" or the "alien number." 859

Sec. 2923.125. ~~(A)~~ It is the intent of the general assembly 860  
that Ohio concealed handgun license law be compliant with the 861  
national instant criminal background check system, that the bureau 862  
of alcohol, tobacco, firearms and explosives is able to determine 863  
that Ohio law is compliant with the national instant criminal 864  
background check system, and that no person shall be eligible to 865  
receive a concealed handgun license permit under section 2923.125 866  
or 2923.1213 of the Revised Code unless the person is eligible 867  
lawfully to receive or possess a firearm in the United States. 868

(A) This section applies with respect to the application for 869  
and issuance by this state of concealed handgun licenses other 870  
than concealed handgun licenses on a temporary emergency basis 871  
that are issued under section 2923.1213 of the Revised Code. Upon 872  
the request of a person who wishes to obtain a concealed handgun 873  
license with respect to which this section applies or to renew a 874  
concealed handgun license with respect to which this section 875  
applies, a sheriff, as provided in division (I) of this section, 876  
shall provide to the person free of charge an application form and 877  
the web site address at which a printable version of the 878  
application form that can be downloaded and the pamphlet described 879  
in division (B) of section 109.731 of the Revised Code may be 880  
found. A sheriff shall accept a completed application form and the 881  
fee, items, materials, and information specified in divisions 882  
(B) (1) to (5) of this section at the times and in the manners 883

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described in division (I) of this section. 884

(B) An applicant for a concealed handgun license ~~with respect~~ 885  
~~to which this section applies who is a resident of this state~~ 886  
shall submit a completed application form and all of the following 887  
to the sheriff of the county in which the applicant resides or to 888  
the sheriff of any county adjacent to the county in which the 889  
applicant resides. An applicant for a license who resides in 890  
another state shall submit a completed application form and all of 891  
the following, to the sheriff of the county in which the applicant 892  
is employed or to the sheriff of any county adjacent to the county 893  
in which the applicant is employed: 894

(1) (a) A nonrefundable license fee as described in either of 895  
the following: 896

(i) For an applicant who has been a resident of this state 897  
for five or more years, a fee of sixty-seven dollars; 898

(ii) For an applicant who has been a resident of this state 899  
for less than five years or who is not a resident of this state, a 900  
fee of sixty-seven dollars plus the actual cost of having a 901  
background check performed by the federal bureau of investigation. 902

(b) No sheriff shall require an applicant to pay for the cost 903  
of a background check performed by the bureau of criminal 904  
identification and investigation. 905

(c) A sheriff shall waive the payment of the license fee 906  
described in division (B) (1) (a) of this section in connection with 907  
an initial or renewal application for a license that is submitted 908  
by an applicant who is a retired peace officer, a retired person 909  
described in division (B) (1) (b) of section 109.77 of the Revised 910  
Code, or a retired federal law enforcement officer who, prior to 911  
retirement, was authorized under federal law to carry a firearm in 912  
the course of duty, unless the retired peace officer, person, or 913  
federal law enforcement officer retired as the result of a mental 914

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disability. 915

(d) The sheriff shall deposit all fees paid by an applicant 916  
under division (B) (1) (a) of this section into the sheriff's 917  
concealed handgun license issuance fund established pursuant to 918  
section 311.42 of the Revised Code. The county shall distribute 919  
the fees in accordance with section 311.42 of the Revised Code. 920

(2) A color photograph of the applicant that was taken within 921  
thirty days prior to the date of the application; 922

(3) One or more of the following competency certifications, 923  
each of which shall reflect that, regarding a certification 924  
described in division (B) (3) (a), (b), (c), (e), or (f) of this 925  
section, within the three years immediately preceding the 926  
application the applicant has performed that to which the 927  
competency certification relates and that, regarding a 928  
certification described in division (B) (3) (d) of this section, the 929  
applicant currently is an active or reserve member of the armed 930  
forces of the United States or ~~within the six years immediately~~ 931  
~~preceding the application the~~ is a former member of the armed 932  
forces of the United States and has retired from the armed forces 933  
or has received an honorable discharge or retirement to which the 934  
~~competency certification relates occurred:~~ 935

(a) An original or photocopy of a certificate of completion 936  
of a firearms safety, training, or requalification or firearms 937  
safety instructor course, class, or program that was offered by or 938  
under the auspices of the national rifle association and that 939  
complies with the requirements set forth in division (G) of this 940  
section; 941

(b) An original or photocopy of a certificate of completion 942  
of a firearms safety, training, or requalification or firearms 943  
safety instructor course, class, or program that satisfies all of 944  
the following criteria: 945

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- (i) It was open to members of the general public. 946
- (ii) It utilized qualified instructors who were certified by 947  
the national rifle association, the executive director of the Ohio 948  
peace officer training commission pursuant to section 109.75 or 949  
109.78 of the Revised Code, or a governmental official or entity 950  
of another state. 951
- (iii) It was offered by or under the auspices of a law 952  
enforcement agency of this or another state or the United States, 953  
a public or private college, university, or other similar 954  
postsecondary educational institution located in this or another 955  
state, a firearms training school located in this or another 956  
state, or another type of public or private entity or organization 957  
located in this or another state. 958
- (iv) It complies with the requirements set forth in division 959  
(G) of this section. 960
- (c) An original or photocopy of a certificate of completion 961  
of a state, county, municipal, or department of natural resources 962  
peace officer training school that is approved by the executive 963  
director of the Ohio peace officer training commission pursuant to 964  
section 109.75 of the Revised Code and that complies with the 965  
requirements set forth in division (G) of this section, or the 966  
applicant has satisfactorily completed and been issued a 967  
certificate of completion of a basic firearms training program, a 968  
firearms requalification training program, or another basic 969  
training program described in section 109.78 or 109.801 of the 970  
Revised Code that complies with the requirements set forth in 971  
division (G) of this section; 972
- (d) A document that evidences both of the following: 973
- (i) That the applicant is an active or reserve member of the 974  
armed forces of the United States, was honorably discharged from 975  
military service in the active or reserve armed forces of the 976

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United States, is a retired trooper of the state highway patrol, 977  
or is a retired peace officer or federal law enforcement officer 978  
described in division (B) (1) of this section or a retired person 979  
described in division (B) (1) (b) of section 109.77 of the Revised 980  
Code and division (B) (1) of this section; 981

(ii) That, through participation in the military service or 982  
through the former employment described in division (B) (3) (d) (i) 983  
of this section, the applicant acquired experience with handling 984  
handguns or other firearms, and the experience so acquired was 985  
equivalent to training that the applicant could have acquired in a 986  
course, class, or program described in division (B) (3) (a), (b), or 987  
(c) of this section. 988

(e) A certificate or another similar document that evidences 989  
satisfactory completion of a firearms training, safety, or 990  
requalification or firearms safety instructor course, class, or 991  
program that is not otherwise described in division (B) (3) (a), 992  
(b), (c), or (d) of this section, that was conducted by an 993  
instructor who was certified by an official or entity of the 994  
government of this or another state or the United States or by the 995  
national rifle association, and that complies with the 996  
requirements set forth in division (G) of this section; 997

(f) An affidavit that attests to the applicant's satisfactory 998  
completion of a course, class, or program described in division 999  
(B) (3) (a), (b), (c), or (e) of this section and that is subscribed 1000  
by the applicant's instructor or an authorized representative of 1001  
the entity that offered the course, class, or program or under 1002  
whose auspices the course, class, or program was offered; 1003

(g) A document that evidences that the applicant has 1004  
successfully completed either the Ohio peace officer training 1005  
program described in section 109.79 of the Revised Code or the 1006  
annual firearms requalification training program described in 1007  
section 109.801 of the Revised Code. 1008

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(4) A certification by the applicant that the applicant has 1009  
read the pamphlet prepared by the Ohio peace officer training 1010  
commission pursuant to section 109.731 of the Revised Code that 1011  
reviews firearms, dispute resolution, and use of deadly force 1012  
matters. 1013

(5) A set of fingerprints of the applicant provided as 1014  
described in section 311.41 of the Revised Code through use of an 1015  
electronic fingerprint reading device or, if the sheriff to whom 1016  
the application is submitted does not possess and does not have 1017  
ready access to the use of such a reading device, on a standard 1018  
impression sheet prescribed pursuant to division (C) (2) of section 1019  
109.572 of the Revised Code. 1020

(6) If the applicant is not a citizen or national of the 1021  
United States, the name of the applicant's country of citizenship 1022  
and the applicant's alien registration number issued by the United 1023  
States citizenship and immigration services agency. 1024

(7) If the applicant resides in another state, adequate proof 1025  
of employment in Ohio. 1026

(C) Upon receipt of the completed application form, 1027  
supporting documentation, and, if not waived, license fee of an 1028  
applicant under this section, a sheriff, in the manner specified 1029  
in section 311.41 of the Revised Code, shall conduct or cause to 1030  
be conducted the criminal records check and the incompetency 1031  
records check described in section 311.41 of the Revised Code. 1032

(D) (1) Except as provided in division (D) (3) or (4) of this 1033  
section, within forty-five days after a sheriff's receipt of an 1034  
applicant's completed application form for a concealed handgun 1035  
license under this section, the supporting documentation, and, if 1036  
not waived, the license fee, the sheriff shall make available 1037  
through the law enforcement automated data system in accordance 1038  
with division (H) of this section the information described in 1039

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that division and, upon making the information available through 1040  
the system, shall issue to the applicant a concealed handgun 1041  
license that shall expire as described in division (D) (2) (a) of 1042  
this section if all of the following apply: 1043

(a) The applicant is legally living in the United States, ~~has~~ 1044  
~~been a resident of this state for at least forty five days, and~~ 1045  
~~has been a resident of the county in which the person seeks the~~ 1046  
~~license or a county adjacent to the county in which the person~~ 1047  
~~seeks the license for at least thirty days. For purposes of~~ 1048  
division (D) (1) (a) of this section: 1049

~~(i) If, if~~ a person is absent from the United States, ~~from~~ 1050  
~~this state, or from a particular county in this state in~~ 1051  
compliance with military or naval orders as an active or reserve 1052  
member of the armed forces of the United States and if prior to 1053  
leaving ~~this state in compliance with those orders~~ the United 1054  
States the person was legally living in the United States ~~and was~~ 1055  
~~a resident of this state, the person, solely by reason of that~~ 1056  
absence, shall not be considered to have lost the person's status 1057  
as living in the United States ~~or the person's residence in this~~ 1058  
~~state or in the county in which the person was a resident prior to~~ 1059  
~~leaving this state in compliance with those orders, without regard~~ 1060  
~~to whether or not the person intends to return to this state or to~~ 1061  
~~that county, shall not be considered to have acquired a residence~~ 1062  
~~in any other state, and shall not be considered to have become a~~ 1063  
~~resident of any other state.~~ 1064

~~(ii) If a person is present in this state in compliance with~~ 1065  
~~military or naval orders as an active or reserve member of the~~ 1066  
~~armed forces of the United States for at least forty five days,~~ 1067  
~~the person shall be considered to have been a resident of this~~ 1068  
~~state for that period of at least forty five days, and, if a~~ 1069  
~~person is present in a county of this state in compliance with~~ 1070  
~~military or naval orders as an active or reserve member of the~~ 1071

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~~armed forces of the United States for at least thirty days, the~~ 1072  
~~person shall be considered to have been a resident of that county~~ 1073  
~~for that period of at least thirty days.~~ 1074

(b) The applicant is at least twenty-one years of age. 1075

(c) The applicant is not a fugitive from justice. 1076

(d) The applicant is not under indictment for or otherwise 1077  
charged with a felony, ~~an offense under Chapter 2925., 3719., or~~ 1078  
~~4729. of the Revised Code that involves the illegal possession,~~ 1079  
~~use, sale, administration, or distribution of or trafficking in a~~ 1080  
~~drug of abuse, crime punishable by imprisonment for a term~~ 1081  
~~exceeding one year, a fifth degree felony offense of violence, a~~ 1082  
misdemeanor offense of violence, ~~or a violation of section~~ 1083  
2903.14 or 2923.1211 of the Revised Code or a similar violation in 1084  
another state. 1085

(e) Except as otherwise provided in division (D) ~~(5)~~ (4) of 1086  
this section, the applicant has not been convicted of or pleaded 1087  
guilty to a ~~felony or an offense under Chapter 2925., 3719., or~~ 1088  
~~4729. of the Revised Code that involves the illegal possession,~~ 1089  
~~use, sale, administration, or distribution of or trafficking in a~~ 1090  
~~drug of abuse crime punishable by imprisonment for a term~~ 1091  
~~exceeding one year or a fifth degree felony offense of violence;~~ 1092  
has not been adjudicated a delinquent child for committing an act 1093  
that if committed by an adult would be a ~~felony or would be an~~ 1094  
~~offense under Chapter 2925., 3719., or 4729. of the Revised Code~~ 1095  
~~that involves the illegal possession, use, sale, administration,~~ 1096  
~~or distribution of or trafficking in a drug of abuse a crime~~ 1097  
~~punishable by imprisonment for a term exceeding one year or a~~ 1098  
~~fifth degree felony offense of violence;~~ and has not been 1099  
convicted of, pleaded guilty to, or adjudicated a delinquent child 1100  
for committing a violation of section 2903.13 of the Revised Code 1101  
when the victim of the violation is a peace officer, regardless of 1102  
whether the applicant was sentenced under division (C) (4) of that 1103

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section, or a similar violation in another state. 1104

(f) Except as otherwise provided in division (D) ~~(5)~~ (4) of 1105  
this section, the applicant, within three years of the date of the 1106  
application, has not been convicted of or pleaded guilty to a 1107  
misdemeanor offense of violence other than a misdemeanor violation 1108  
of section 2921.33 of the Revised Code or a violation of section 1109  
2903.13 of the Revised Code when the victim of the violation is a 1110  
peace officer, or a misdemeanor violation of section 2923.1211 of 1111  
the Revised Code or a similar violation in another state; and has 1112  
not been adjudicated a delinquent child for committing an act that 1113  
if committed by an adult would be a misdemeanor offense of 1114  
violence other than a misdemeanor violation of section 2921.33 of 1115  
the Revised Code or a violation of section 2903.13 of the Revised 1116  
Code when the victim of the violation is a peace officer or for 1117  
committing an act that if committed by an adult would be a 1118  
misdemeanor violation of section 2923.1211 of the Revised Code or 1119  
a similar violation in another state. 1120

(g) Except as otherwise provided in division (D) (1) (e) of 1121  
this section, the applicant, within five years of the date of the 1122  
application, has not been convicted of, pleaded guilty to, or 1123  
adjudicated a delinquent child for committing two or more 1124  
violations of section 2903.13 or 2903.14 of the Revised Code or a 1125  
similar violation in another state. 1126

(h) Except as otherwise provided in division (D) ~~(5)~~ (4) of 1127  
this section, the applicant, within ten years of the date of the 1128  
application, has not been convicted of, pleaded guilty to, or 1129  
adjudicated a delinquent child for committing a violation of 1130  
section 2921.33 of the Revised Code or a similar violation in 1131  
another state. 1132

(i) The applicant has not been adjudicated as a mental 1133  
defective, has not been committed to any mental institution, is 1134  
not under adjudication of mental incompetence, has not been found 1135

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by a court to be a mentally ill person subject to hospitalization 1136  
by court order, and is not an involuntary patient other than one 1137  
who is a patient only for purposes of observation. As used in this 1138  
division, "mentally ill person subject to hospitalization by court 1139  
order" and "patient" have the same meanings as in section 5122.01 1140  
of the Revised Code. 1141

(j) The applicant is not currently subject to a ~~civil~~ 1142  
~~protection order, a temporary protection order, or a protection~~ 1143  
~~order issued by a court of another state~~ order under which it is 1144  
unlawful for the applicant to possess or purchase a firearm under 1145  
the "Gun Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 922(g) (8). 1146

(k) The applicant certifies that the applicant desires a 1147  
legal means to carry a concealed handgun for defense of the 1148  
applicant or a member of the applicant's family while engaged in 1149  
lawful activity. 1150

(l) The applicant submits a competency certification of the 1151  
type described in division (B) (3) of this section and submits a 1152  
certification of the type described in division (B) (4) of this 1153  
section regarding the applicant's reading of the pamphlet prepared 1154  
by the Ohio peace officer training commission pursuant to section 1155  
109.731 of the Revised Code. 1156

(m) The applicant currently is not subject to a suspension 1157  
imposed under division (A) (2) of section 2923.128 of the Revised 1158  
Code of a concealed handgun license that previously was issued to 1159  
the applicant under this section or section 2923.1213 of the 1160  
Revised Code or a similar suspension imposed by another state 1161  
regarding a concealed handgun license issued by that state. 1162

(n) The applicant certifies that the applicant is not an 1163  
unlawful user of or addicted to any controlled substance as 1164  
defined in 21 U.S.C. 802. 1165

(o) If the applicant is not a United States citizen, the 1166

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applicant is an alien and has not been admitted to the United States under a nonimmigrant visa, as defined in the "Immigration and Nationality Act," 8 U.S.C. 1101(a) (26). 1167  
1168  
1169

(p) The applicant has not been discharged from the armed forces of the United States under dishonorable conditions. 1170  
1171

(q) The applicant certifies that the applicant has not renounced the applicant's United States citizenship. 1172  
1173

(r) The applicant has not been convicted of, pleaded guilty to, or adjudicated a delinquent child for committing a violation of section 2919.25 of the Revised Code or a similar violation in another state. 1174  
1175  
1176  
1177

(2) (a) A concealed handgun license that a sheriff issues under division (D) (1) of this section shall expire five years after the date of issuance. 1178  
1179  
1180

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. 1181  
1182  
1183  
1184  
1185

(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 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 1186  
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of the Revised Code and this division is tolled during the 1198  
pendency of the request or the challenge and review. If the court 1199  
in an appeal under section 119.12 of the Revised Code and this 1200  
division enters a judgment sustaining the sheriff's refusal to 1201  
grant to the applicant a concealed handgun license, the applicant 1202  
may file a new application beginning one year after the judgment 1203  
is entered. If the court enters a judgment in favor of the 1204  
applicant, that judgment shall not restrict the authority of a 1205  
sheriff to suspend or revoke the license pursuant to section 1206  
2923.128 or 2923.1213 of the Revised Code or to refuse to renew 1207  
the license for any proper cause that may occur after the date the 1208  
judgment is entered. In the appeal, the court shall have full 1209  
power to dispose of all costs. 1210

(3) If the sheriff with whom an application for a concealed 1211  
handgun license was filed under this section becomes aware that 1212  
the applicant has been arrested for or otherwise charged with an 1213  
offense that would disqualify the applicant from holding the 1214  
license, the sheriff shall suspend the processing of the 1215  
application until the disposition of the case arising from the 1216  
arrest or charge. 1217

~~(4) If the sheriff determines that the applicant is legally 1218  
living in the United States and is a resident of the county in 1219  
which the applicant seeks the license or of an adjacent county but 1220  
does not yet meet the residency requirements described in division 1221  
(D) (1) (a) of this section, the sheriff shall not deny the license 1222  
because of the residency requirements but shall not issue the 1223  
license until the applicant meets those residency requirements. 1224~~

(5) If an applicant has been convicted of or pleaded guilty 1225  
to an offense identified in division (D) (1) (e), (f), or (h) of 1226  
this section or has been adjudicated a delinquent child for 1227  
committing an act or violation identified in any of those 1228  
divisions, and if a court has ordered the sealing or expungement 1229

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of the records of that conviction, guilty plea, or adjudication 1230  
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 1231  
2953.36, or section 2953.37 of the Revised Code or a court in 1232  
another state has ordered the sealing or expungement of the 1233  
records of the conviction, guilty plea, or adjudication of a 1234  
similar violation in another state pursuant to the laws of that 1235  
state or a court has granted the applicant relief pursuant to 1236  
section 2923.14 of the Revised Code or a similar statute in 1237  
another state from the disability imposed pursuant to section 1238  
2923.13 of the Revised Code or a disability imposed by a court in 1239  
another state relative to that conviction, guilty plea, or 1240  
adjudication, the sheriff with whom the application was submitted 1241  
shall not consider the conviction, guilty plea, or adjudication in 1242  
making a determination under division (D)(1) or (F) of this 1243  
section or, in relation to an application for a concealed handgun 1244  
license on a temporary emergency basis submitted under section 1245  
2923.1213 of the Revised Code, in making a determination under 1246  
division (B)(2) of that section. 1247

(E) If a concealed handgun license issued under this section 1248  
is lost or is destroyed, the licensee may obtain from the sheriff 1249  
who issued that license a duplicate license upon the payment of a 1250  
fee of fifteen dollars and the submission of an affidavit 1251  
attesting to the loss or destruction of the license. The sheriff, 1252  
in accordance with the procedures prescribed in section 109.731 of 1253  
the Revised Code, shall place on the replacement license a 1254  
combination of identifying numbers different from the combination 1255  
on the license that is being replaced. 1256

(F)(1) A (a) Except as provided in division (F)(1)(b) of this 1257  
section, a licensee who wishes to renew a concealed handgun 1258  
license issued under this section shall do so not earlier than 1259  
ninety days before the expiration date of the license or at any 1260  
time after the expiration date of the license by filing with the 1261

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sheriff of the county in which the applicant resides or is 1262  
employed or with the sheriff of an adjacent county, an application 1263  
for renewal of the license obtained pursuant to division (D) of 1264  
this section, a certification by the applicant that, subsequent to 1265  
the issuance of the license, the applicant has reread the pamphlet 1266  
prepared by the Ohio peace officer training commission pursuant to 1267  
section 109.731 of the Revised Code that reviews firearms, dispute 1268  
resolution, and use of deadly force matters, and a nonrefundable 1269  
license renewal fee in an amount determined pursuant to division 1270  
(F) (4) of this section unless the fee is waived. 1271

(b) A person on active duty in the armed forces of the United 1272  
States or in service with the peace corps, volunteers in service 1273  
to America, or the foreign service of the United States is exempt 1274  
from the license requirements of this section for the period of 1275  
the person's active duty or service and for six months thereafter, 1276  
provided the person was a licensee under this section at the time 1277  
the person commenced the person's active duty or service or had 1278  
obtained a license while on active duty or service. The spouse or 1279  
a dependent of any such person on active duty or in service also 1280  
is exempt from the license requirements of this section for the 1281  
period of the person's active duty or service and for six months 1282  
thereafter, provided the spouse or dependent was a licensee under 1283  
this section at the time the person commenced the active duty or 1284  
service or had obtained a license while the person was on active 1285  
duty or service, and provided further that the person's active 1286  
duty or service resulted in the spouse or dependent relocating 1287  
outside of this state during the period of the active duty or 1288  
service. This division does not prevent such a person or the 1289  
person's spouse or dependent from making an application for the 1290  
renewal of a concealed handgun license during the period of the 1291  
person's active duty or service. 1292

(2) A sheriff shall accept a completed renewal application, 1293

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the license renewal fee, and the information specified in division 1294  
(F) (1) of this section at the times and in the manners described 1295  
in division (I) of this section. Upon receipt of a completed 1296  
renewal application, of certification that the applicant has 1297  
reread the specified pamphlet prepared by the Ohio peace officer 1298  
training commission, and of a license renewal fee unless the fee 1299  
is waived, a sheriff, in the manner specified in section 311.41 of 1300  
the Revised Code shall conduct or cause to be conducted the 1301  
criminal records check and the incompetency records check 1302  
described in section 311.41 of the Revised Code. The sheriff shall 1303  
renew the license if the sheriff determines that the applicant 1304  
continues to satisfy the requirements described in division (D) (1) 1305  
of this section, except that the applicant is not required to meet 1306  
the requirements of division (D) (1) (1) of this section. A renewed 1307  
license shall expire five years after the date of issuance. A 1308  
renewed license is subject to division (E) of this section and 1309  
sections 2923.126 and 2923.128 of the Revised Code. A sheriff 1310  
shall comply with divisions (D) (2) ~~to (4)~~ and (3) of this section 1311  
when the circumstances described in those divisions apply to a 1312  
requested license renewal. If a sheriff denies the renewal of a 1313  
concealed handgun license, the applicant may appeal the denial, or 1314  
challenge the criminal record check results that were the basis of 1315  
the denial if applicable, in the same manner as specified in 1316  
division (D) (2) (b) of this section and in section 2923.127 of the 1317  
Revised Code, regarding the denial of a license under this 1318  
section. 1319

(3) A renewal application submitted pursuant to division (F) 1320  
of this section shall only require the licensee to list on the 1321  
application form information and matters occurring since the date 1322  
of the licensee's last application for a license pursuant to 1323  
division (B) or (F) of this section. A sheriff conducting the 1324  
criminal records check and the incompetency records check 1325  
described in section 311.41 of the Revised Code shall conduct the 1326

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check only from the date of the licensee's last application for a 1327  
license pursuant to division (B) or (F) of this section through 1328  
the date of the renewal application submitted pursuant to division 1329  
(F) of this section. 1330

(4) An applicant for a renewal concealed handgun license 1331  
under this section shall submit to the sheriff of the county in 1332  
which the applicant resides or to the sheriff of any county 1333  
adjacent to the county in which the applicant resides, or in the 1334  
case of an applicant who resides in another state, to the sheriff 1335  
of the county that issued the applicant's previous concealed 1336  
handgun license a nonrefundable license fee as described in either 1337  
of the following: 1338

(a) For an applicant who has been a resident of this state 1339  
for five or more years, a fee of fifty dollars; 1340

(b) For an applicant who has been a resident of this state 1341  
for less than five years or who is not a resident of this state 1342  
but who is employed in this state, a fee of fifty dollars plus the 1343  
actual cost of having a background check performed by the federal 1344  
bureau of investigation. 1345

(G) (1) Each course, class, or program described in division 1346  
(B) (3) (a), (b), (c), or (e) of this section shall provide to each 1347  
person who takes the course, class, or program the web site 1348  
address at which the pamphlet prepared by the Ohio peace officer 1349  
training commission pursuant to section 109.731 of the Revised 1350  
Code that reviews firearms, dispute resolution, and use of deadly 1351  
force matters may be found. Each such course, class, or program 1352  
described in one of those divisions shall include at least ~~twelve~~ 1353  
four hours of training in the safe handling and use of a firearm 1354  
that shall include training on all of the following matters: 1355

(a) ~~At least ten hours of training on the following matters:~~ 1356

~~(i)~~ The ability to name, explain, and demonstrate the rules 1357

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for safe handling of a handgun and proper storage practices for 1358  
handguns and ammunition; 1359

~~(ii)(b)~~ The ability to demonstrate and explain how to handle 1360  
ammunition in a safe manner; 1361

~~(iii)(c)~~ The ability to demonstrate the knowledge, skills, 1362  
and attitude necessary to shoot a handgun in a safe manner; 1363

~~(iv)(d)~~ Gun handling training. 1364

~~(b) At least two hours of training;~~ 1365

(e) Training that consists of range time and live-fire 1366  
training; 1367

(f) The locations where carrying a concealed handgun with a 1368  
valid license are prohibited. 1369

(2) To satisfactorily complete the course, class, or program 1370  
described in division (B) (3) (a), (b), (c), or (e) of this section, 1371  
the applicant shall pass a competency examination that shall 1372  
include both of the following: 1373

(a) A written section on the ability to name and explain the 1374  
rules for the safe handling of a handgun and proper storage 1375  
practices for handguns and ammunition; 1376

(b) A physical demonstration of competence in the use of a 1377  
handgun and in the rules for safe handling and storage of a 1378  
handgun and a physical demonstration of the attitude necessary to 1379  
shoot a handgun in a safe manner. 1380

(3) The competency certification described in division 1381  
(B) (3) (a), (b), (c), or (e) of this section shall be dated and 1382  
shall attest that the course, class, or program the applicant 1383  
successfully completed met the requirements described in division 1384  
(G) (1) of this section and that the applicant passed the 1385  
competency examination described in division (G) (2) of this 1386  
section. 1387

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(H) Upon deciding to issue a concealed handgun license, 1388  
deciding to issue a replacement concealed handgun license, or 1389  
deciding to renew a concealed handgun license pursuant to this 1390  
section, and before actually issuing or renewing the license, the 1391  
sheriff shall make available through the law enforcement automated 1392  
data system all information contained on the license. If the 1393  
license subsequently is suspended under division (A) (1) or (2) of 1394  
section 2923.128 of the Revised Code, revoked pursuant to division 1395  
(B) (1) of section 2923.128 of the Revised Code, or lost or 1396  
destroyed, the sheriff also shall make available through the law 1397  
enforcement automated data system a notation of that fact. The 1398  
superintendent of the state highway patrol shall ensure that the 1399  
law enforcement automated data system is so configured as to 1400  
permit the transmission through the system of the information 1401  
specified in this division. 1402

(I) A sheriff shall accept a completed application form or 1403  
renewal application, and the fee, items, materials, and 1404  
information specified in divisions (B) (1) to (5) or division (F) 1405  
of this section, whichever is applicable, and shall provide an 1406  
application form or renewal application to any person during at 1407  
least fifteen hours a week and shall provide the web site address 1408  
at which a printable version of the application form that can be 1409  
downloaded and the pamphlet described in division (B) of section 1410  
109.731 of the Revised Code may be found at any time, upon 1411  
request. The sheriff shall post notice of the hours during which 1412  
the sheriff is available to accept or provide the information 1413  
described in this division. 1414

Sec. 2923.1213. (A) As used in this section: 1415

(1) "Evidence of imminent danger" means any of the following: 1416

(a) A statement sworn by the person seeking to carry a 1417  
concealed handgun that is made under threat of perjury and that 1418

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states that the person has reasonable cause to fear a criminal 1419  
attack upon the person or a member of the person's family, such as 1420  
would justify a prudent person in going armed; 1421

(b) A written document prepared by a governmental entity or 1422  
public official describing the facts that give the person seeking 1423  
to carry a concealed handgun reasonable cause to fear a criminal 1424  
attack upon the person or a member of the person's family, such as 1425  
would justify a prudent person in going armed. Written documents 1426  
of this nature include, but are not limited to, any temporary 1427  
protection order, civil protection order, protection order issued 1428  
by another state, or other court order, any court report, and any 1429  
report filed with or made by a law enforcement agency or 1430  
prosecutor. 1431

(2) "Prosecutor" has the same meaning as in section 2935.01 1432  
of the Revised Code. 1433

(B)(1) A person seeking a concealed handgun license on a 1434  
temporary emergency basis shall submit to the sheriff of the 1435  
county in which the person resides or in the case of a person who 1436  
usually resides in another state, to the sheriff of the county in 1437  
which the person is temporarily staying all of the following: 1438

(a) Evidence of imminent danger to the person or a member of 1439  
the person's family; 1440

(b) A sworn affidavit that contains all of the information 1441  
required to be on the license and attesting that the person is 1442  
legally living in the United States; is at least twenty-one years 1443  
of age; is not a fugitive from justice; is not under indictment 1444  
for or otherwise charged with an offense identified in division 1445  
(D)(1)(d) of section 2923.125 of the Revised Code; has not been 1446  
convicted of or pleaded guilty to an offense, and has not been 1447  
adjudicated a delinquent child for committing an act, identified 1448  
in division (D)(1)(e) of that section and to which division (B)(3) 1449

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of this section does not apply; within three years of the date of 1450  
the submission, has not been convicted of or pleaded guilty to an 1451  
offense, and has not been adjudicated a delinquent child for 1452  
committing an act, identified in division (D) (1) (f) of that 1453  
section and to which division (B) (3) of this section does not 1454  
apply; within five years of the date of the submission, has not 1455  
been convicted of, pleaded guilty, or adjudicated a delinquent 1456  
child for committing two or more violations identified in division 1457  
(D) (1) (g) of that section; within ten years of the date of the 1458  
submission, has not been convicted of, pleaded guilty, or 1459  
adjudicated a delinquent child for committing a violation 1460  
identified in division (D) (1) (h) of that section and to which 1461  
division (B) (3) of this section does not apply; has not been 1462  
adjudicated as a mental defective, has not been committed to any 1463  
mental institution, is not under adjudication of mental 1464  
incompetence, has not been found by a court to be a mentally ill 1465  
person subject to hospitalization by court order, and is not an 1466  
involuntary patient other than one who is a patient only for 1467  
purposes of observation, as described in division (D) (1) (i) of 1468  
that section; is not currently subject to a civil protection 1469  
order, a temporary protection order, or a protection order issued 1470  
by a court of another state, as described in division (D) (1) (j) of 1471  
that section; and is not currently subject to a suspension imposed 1472  
under division (A) (2) of section 2923.128 of the Revised Code of a 1473  
concealed handgun license that previously was issued to the person 1474  
or a similar suspension imposed by another state regarding a 1475  
concealed handgun license issued by that state; is not an unlawful 1476  
user of or addicted to any controlled substance as defined in 21 1477  
U.S.C. 802; is an alien and has not been admitted to the United 1478  
States under a nonimmigrant visa, as defined in the "Immigration 1479  
and Nationality Act," 8 U.S.C. 1101(a) (26); has not been 1480  
discharged from the armed forces of the United States under 1481  
dishonorable conditions; has not renounced the applicant's United 1482

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States citizenship; and has not been convicted of, pleaded guilty 1483  
to, or been adjudicated a delinquent child for committing a 1484  
violation identified in division (D)(1)(r) of section 2923.125 of 1485  
the Revised Code; 1486

(c) A nonrefundable temporary emergency license fee as 1487  
described in either of the following: 1488

(i) For an applicant who has been a resident of this state 1489  
for five or more years, a fee of fifteen dollars plus the actual 1490  
cost of having a background check performed by the bureau of 1491  
criminal identification and investigation pursuant to section 1492  
311.41 of the Revised Code; 1493

(ii) For an applicant who has been a resident of this state 1494  
for less than five years or who is not a resident of this state, a 1495  
fee of fifteen dollars plus the actual cost of having background 1496  
checks performed by the federal bureau of investigation and the 1497  
bureau of criminal identification and investigation pursuant to 1498  
section 311.41 of the Revised Code. 1499

(d) A set of fingerprints of the applicant provided as 1500  
described in section 311.41 of the Revised Code through use of an 1501  
electronic fingerprint reading device or, if the sheriff to whom 1502  
the application is submitted does not possess and does not have 1503  
ready access to the use of an electronic fingerprint reading 1504  
device, on a standard impression sheet prescribed pursuant to 1505  
division (C)(2) of section 109.572 of the Revised Code. If the 1506  
fingerprints are provided on a standard impression sheet, the 1507  
person also shall provide the person's social security number to 1508  
the sheriff. 1509

(2) A sheriff shall accept the evidence of imminent danger, 1510  
the sworn affidavit, the fee, and the set of fingerprints required 1511  
under division (B)(1) of this section at the times and in the 1512  
manners described in division (I) of this section. Upon receipt of 1513

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the evidence of imminent danger, the sworn affidavit, the fee, and 1514  
the set of fingerprints required under division (B) (1) of this 1515  
section, the sheriff, in the manner specified in section 311.41 of 1516  
the Revised Code, immediately shall conduct or cause to be 1517  
conducted the criminal records check and the incompetency records 1518  
check described in section 311.41 of the Revised Code. Immediately 1519  
upon receipt of the results of the records checks, the sheriff 1520  
shall review the information and shall determine whether the 1521  
criteria set forth in divisions (D) (1) (a) to (j) and (m) to (r) of 1522  
section 2923.125 of the Revised Code apply regarding the person. 1523  
If the sheriff determines that all of criteria set forth in 1524  
divisions (D) (1) (a) to (j) and (m) to (r) of section 2923.125 of 1525  
the Revised Code apply regarding the person, the sheriff shall 1526  
immediately make available through the law enforcement automated 1527  
data system all information that will be contained on the 1528  
temporary emergency license for the person if one is issued, and 1529  
the superintendent of the state highway patrol shall ensure that 1530  
the system is so configured as to permit the transmission through 1531  
the system of that information. Upon making that information 1532  
available through the law enforcement automated data system, the 1533  
sheriff shall immediately issue to the person a concealed handgun 1534  
license on a temporary emergency basis. 1535

If the sheriff denies the issuance of a license on a 1536  
temporary emergency basis to the person, the sheriff shall specify 1537  
the grounds for the denial in a written notice to the person. The 1538  
person may appeal the denial, or challenge criminal records check 1539  
results that were the basis of the denial if applicable, in the 1540  
same manners specified in division (D) (2) of section 2923.125 and 1541  
in section 2923.127 of the Revised Code, regarding the denial of 1542  
an application for a concealed handgun license under that section. 1543

The license on a temporary emergency basis issued under this 1544  
division shall be in the form, and shall include all of the 1545

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information, described in divisions (A) (2) and (5) of section 1546  
109.731 of the Revised Code, and also shall include a unique 1547  
combination of identifying letters and numbers in accordance with 1548  
division (A) (4) of that section. 1549

The license on a temporary emergency basis issued under this 1550  
division is valid for ninety days and may not be renewed. A person 1551  
who has been issued a license on a temporary emergency basis under 1552  
this division shall not be issued another license on a temporary 1553  
emergency basis unless at least four years has expired since the 1554  
issuance of the prior license on a temporary emergency basis. 1555

(3) If a person seeking a concealed handgun license on a 1556  
temporary emergency basis has been convicted of or pleaded guilty 1557  
to an offense identified in division (D) (1) (e), (f), or (h) of 1558  
section 2923.125 of the Revised Code or has been adjudicated a 1559  
delinquent child for committing an act or violation identified in 1560  
any of those divisions, and if a court has ordered the sealing or 1561  
expungement of the records of that conviction, guilty plea, or 1562  
adjudication pursuant to sections 2151.355 to 2151.358 or sections 1563  
2953.31 to 2953.36 of the Revised Code or a court in another state 1564  
has ordered the sealing or expungement of the records of that 1565  
conviction, guilty plea, or adjudication of a similar violation in 1566  
another state pursuant to the laws of that state or a court has 1567  
granted the applicant relief pursuant to section 2923.14 of the 1568  
Revised Code or pursuant to a similar statute in another state 1569  
from the disability imposed pursuant to section 2923.13 of the 1570  
Revised Code or from a disability imposed by a court in another 1571  
state relative to that conviction, guilty plea, or adjudication, 1572  
the conviction, guilty plea, or adjudication shall not be relevant 1573  
for purposes of the sworn affidavit described in division 1574  
(B) (1) (b) of this section, and the person may complete, and swear 1575  
to the truth of, the affidavit as if the conviction, guilty plea, 1576  
or adjudication never had occurred. 1577

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(4) The sheriff shall waive the payment pursuant to division 1578  
(B) (1) (c) of this section of the license fee in connection with an 1579  
application that is submitted by an applicant who is a retired 1580  
peace officer, a retired person described in division (B) (1) (b) of 1581  
section 109.77 of the Revised Code, or a retired federal law 1582  
enforcement officer who, prior to retirement, was authorized under 1583  
federal law to carry a firearm in the course of duty, unless the 1584  
retired peace officer, person, or federal law enforcement officer 1585  
retired as the result of a mental disability. 1586

The sheriff shall deposit all fees paid by an applicant under 1587  
division (B) (1) (c) of this section into the sheriff's concealed 1588  
handgun license issuance fund established pursuant to section 1589  
311.42 of the Revised Code. 1590

(C) A person who holds a concealed handgun license on a 1591  
temporary emergency basis has the same right to carry a concealed 1592  
handgun as a person who was issued a concealed handgun license 1593  
under section 2923.125 of the Revised Code, and any exceptions to 1594  
the prohibitions contained in section 1547.69 and sections 2923.12 1595  
to 2923.16 of the Revised Code for a licensee under section 1596  
2923.125 of the Revised Code apply to a licensee under this 1597  
section. The person is subject to the same restrictions, and to 1598  
all other procedures, duties, and sanctions, that apply to a 1599  
person who carries a license issued under section 2923.125 of the 1600  
Revised Code, other than the license renewal procedures set forth 1601  
in that section. 1602

(D) A sheriff who issues a concealed handgun license on a 1603  
temporary emergency basis under this section shall not require a 1604  
person seeking to carry a concealed handgun in accordance with 1605  
this section to submit a competency certificate as a prerequisite 1606  
for issuing the license and shall comply with division (H) of 1607  
section 2923.125 of the Revised Code in regards to the license. 1608  
The sheriff shall suspend or revoke the license in accordance with 1609

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section 2923.128 of the Revised Code. In addition to the 1610  
suspension or revocation procedures set forth in section 2923.128 1611  
of the Revised Code, the sheriff may revoke the license upon 1612  
receiving information, verifiable by public documents, that the 1613  
person is not eligible to possess a firearm under either the laws 1614  
of this state or of the United States or that the person committed 1615  
perjury in obtaining the license; if the sheriff revokes a license 1616  
under this additional authority, the sheriff shall notify the 1617  
person, by certified mail, return receipt requested, at the 1618  
person's last known residence address that the license has been 1619  
revoked and that the person is required to surrender the license 1620  
at the sheriff's office within ten days of the date on which the 1621  
notice was mailed. Division (H) of section 2923.125 of the Revised 1622  
Code applies regarding any suspension or revocation of a concealed 1623  
handgun license on a temporary emergency basis. 1624

(E) A sheriff who issues a concealed handgun license on a 1625  
temporary emergency basis under this section shall retain, for the 1626  
entire period during which the license is in effect, the evidence 1627  
of imminent danger that the person submitted to the sheriff and 1628  
that was the basis for the license, or a copy of that evidence, as 1629  
appropriate. 1630

(F) If a concealed handgun license on a temporary emergency 1631  
basis issued under this section is lost or is destroyed, the 1632  
licensee may obtain from the sheriff who issued that license a 1633  
duplicate license upon the payment of a fee of fifteen dollars and 1634  
the submission of an affidavit attesting to the loss or 1635  
destruction of the license. The sheriff, in accordance with the 1636  
procedures prescribed in section 109.731 of the Revised Code, 1637  
shall place on the replacement license a combination of 1638  
identifying numbers different from the combination on the license 1639  
that is being replaced. 1640

(G) The Ohio peace officer training commission shall 1641

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prescribe, and shall make available to sheriffs, a standard form 1642  
to be used under division (B) of this section by a person who 1643  
applies for a concealed handgun license on a temporary emergency 1644  
basis on the basis of imminent danger of a type described in 1645  
division (A) (1) (a) of this section. 1646

(H) A sheriff who receives any fees paid by a person under 1647  
this section shall deposit all fees so paid into the sheriff's 1648  
concealed handgun license issuance expense fund established under 1649  
section 311.42 of the Revised Code. 1650

(I) A sheriff shall accept evidence of imminent danger, a 1651  
sworn affidavit, the fee, and the set of fingerprints specified in 1652  
division (B) (1) of this section at any time during normal business 1653  
hours. In no case shall a sheriff require an appointment, or 1654  
designate a specific period of time, for the submission or 1655  
acceptance of evidence of imminent danger, a sworn affidavit, the 1656  
fee, and the set of fingerprints specified in division (B) (1) of 1657  
this section, or for the provision to any person of a standard 1658  
form to be used for a person to apply for a concealed handgun 1659  
license on a temporary emergency basis. 1660

Sec. 2923.13. (A) Unless relieved from disability as provided 1661  
in section 2923.14 of the Revised Code, or if the indictment or 1662  
conviction occurred in another state, a process similar thereto in 1663  
that other state, no person shall knowingly acquire, have, carry, 1664  
or use any firearm or dangerous ordnance, if any of the following 1665  
apply: 1666

(1) The person is a fugitive from justice. 1667

(2) The person is under indictment for or has been convicted 1668  
of any felony offense of violence or has been adjudicated a 1669  
delinquent child for the commission of an offense that, if 1670  
committed by an adult, would have been a felony offense of 1671  
violence. 1672

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~~(3) The person is under indictment for or has been convicted  
of any felony offense involving the illegal possession, use, sale,  
administration, distribution, or trafficking in any drug of abuse  
or has been adjudicated a delinquent child for the commission of  
an offense that, if committed by an adult, would have been a  
felony offense involving the illegal possession, use, sale,  
administration, distribution, or trafficking in any drug of abuse.~~

~~(4)~~ The person is drug dependent, in danger of drug  
dependence, or a chronic alcoholic.

~~(5)~~(4) The person is under adjudication of mental  
incompetence, has been adjudicated as a mental defective, has been  
committed to a mental institution, has been found by a court to be  
a mentally ill person subject to hospitalization by court order,  
or is an involuntary patient other than one who is a patient only  
for purposes of observation. As used in this division, "mentally  
ill person subject to hospitalization by court order" and  
"patient" have the same meanings as in section 5122.01 of the  
Revised Code.

(5) It would be unlawful under 18 U.S.C. 922(g) or any other  
federal law for the person to possess a firearm or dangerous  
ordnance.

(B) Whoever violates this section is guilty of having weapons  
while under disability, a felony of the third degree.

Sec. 2923.14. (A) Any person who is prohibited from  
acquiring, having, carrying, or using firearms may apply to the  
court of common pleas in the county in which the person resides  
for relief from such prohibition.

(B) The application shall recite the following:

(1) All indictments, convictions, or adjudications upon which  
the applicant's disability is based, the sentence imposed and

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served, and any release granted under a community control 1703  
sanction, post-release control sanction, or parole, any partial or 1704  
conditional pardon granted, or other disposition of each case, or, 1705  
if the disability is based upon a factor other than an indictment, 1706  
a conviction, or an adjudication, the factor upon which the 1707  
disability is based and all details related to that factor; 1708

(2) Facts showing the applicant to be a fit subject for 1709  
relief under this section. 1710

(C) A copy of the application shall be served on the county 1711  
prosecutor. The county prosecutor shall cause the matter to be 1712  
investigated and shall raise before the court any objections to 1713  
granting relief that the investigation reveals. 1714

(D) Upon hearing, the court may grant the applicant relief 1715  
pursuant to this section, if all of the following apply: 1716

(1) One of the following applies: 1717

(a) If the disability is based upon an indictment, a 1718  
conviction, or an adjudication, the applicant has been fully 1719  
discharged from imprisonment, community control, post-release 1720  
control, and parole, or, if the applicant is under indictment, has 1721  
been released on bail or recognizance. 1722

(b) If the disability is based upon a factor other than an 1723  
indictment, a conviction, or an adjudication, that factor no 1724  
longer is applicable to the applicant. 1725

(2) The applicant has led a law-abiding life since discharge 1726  
or release, and appears likely to continue to do so. 1727

(3) The applicant is not otherwise prohibited by law from 1728  
acquiring, having, or using firearms. 1729

(E) Costs of the proceeding shall be charged as in other 1730  
civil cases, and taxed to the applicant. 1731

(F) Relief from disability granted pursuant to this section 1732

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restores the applicant to all civil firearm rights to the full extent enjoyed by any citizen, and is subject to the following conditions:

(1) Applies only with respect to indictments, convictions, or adjudications, or to the other factor, recited in the application as the basis for the applicant's disability;

(2) Applies only with respect to firearms lawfully acquired, possessed, carried, or used by the applicant;

(3) May be revoked by the court at any time for good cause shown and upon notice to the applicant;

(4) Is automatically void upon commission by the applicant of any offense set forth in division (A) (2) ~~or (3)~~ of section 2923.13 of the Revised Code, or upon the applicant's becoming one of the class of persons named in division (A) (1), ~~(4)(3)~~, or ~~(5)(4)~~ of that section.

(G) As used in this section:

(1) "Community control sanction" has the same meaning as in section 2929.01 of the Revised Code.

(2) "Post-release control" and "post-release control sanction" have the same meanings as in section 2967.01 of the Revised Code.

**Section 2.** That existing sections 9.68, 109.69, 109.85, 109.86, 311.41, 311.42, 2901.09, 2917.11, 2917.31, 2923.11, 2923.125, 2923.1213, 2923.13, and 2923.14 and sections 2923.1210 and 2923.22 of the Revised Code are hereby repealed.