

As Introduced

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Faber, Fessler, Gibbs, Gilb, Hagan, Hoops, Law, Raga, Raussen, Reidelbach,
Schaffer, Schneider, Seaver, Seitz, J. Stewart, Taylor, Uecker, Willamowski**

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A B I L L

To amend sections 1547.69, 2923.12, 2923.122, 1
2923.123, 2923.124, 2923.125, 2923.126, 2923.129, 2
2923.1212, and 2923.16 of the Revised Code to 3
authorize a person to carry a concealed handgun 4
without obtaining a license to the same extent as 5
if the person had obtained such a license if the 6
person qualifies for a concealed carry license and 7
is legally permitted to purchase a handgun; to 8
remove the requirements that a concealed carry 9
licensee must be carrying the license in order to 10
carry a concealed handgun, must inform approaching 11
law enforcement officers that the person has a 12
license and is carrying the handgun when the 13
person is carrying a concealed handgun, and must 14
submit a new or renewed competency certification 15
when renewing the license; to eliminate as 16
premises in which a concealed carry licensee may 17
not carry a concealed handgun public or private 18
institutions of higher education, places of 19
worship, day-care centers and homes, and 20
government buildings other than schools, 21
courthouses, law enforcement offices, and 22
correctional facilities; to replace the 23

prohibitions that apply only to a concealed carry 24
licensee who is carrying a handgun in a motor 25
vehicle with a prohibition against a licensee who 26
is in a motor vehicle that is stopped by a law 27
enforcement officer knowingly menacing or 28
threatening an officer with a loaded handgun or 29
knowingly pointing a loaded handgun at an officer; 30
to remove the "in plain sight or secure 31
encasement" criterion that a concealed carry 32
licensee must satisfy to legally possess a handgun 33
in a motor vehicle; to provide a self-defense 34
exemption from the prohibitions against 35
discharging a firearm in or on a vessel or motor 36
vehicle; and to repeal the "Journalist exception" 37
to the provision that otherwise makes confidential 38
the records a sheriff possesses regarding 39
concealed handgun licenses and applications for 40
such licenses. 41

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

Section 1. That sections 1547.69, 2923.12, 2923.122, 42
2923.123, 2923.124, 2923.125, 2923.126, 2923.129, 2923.1212, and 43
2923.16 of the Revised Code be amended to read as follows: 44

Sec. 1547.69. (A) As used in this section: 45

(1) "Firearm" and "handgun" have the same meanings as in 46
section 2923.11 of the Revised Code. 47

(2) "Unloaded" has the same meaning as in section 2923.16 of 48
the Revised Code. 49

(B) No person shall knowingly discharge a firearm while in or 50
on a vessel. 51

(C) No person shall knowingly transport or have a loaded 52
firearm in a vessel in a manner that the firearm is accessible to 53
the operator or any passenger. 54

(D) No person shall knowingly transport or have a firearm in 55
a vessel unless it is unloaded and is carried in one of the 56
following ways: 57

(1) In a closed package, box, or case; 58

(2) In plain sight with the action opened or the weapon 59
stripped, or, if the firearm is of a type on which the action will 60
not stay open or that cannot easily be stripped, in plain sight. 61

(E)(1) The affirmative defenses authorized in divisions 62
~~(D)~~(C)(1) and (2) of section 2923.12 of the Revised Code are 63
affirmative defenses to a charge under division (C) or (D) of this 64
section that involves a firearm other than a handgun. It is an 65
affirmative defense to a charge under division (C) or (D) of this 66
section of transporting or having a firearm of any type, including 67
a handgun, in a vessel that the actor transported or had the 68
firearm in the vessel for any lawful purpose and while the vessel 69
was on the actor's own property, provided that this affirmative 70
defense is not available unless the actor, prior to arriving at 71
the vessel on the actor's own property, did not transport or 72
possess the firearm in the vessel or in a motor vehicle in a 73
manner prohibited by this section or division (B) or (C) of 74
section 2923.16 of the Revised Code while the vessel was being 75
operated on a waterway that was not on the actor's own property or 76
while the motor vehicle was being operated on a street, highway, 77
or other public or private property used by the public for 78
vehicular traffic. 79

(2) No person who is charged with a violation of division (C) 80
or (D) of this section shall be required to obtain a license or 81
temporary emergency license to carry a concealed handgun under 82

section 2923.125 or 2923.1213 of the Revised Code as a condition 83
for the dismissal of the charge. 84

(F) Divisions (B), (C), and (D) of this section do not apply 85
to the possession or discharge of a United States coast guard 86
approved signaling device required to be carried aboard a vessel 87
under section 1547.251 of the Revised Code when the signaling 88
device is possessed or used for the purpose of giving a visual 89
distress signal. No person shall knowingly transport or possess 90
any signaling device of that nature in or on a vessel in a loaded 91
condition at any time other than immediately prior to the 92
discharge of the signaling device for the purpose of giving a 93
visual distress signal. 94

(G) No person shall operate or permit to be operated any 95
vessel on the waters in this state in violation of this section. 96

(H)(1) This section does not apply to officers, agents, or 97
employees of this or any other state or of the United States, or 98
to law enforcement officers, when authorized to carry or have 99
loaded or accessible firearms in a vessel and acting within the 100
scope of their duties, and this section does not apply to persons 101
legally engaged in hunting. ~~Divisions~~ 102

(2) Division (B) of this section does not apply to a person 103
who discharges a firearm in self-defense while in or on a vessel. 104

(3) Divisions (C) and (D) of this section do not apply to a 105
any of the following: 106

(a) A person who transports or possesses a handgun in a 107
vessel and who, at the time of that transportation or possession, 108
is carrying a valid, who has been issued a license or temporary 109
emergency license to carry a concealed handgun issued to the 110
person under section 2923.125 or 2923.1213 of the Revised Code or 111
a license to carry a concealed handgun that was issued by another 112
state with which the attorney general has entered into a 113

reciprocity agreement under section 109.69 of the Revised Code, 114
unless the person whose license or temporary emergency license 115
issued as described in this division is valid at the time of the 116
alleged transportation or possession of the handgun, and who at 117
the time of the alleged transportation or possession of the 118
handgun is not knowingly ~~is~~ in a place on the vessel described in 119
division (B) of section 2923.126 of the Revised Code. The 120
exemption provided in division (H)(3)(a) of this section applies 121
to a person who has been issued a license or temporary emergency 122
license as described in division (H)(3)(a) of this section and who 123
satisfies the criteria specified for the exemption regardless of 124
whether the person, at the time of the alleged transportation or 125
possession of the handgun, is carrying that license or temporary 126
emergency license. 127

(b) A person who transports or possesses a handgun in a 128
vessel and who, at the time of the alleged transportation or 129
possession of the handgun, is legally permitted to purchase a 130
firearm under the laws of this state and the United States, would 131
meet all the requirements for a license to carry a concealed 132
handgun under division (D)(1) of section 2923.125 of the Revised 133
Code if the person had submitted an application for a license to 134
carry a concealed handgun at that time, and is not knowingly in a 135
place described in division (B) of section 2923.126 of the Revised 136
Code. For purposes of division (H)(3)(b) of this section, a person 137
would meet the requirement for a license that is specified in 138
division (D)(1)(1) of section 2923.125 of the Revised Code if the 139
person has a competency certification of any type described in 140
division (B)(3) of that section, and the person has read the 141
pamphlet described in division (B)(4) of that section, regardless 142
of whether the person has submitted to another person 143
certifications of the types described in divisions (B)(3) and (4) 144
of that section. 145

(I) If a law enforcement officer stops a vessel for a 146
violation of this section or any other law enforcement purpose, if 147
any person on the vessel surrenders a firearm to the officer, 148
either voluntarily or pursuant to a request or demand of the 149
officer, and if the officer does not charge the person with a 150
violation of this section or arrest the person for any offense, 151
the person is not otherwise prohibited by law from possessing the 152
firearm, and the firearm is not contraband, the officer shall 153
return the firearm to the person at the termination of the stop. 154

Sec. 2923.12. (A) No person shall knowingly carry or have, 155
concealed on the person's person or concealed ready at hand, any 156
of the following: 157

(1) A deadly weapon other than a handgun; 158

(2) A handgun other than a dangerous ordnance; 159

(3) A dangerous ordnance. 160

~~(B) No person who has been issued a license or temporary 161
emergency license to carry a concealed handgun under section 162
2923.125 or 2923.1213 of the Revised Code or a license to carry a 163
concealed handgun that was issued by another state with which the 164
attorney general has entered into a reciprocity agreement under 165
section 109.69 of the Revised Code, who is stopped for a law 166
enforcement purpose, and who is carrying a concealed handgun shall 167
fail to promptly inform any law enforcement officer who approaches 168
the person after the person has been stopped that the person has 169
been issued a license or temporary emergency license to carry a 170
concealed handgun and that the person then is carrying a concealed 171
handgun. 172~~

~~(C)~~(1) This section does not apply to officers, agents, or 173
employees of this or any other state or the United States, or to 174
law enforcement officers, authorized to carry concealed weapons or 175

dangerous ordnance and acting within the scope of their duties. 176

(2) Division (A)(2) of this section does not apply to any of 177
the following: 178

(a) An officer, agent, or employee of this or any other state 179
or the United States, or a law enforcement officer, who is 180
authorized to carry a handgun and acting within the scope of the 181
officer's, agent's, or employee's duties; 182

(b) A person who, ~~at the time of the alleged carrying or~~ 183
~~possession of a handgun, is carrying a valid~~ has been issued a 184
license or temporary emergency license to carry a concealed 185
handgun ~~issued to the person~~ under section 2923.125 or 2923.1213 186
of the Revised Code or a license to carry a concealed handgun ~~that~~ 187
~~was~~ issued by another state with which the attorney general has 188
entered into a reciprocity agreement under section 109.69 of the 189
Revised Code, ~~unless the person whose license or temporary~~ 190
emergency license issued as described in this division is valid at 191
the time of the alleged carrying or possession of a handgun, and 192
who at the time of the alleged carrying or possession of the 193
handgun is not knowingly is in a place described in division (B) 194
of section 2923.126 of the Revised Code. The exemption provided in 195
division (B)(2)(b) of this section applies to a person who has 196
been issued a license or temporary emergency license as described 197
in division (B)(2)(b) of this section and who satisfies the other 198
criteria specified for the exemption regardless of whether the 199
person, at the time of the alleged carrying or possession of the 200
handgun, is carrying that license or temporary emergency license. 201

(c) A person who, at the time of the alleged carrying or 202
possession of a handgun, is legally permitted to purchase a 203
firearm under the laws of this state and the United States, would 204
meet all the requirements for a license to carry a concealed 205
handgun under division (D)(1) of section 2923.125 of the Revised 206
Code if the person had submitted an application for a license to 207

carry a concealed handgun at that time, and is not knowingly in a 208
place described in division (B) of section 2923.126 of the Revised 209
Code. For purposes of division (B)(2)(c) of this section, a person 210
would meet the requirement for a license that is specified in 211
division (D)(1)(1) of section 2923.125 of the Revised Code if the 212
person has a competency certification of any type described in 213
division (B)(3) of that section, and the person has read the 214
pamphlet described in division (B)(4) of that section, regardless 215
of whether the person has submitted to another person 216
certifications of the types described in divisions (B)(3) and (4) 217
of that section. 218

~~(D)~~(C) It is an affirmative defense to a charge under 219
division (A)(1) of this section of carrying or having control of a 220
weapon other than a handgun and other than a dangerous ordnance 221
that the actor was not otherwise prohibited by law from having the 222
weapon and that any of the following applies: 223

(1) The weapon was carried or kept ready at hand by the actor 224
for defensive purposes while the actor was engaged in or was going 225
to or from the actor's lawful business or occupation, which 226
business or occupation was of a character or was necessarily 227
carried on in a manner or at a time or place as to render the 228
actor particularly susceptible to criminal attack, such as would 229
justify a prudent person in going armed. 230

(2) The weapon was carried or kept ready at hand by the actor 231
for defensive purposes while the actor was engaged in a lawful 232
activity and had reasonable cause to fear a criminal attack upon 233
the actor, a member of the actor's family, or the actor's home, 234
such as would justify a prudent person in going armed. 235

(3) The weapon was carried or kept ready at hand by the actor 236
for any lawful purpose and while in the actor's own home. 237

(4) The weapon was being transported in a motor vehicle for 238

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

~~(E)~~(D) It is an affirmative defense to a charge under
division (A) of this section of carrying or having control of a
handgun other than a dangerous ordnance that the actor was not
otherwise prohibited by law from having the handgun and that the
handgun was carried or kept ready at hand by the actor for any
lawful purpose and while in the actor's own home, provided that
this affirmative defense is not available unless the actor, prior
to arriving at the actor's own home, did not transport or possess
the handgun in a motor vehicle in a manner prohibited by division
(B) or (C) of section 2923.16 of the Revised Code while the motor
vehicle was being operated on a street, highway, or other public
or private property used by the public for vehicular traffic.

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

~~(G)(1)~~(F) Whoever violates this section is guilty of carrying
concealed weapons. Except as otherwise provided in this division
~~or division (G)(2) of this section~~, carrying concealed weapons ~~in~~
~~violation of division (A) of this section~~ is a misdemeanor of the
first degree. Except as otherwise provided in this division ~~or~~
~~division (G)(2) of this section~~, if the offender previously has
been convicted of a violation of this section or of any offense of
violence, if the weapon involved is a firearm that is either
loaded or for which the offender has ammunition ready at hand, or
if the weapon involved is dangerous ordnance, carrying concealed
weapons ~~in violation of division (A) of this section~~ is a felony

of the fourth degree. ~~Except as otherwise provided in division~~ 271
~~(G)(2) of this section, if~~ If the weapon involved is a firearm and 272
the violation of this section is committed at premises for which a 273
D permit has been issued under Chapter 4303. of the Revised Code 274
or if the offense is committed aboard an aircraft, or with purpose 275
to carry a concealed weapon aboard an aircraft, regardless of the 276
weapon involved, carrying concealed weapons ~~in violation of~~ 277
~~division (A) of this section~~ is a felony of the third degree. 278

~~(2) If a person being arrested for a violation of division~~ 279
~~(A)(2) of this section promptly produces a valid license or~~ 280
~~temporary emergency license to carry a concealed handgun issued~~ 281
~~under section 2923.125 or 2923.1213 of the Revised Code or a~~ 282
~~license to carry a concealed handgun that was issued by another~~ 283
~~state with which the attorney general has entered into a~~ 284
~~reciprocity agreement under section 109.69 of the Revised Code,~~ 285
~~and if at the time of the violation the person was not knowingly~~ 286
~~in a place described in division (B) of section 2923.126 of the~~ 287
~~Revised Code, the officer shall not arrest the person for a~~ 288
~~violation of that division. If the person is not able to promptly~~ 289
~~produce any of those types of license and if the person is not in~~ 290
~~a place described in that section, the officer may arrest the~~ 291
~~person for a violation of that division, and the offender shall be~~ 292
~~punished as follows:~~ 293

~~(a) The offender shall be guilty of a minor misdemeanor if~~ 294
~~both of the following apply:~~ 295

~~(i) Within ten days after the arrest, the offender presents a~~ 296
~~license or temporary emergency license to carry a concealed~~ 297
~~handgun issued under section 2923.125 or 2923.1213 of the Revised~~ 298
~~Code or a license to carry a concealed handgun that was issued by~~ 299
~~another state with which the attorney general has entered into a~~ 300
~~reciprocity agreement under section 109.69 of the Revised Code,~~ 301
~~which license was valid at the time of the arrest to the law~~ 302

~~enforcement agency that employs the arresting officer.~~ 303

~~(ii) At the time of the arrest, the offender was not~~ 304
~~knowingly in a place described in division (B) of section 2923.126~~ 305
~~of the Revised Code.~~ 306

~~(b) The offender shall be guilty of a misdemeanor and shall~~ 307
~~be fined five hundred dollars if all of the following apply:~~ 308

~~(i) The offender previously had been issued a license to~~ 309
~~carry a concealed handgun under section 2923.125 of the Revised~~ 310
~~Code or a license to carry a concealed handgun that was issued by~~ 311
~~another state with which the attorney general has entered into a~~ 312
~~reciprocity agreement under section 109.69 of the Revised Code and~~ 313
~~that was similar in nature to a license issued under section~~ 314
~~2923.125 of the Revised Code, and that license expired within the~~ 315
~~two years immediately preceding the arrest.~~ 316

~~(ii) Within forty five days after the arrest, the offender~~ 317
~~presents any type of license identified in division (G)(2)(a)(i)~~ 318
~~of this section to the law enforcement agency that employed the~~ 319
~~arresting officer, and the offender waives in writing the~~ 320
~~offender's right to a speedy trial on the charge of the violation~~ 321
~~that is provided in section 2945.71 of the Revised Code.~~ 322

~~(iii) At the time of the commission of the offense, the~~ 323
~~offender was not knowingly in a place described in division (B) of~~ 324
~~section 2923.126 of the Revised Code.~~ 325

~~(c) If neither division (G)(2)(a) nor (b) of this section~~ 326
~~applies, the offender shall be punished under division (G)(1) of~~ 327
~~this section.~~ 328

~~(3) Carrying concealed weapons in violation of division (B)~~ 329
~~of this section is a misdemeanor of the fourth degree.~~ 330

~~(H)(G)~~ If a law enforcement officer stops a person to 331
question the person regarding a possible violation of this 332

section, for a traffic stop, or for any other law enforcement 333
purpose, if the person surrenders a firearm to the officer, either 334
voluntarily or pursuant to a request or demand of the officer, and 335
if the officer does not charge the person with a violation of this 336
section or arrest the person for any offense, the person is not 337
otherwise prohibited by law from possessing the firearm, and the 338
firearm is not contraband, the officer shall return the firearm to 339
the person at the termination of the stop. 340

Sec. 2923.122. (A) No person shall knowingly convey, or 341
attempt to convey, a deadly weapon or dangerous ordnance into a 342
school safety zone. 343

(B) No person shall knowingly possess a deadly weapon or 344
dangerous ordnance in a school safety zone. 345

(C) No person shall knowingly possess an object in a school 346
safety zone if both of the following apply: 347

(1) The object is indistinguishable from a firearm, whether 348
or not the object is capable of being fired. 349

(2) The person indicates that the person possesses the object 350
and that it is a firearm, or the person knowingly displays or 351
brandishes the object and indicates that it is a firearm. 352

(D)(1) This section does not apply to officers, agents, or 353
employees of this or any other state or the United States, or to 354
law enforcement officers, authorized to carry deadly weapons or 355
dangerous ordnance and acting within the scope of their duties, to 356
any security officer employed by a board of education or governing 357
body of a school during the time that the security officer is on 358
duty pursuant to that contract of employment, or to any other 359
person who has written authorization from the board of education 360
or governing body of a school to convey deadly weapons or 361
dangerous ordnance into a school safety zone or to possess a 362

deadly weapon or dangerous ordnance in a school safety zone and
who conveys or possesses the deadly weapon or dangerous ordnance
in accordance with that authorization.

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

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

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

(b) One of the following applies:

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

described in this division is valid at the time of the conveyance, 394
attempted conveyance, or possession of the handgun. The exemption 395
provided in division (D)(3) of this section applies to a person 396
who has been issued a license or temporary emergency license as 397
described in division (D)(3)(b)(i) of this section and who 398
satisfies the other criteria specified for the exemption 399
regardless of whether the person, at the time of the conveyance, 400
attempted conveyance, or possession of the handgun, is carrying 401
that license or temporary emergency license. 402

(ii) At the time of the conveyance, attempted conveyance, or 403
possession of the handgun, the person is legally permitted to 404
purchase a firearm under the laws of this state and the United 405
States, and the person would meet all the requirements for a 406
license to carry a concealed handgun under division (D)(1) of 407
section 2923.125 of the Revised Code if the person had submitted 408
an application for a license to carry a concealed handgun at that 409
time. For purposes of division (B)(3)(b)(ii) of this section, a 410
person would meet the requirement for a license that is specified 411
in division (D)(1)(1) of section 2923.125 of the Revised Code if 412
the person has a competency certification of any type described in 413
division (B)(3) of that section, and the person has read the 414
pamphlet described in division (B)(4) of that section, regardless 415
of whether the person has submitted to another person 416
certifications of the types described in divisions (B)(3) and (4) 417
of that section. 418

(c) The person is in the school safety zone in accordance 419
with 18 U.S.C. 922(q)(2)(B). 420

(d) The person is not knowingly in a place described in 421
division (B)(1) or (B)(3) to ~~(10)~~(6) of section 2923.126 of the 422
Revised Code. 423

(E)(1) Whoever violates division (A) or (B) of this section 424
is guilty of illegal conveyance or possession of a deadly weapon 425

or dangerous ordnance in a school safety zone. Except as otherwise
provided in this division, illegal conveyance or possession of a
deadly weapon or dangerous ordnance in a school safety zone is a
felony of the fifth degree. If the offender previously has been
convicted of a violation of this section, illegal conveyance or
possession of a deadly weapon or dangerous ordnance in a school
safety zone is a felony of the fourth degree.

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

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

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

shall impose a class four suspension of the nonresident operating 458
privilege of the offender from the range specified in division 459
(A)(4) of section 4510.02 of the Revised Code. 460

(2) If the offender shows good cause why the court should not 461
suspend one of the types of licenses, permits, or privileges 462
specified in division (F)(1) of this section or deny the issuance 463
of one of the temporary instruction permits specified in that 464
division, the court in its discretion may choose not to impose the 465
suspension, revocation, or denial required in that division. 466

(G) As used in this section, "object that is 467
indistinguishable from a firearm" means an object made, 468
constructed, or altered so that, to a reasonable person without 469
specialized training in firearms, the object appears to be a 470
firearm. 471

Sec. 2923.123. (A) No person shall knowingly convey or 472
attempt to convey a deadly weapon or dangerous ordnance into a 473
courthouse or into another building or structure in which a 474
courtroom is located. 475

(B) No person shall knowingly possess or have under the 476
person's control a deadly weapon or dangerous ordnance in a 477
courthouse or in another building or structure in which a 478
courtroom is located. 479

(C) This section does not apply to any of the following: 480

(1) A judge of a court of record of this state or a 481
magistrate, unless a rule of superintendence or another type of 482
rule adopted by the supreme court pursuant to Article IV, Ohio 483
Constitution, or an applicable local rule of court prohibits all 484
persons from conveying or attempting to convey a deadly weapon or 485
dangerous ordnance into a courthouse or into another building or 486
structure in which a courtroom is located or from possessing or 487

having under one's control a deadly weapon or dangerous ordnance 488
in a courthouse or in another building or structure in which a 489
courtroom is located; 490

(2) A peace officer, or an officer of a law enforcement 491
agency of another state, a political subdivision of another state, 492
or the United States, who is authorized to carry a deadly weapon 493
or dangerous ordnance, who possesses or has under that 494
individual's control a deadly weapon or dangerous ordnance as a 495
requirement of that individual's duties, and who is acting within 496
the scope of that individual's duties at the time of that 497
possession or control, unless a rule of superintendence or another 498
type of rule adopted by the supreme court pursuant to Article IV, 499
Ohio Constitution, or an applicable local rule of court prohibits 500
all persons from conveying or attempting to convey a deadly weapon 501
or dangerous ordnance into a courthouse or into another building 502
or structure in which a courtroom is located or from possessing or 503
having under one's control a deadly weapon or dangerous ordnance 504
in a courthouse or in another building or structure in which a 505
courtroom is located; 506

(3) A person who conveys, attempts to convey, possesses, or 507
has under the person's control a deadly weapon or dangerous 508
ordnance that is to be used as evidence in a pending criminal or 509
civil action or proceeding; 510

(4) A bailiff or deputy bailiff of a court of record of this 511
state who is authorized to carry a firearm pursuant to section 512
109.77 of the Revised Code, who possesses or has under that 513
individual's control a firearm as a requirement of that 514
individual's duties, and who is acting within the scope of that 515
individual's duties at the time of that possession or control, 516
unless a rule of superintendence or another type of rule adopted 517
by the supreme court pursuant to Article IV, Ohio Constitution, or 518
an applicable local rule of court prohibits all persons from 519

conveying or attempting to convey a deadly weapon or dangerous
ordnance into a courthouse or into another building or structure
in which a courtroom is located or from possessing or having under
one's control a deadly weapon or dangerous ordnance in a
courthouse or in another building or structure in which a
courtroom is located;

(5) A prosecutor, or a secret service officer appointed by a
county prosecuting attorney, who is authorized to carry a deadly
weapon or dangerous ordnance in the performance of the
individual's duties, who possesses or has under that individual's
control a deadly weapon or dangerous ordnance as a requirement of
that individual's duties, and who is acting within the scope of
that individual's duties at the time of that possession or
control, unless a rule of superintendence or another type of rule
adopted by the supreme court pursuant to Article IV of the Ohio
Constitution or an applicable local rule of court prohibits all
persons from conveying or attempting to convey a deadly weapon or
dangerous ordnance into a courthouse or into another building or
structure in which a courtroom is located or from possessing or
having under one's control a deadly weapon or dangerous ordnance
in a courthouse or in another building or structure in which a
courtroom is located;

(6) ~~A (a) Subject to division (C)(6)(b) of this section, a~~
person who conveys or attempts to convey a handgun into a
courthouse or into another building or structure in which a
courtroom is located, ~~who, at the time of the conveyance or~~
~~attempt, is carrying a valid license or temporary emergency~~
~~license to carry a concealed handgun issued to the person under~~
~~section 2923.125 or 2923.1213 of the Revised Code or a license to~~
~~carry a concealed handgun that was issued by another state with~~
~~which the attorney general has entered into a reciprocity~~
~~agreement under section 109.69 of the Revised Code, and who~~

transfers possession of the handgun to the officer or officer's 552
designee who has charge of the courthouse or building. ~~The, and to~~ 553
whom either of the following applies: 554

(i) The person has been issued a license or temporary 555
emergency license to carry a concealed handgun under section 556
2923.125 or 2923.1213 of the Revised Code or a license to carry a 557
concealed handgun issued by another state with which the attorney 558
general has entered into a reciprocity agreement under section 559
109.68 of the Revised Code, and the person's license or temporary 560
emergency license issued as described in division (C)(6)(a)(i) of 561
this section is valid at the time of the conveyance or attempted 562
conveyance of the handgun. The exemption provided in division 563
(C)(6)(a) of this section applies to a person who has been issued 564
a license or temporary emergency license as described in division 565
(C)(6)(a)(i) of this section and who satisfies the other criteria 566
specified for the exemption regardless of whether the person, at 567
the time of the conveyance or attempted conveyance of the handgun, 568
is carrying that license or temporary emergency license. 569

(ii) At the time of the conveyance or attempted conveyance of 570
the handgun, the person is legally permitted to purchase a firearm 571
under the law of this state and the United States, and the person 572
would meet all the requirements for a license to carry a concealed 573
handgun under division (D)(1) of section 2923.125 of the Revised 574
Code if the person had submitted an application for a license to 575
carry a concealed handgun at that time. For purposes of division 576
(C)(6)(a)(ii) of this section, a person would meet the requirement 577
for a license that is specified in division (D)(1)(1) of section 578
2923.125 of the Revised Code if the person has a competency 579
certification of any type described in division (B)(3) of that 580
section, and the person has read the pamphlet described in 581
division (B)(4) of that section, regardless of whether the person 582
has submitted to another person certifications of the types 583

described in divisions (B)(3) and (4) of that section.

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(b) The officer to whom a person transfers possession of a handgun under division (C)(6)(a) of this section shall secure the handgun so transferred until the licensee person who transferred the handgun is prepared to leave the premises. The exemption described in ~~this~~ division (C)(6)(a) of this section applies only if the officer who has charge of the courthouse or building provides services of the nature described in this division and division (C)(6)(a) of this section. An officer who has charge of the courthouse or building is not required to offer services of the nature described in this division and division (C)(6)(a) of this section. The exemption described in ~~this~~ division (C)(6)(a) of this section does not apply if a rule of superintendence or another type of rule adopted by the supreme court pursuant to Article IV, Ohio Constitution, or if an applicable local rule of court prohibits all persons from conveying or attempting to convey a deadly weapon or dangerous ordnance into a courthouse or into another building or structure in which a courtroom is located or from possessing or having under one's control a deadly weapon or dangerous ordnance in a courthouse or in another building or structure in which a courtroom is located.

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

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(2) Whoever violates division (B) of this section is guilty of illegal possession or control of a deadly weapon or dangerous

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ordnance in a courthouse. Except as otherwise provided in this 616
division, illegal possession or control of a deadly weapon or 617
dangerous ordnance in a courthouse is a felony of the fifth 618
degree. If the offender previously has been convicted of a 619
violation of division (A) or (B) of this section, illegal 620
possession or control of a deadly weapon or dangerous ordnance in 621
a courthouse is a felony of the fourth degree. 622

(E) As used in this section: 623

(1) "Magistrate" means an individual who is appointed by a 624
court of record of this state and who has the powers and may 625
perform the functions specified in Civil Rule 53, Criminal Rule 626
19, or Juvenile Rule 40. 627

(2) "Peace officer" and "prosecutor" have the same meanings 628
as in section 2935.01 of the Revised Code. 629

Sec. 2923.124. As used in sections 2923.124 to 2923.1213 of 630
the Revised Code: 631

(A) "Application form" means the application form prescribed 632
pursuant to division (A)(1) of section 109.731 of the Revised Code 633
and includes a copy of that form. 634

(B) "Competency certification" and "competency certificate" 635
mean a document of the type described in division (B)(3) of 636
section 2923.125 of the Revised Code. 637

(C) "Detention facility" has the same meaning as in section 638
2921.01 of the Revised Code. 639

(D) "Licensee" means a person to whom a license to carry a 640
concealed handgun has been issued under section 2923.125 of the 641
Revised Code and, except when the context clearly indicates 642
otherwise, includes a person to whom a temporary emergency license 643
to carry a concealed handgun has been issued under section 644
2923.1213 of the Revised Code. 645

(E) "License fee" or "license renewal fee" means the fee for a license to carry a concealed handgun or the fee to renew that license that is prescribed pursuant to division (C) of section 109.731 of the Revised Code and that is to be paid by an applicant for a license of that type.

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

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

(H) "Valid license" means a license or temporary emergency license to carry a concealed handgun that has been issued under section 2923.125 or 2923.1213 of the Revised Code, that is currently valid, that is not under a suspension under division (A)(1) of section 2923.128 or under ~~section~~ section 2923.1213 of the Revised Code, and that has not been revoked under division (B)(1) of section 2923.128 or under section 2923.1213 of the Revised Code.

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

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

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

~~(L) "Child day care center," "type A family day care home" and "type B family day care home" have the same meanings as in section 5104.01 of the Revised Code.~~

~~(M) "Type C family day care home" means a family day care home authorized to provide child day care by Sub. H.B. 62 of the 121st General Assembly, as amended by Am. Sub. S.B. 160 of the~~

~~121st General Assembly and Sub. H.B. 407 of the 123rd General
Assembly.~~ 676
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~~(N)~~ "Foreign air transportation," "interstate air 678
transportation," and "intrastate air transportation" have the same 679
meanings as in 49 U.S.C. 40102, as now or hereafter amended. 680

Sec. 2923.125. (A) Upon the request of a person who wishes to 681
obtain a license to carry a concealed handgun or to renew a 682
license to carry a concealed handgun, a sheriff shall provide to 683
the person free of charge an application form and a copy of the 684
pamphlet described in division (B) of section 109.731 of the 685
Revised Code. 686

(B) An applicant for a license to carry a concealed handgun 687
shall submit a completed application form and all of the following 688
to the sheriff of the county in which the applicant resides or to 689
the sheriff of any county adjacent to the county in which the 690
applicant resides: 691

(1) A nonrefundable license fee prescribed by the Ohio peace 692
officer training commission pursuant to division (C) of section 693
109.731 of the Revised Code, except that the sheriff shall waive 694
the payment of the license fee in connection with an initial or 695
renewal application for a license that is submitted by an 696
applicant who is a retired peace officer, a retired person 697
described in division (B)(1)(b) of section 109.77 of the Revised 698
Code, or a retired federal law enforcement officer who, prior to 699
retirement, was authorized under federal law to carry a firearm in 700
the course of duty, unless the retired peace officer, person, or 701
federal law enforcement officer retired as the result of a mental 702
disability; 703

(2) A color photograph of the applicant that was taken within 704
thirty days prior to the date of the application; 705

(3) One or more of the following competency certifications, 706
each of which shall reflect that, regarding a certification 707
described in division (B)(3)(a), (b), (c), (e), or (f) of this 708
section, within the three years immediately preceding the 709
application the applicant has performed that to which the 710
competency certification relates and that, regarding a 711
certification described in division (B)(3)(d) of this section, the 712
applicant currently is an active or reserve member of the armed 713
forces of the United States or within the six years immediately 714
preceding the application the honorable discharge or retirement to 715
which the competency certification relates occurred: 716

(a) An original or photocopy of a certificate of completion 717
of a firearms safety, training, or requalification or firearms 718
safety instructor course, class, or program that was offered by or 719
under the auspices of the national rifle association and that 720
complies with the requirements set forth in division (G) of this 721
section; 722

(b) An original or photocopy of a certificate of completion 723
of a firearms safety, training, or requalification or firearms 724
safety instructor course, class, or program that satisfies all of 725
the following criteria: 726

(i) It was open to members of the general public. 727

(ii) It utilized qualified instructors who were certified by 728
the national rifle association, the executive director of the Ohio 729
peace officer training commission pursuant to section 109.75 or 730
109.78 of the Revised Code, or a governmental official or entity 731
of another state. 732

(iii) It was offered by or under the auspices of a law 733
enforcement agency of this or another state or the United States, 734
a public or private college, university, or other similar 735
postsecondary educational institution located in this or another 736

state, a firearms training school located in this or another 737
state, or another type of public or private entity or organization 738
located in this or another state. 739

(iv) It complies with the requirements set forth in division 740
(G) of this section. 741

(c) An original or photocopy of a certificate of completion 742
of a state, county, municipal, or department of natural resources 743
peace officer training school that is approved by the executive 744
director of the Ohio peace officer training commission pursuant to 745
section 109.75 of the Revised Code and that complies with the 746
requirements set forth in division (G) of this section, or the 747
applicant has satisfactorily completed and been issued a 748
certificate of completion of a basic firearms training program, a 749
firearms requalification training program, or another basic 750
training program described in section 109.78 or 109.801 of the 751
Revised Code that complies with the requirements set forth in 752
division (G) of this section; 753

(d) A document that evidences both of the following: 754

(i) That the applicant is an active or reserve member of the 755
armed forces of the United States, was honorably discharged from 756
military service in the active or reserve armed forces of the 757
United States, is a retired trooper of the state highway patrol, 758
or is a retired peace officer or federal law enforcement officer 759
described in division (B)(1) of this section or a retired person 760
described in division (B)(1)(b) of section 109.77 of the Revised 761
Code and division (B)(1) of this section; 762

(ii) That, through participation in the military service or 763
through the former employment described in division (B)(3)(d)(i) 764
of this section, the applicant acquired experience with handling 765
handguns or other firearms, and the experience so acquired was 766
equivalent to training that the applicant could have acquired in a 767

course, class, or program described in division (B)(3)(a), (b), or 768
(c) of this section. 769

(e) A certificate or another similar document that evidences 770
satisfactory completion of a firearms training, safety, or 771
requalification or firearms safety instructor course, class, or 772
program that is not otherwise described in division (B)(3)(a), 773
(b), (c), or (d) of this section, that was conducted by an 774
instructor who was certified by an official or entity of the 775
government of this or another state or the United States or by the 776
national rifle association, and that complies with the 777
requirements set forth in division (G) of this section; 778

(f) An affidavit that attests to the applicant's satisfactory 779
completion of a course, class, or program described in division 780
(B)(3)(a), (b), (c), or (e) of this section and that is subscribed 781
by the applicant's instructor or an authorized representative of 782
the entity that offered the course, class, or program or under 783
whose auspices the course, class, or program was offered. 784

(4) A certification by the applicant that the applicant has 785
read the pamphlet prepared by the Ohio peace officer training 786
commission pursuant to section 109.731 of the Revised Code that 787
reviews firearms, dispute resolution, and use of deadly force 788
matters. 789

(5) A set of fingerprints of the applicant provided as 790
described in section 311.41 of the Revised Code through use of an 791
electronic fingerprint reading device or, if the sheriff to whom 792
the application is submitted does not possess and does not have 793
ready access to the use of such a reading device, on a standard 794
impression sheet prescribed pursuant to division (C)(2) of section 795
109.572 of the Revised Code. 796

(C) Upon receipt of an applicant's completed application 797
form, supporting documentation, and, if not waived, license fee, a 798

sheriff shall conduct or cause to be conducted the criminal 799
records check and the incompetency records check described in 800
section 311.41 of the Revised Code. 801

(D)(1) Except as provided in division (D)(3), (4), or (5) of 802
this section, within forty-five days after receipt of an 803
applicant's completed application form for a license to carry a 804
concealed handgun, the supporting documentation, and, if not 805
waived, license fee, a sheriff shall make available through the 806
law enforcement automated data system in accordance with division 807
(H) of this section the information described in that division 808
and, upon making the information available through the system, 809
shall issue to the applicant a license to carry a concealed 810
handgun that shall expire four years after the date of issuance if 811
all of the following apply: 812

(a) The applicant has been a resident of this state for at 813
least forty-five days and a resident of the county in which the 814
person seeks the license or a county adjacent to the county in 815
which the person seeks the license for at least thirty days. 816

(b) The applicant is at least twenty-one years of age. 817

(c) The applicant is not a fugitive from justice. 818

(d) The applicant is not under indictment for or otherwise 819
charged with a felony; an offense under Chapter 2925., 3719., or 820
4729. of the Revised Code that involves the illegal possession, 821
use, sale, administration, or distribution of or trafficking in a 822
drug of abuse; a misdemeanor offense of violence; or a violation 823
of section 2903.14 or 2923.1211 of the Revised Code. 824

(e) The applicant has not been convicted of or pleaded guilty 825
to a felony or an offense under Chapter 2925., 3719., or 4729. of 826
the Revised Code that involves the illegal possession, use, sale, 827
administration, or distribution of or trafficking in a drug of 828
abuse; has not been adjudicated a delinquent child for committing 829

an act that if committed by an adult would be a felony or would be 830
an offense under Chapter 2925., 3719., or 4729. of the Revised 831
Code that involves the illegal possession, use, sale, 832
administration, or distribution of or trafficking in a drug of 833
abuse; and has not been convicted of, pleaded guilty to, or 834
adjudicated a delinquent child for committing a violation of 835
section 2903.13 of the Revised Code when the victim of the 836
violation is a peace officer, regardless of whether the applicant 837
was sentenced under division (C)(3) of that section. 838

(f) The applicant, within three years of the date of the 839
application, has not been convicted of or pleaded guilty to a 840
misdemeanor offense of violence other than a misdemeanor violation 841
of section 2921.33 of the Revised Code or a violation of section 842
2903.13 of the Revised Code when the victim of the violation is a 843
peace officer, or a misdemeanor violation of section 2923.1211 of 844
the Revised Code; and has not been adjudicated a delinquent child 845
for committing an act that if committed by an adult would be a 846
misdemeanor offense of violence other than a misdemeanor violation 847
of section 2921.33 of the Revised Code or a violation of section 848
2903.13 of the Revised Code when the victim of the violation is a 849
peace officer or for committing an act that if committed by an 850
adult would be a misdemeanor violation of section 2923.1211 of the 851
Revised Code. 852

(g) Except as otherwise provided in division (D)(1)(e) of 853
this section, the applicant, within five years of the date of the 854
application, has not been convicted of, pleaded guilty to, or 855
adjudicated a delinquent child for committing two or more 856
violations of section 2903.13 or 2903.14 of the Revised Code. 857

(h) The applicant, within ten years of the date of the 858
application, has not been convicted of, pleaded guilty to, or 859
adjudicated a delinquent child for committing a violation of 860
section 2921.33 of the Revised Code. 861

(i) The applicant has not been adjudicated as a mental 862
defective, has not been committed to any mental institution, is 863
not under adjudication of mental incompetence, has not been found 864
by a court to be a mentally ill person subject to hospitalization 865
by court order, and is not an involuntary patient other than one 866
who is a patient only for purposes of observation. As used in this 867
division, "mentally ill person subject to hospitalization by court 868
order" and "patient" have the same meanings as in section 5122.01 869
of the Revised Code. 870

(j) The applicant is not currently subject to a civil 871
protection order, a temporary protection order, or a protection 872
order issued by a court of another state. 873

(k) The applicant certifies that the applicant desires a 874
legal means to carry a concealed handgun for defense of the 875
applicant or a member of the applicant's family while engaged in 876
lawful activity. 877

(l) The applicant submits a competency certification of the 878
type described in division (B)(3) of this section and submits a 879
certification of the type described in division (B)(4) of this 880
section regarding the applicant's reading of the pamphlet prepared 881
by the Ohio peace officer training commission pursuant to section 882
109.731 of the Revised Code. 883

(2)(a) If a sheriff issues a license under this section, the 884
sheriff shall place on the license a unique combination of letters 885
and numbers identifying the license in accordance with the 886
procedure prescribed by the Ohio peace officer training commission 887
pursuant to section 109.731 of the Revised Code. 888

(b) If a sheriff denies an application under this section 889
because the applicant does not satisfy the criteria described in 890
division (D)(1) of this section, the sheriff shall specify the 891
grounds for the denial in a written notice to the applicant. The 892

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

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

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

residency requirements. 925

(E) If a license to carry a concealed handgun issued under 926
this section is lost or is destroyed, the licensee may obtain from 927
the sheriff who issued that license a duplicate license upon the 928
payment of a fee of fifteen dollars and the submission of an 929
affidavit attesting to the loss or destruction of the license. The 930
sheriff, in accordance with the procedures prescribed in section 931
109.731 of the Revised Code, shall place on the replacement 932
license a combination of identifying numbers different from the 933
combination on the license that is being replaced. 934

(F) A licensee who wishes to renew a license to carry a 935
concealed handgun issued under this ~~section~~ section shall do so 936
within thirty days after the expiration date of the license by 937
filing with the sheriff of the county in which the applicant 938
resides or with the sheriff of an adjacent county an application 939
for renewal of the license obtained pursuant to division (D) of 940
this section, a new color photograph of the licensee that was 941
taken within thirty days prior to the date of the renewal 942
application, a certification by the applicant that, subsequent to 943
the issuance of the license, the applicant has reread the pamphlet 944
prepared by the Ohio peace officer training commission pursuant to 945
section 109.731 of the Revised Code that reviews firearms, dispute 946
resolution, and use of deadly force matters, a new set of 947
fingerprints provided in the manner specified in division (D)(4) 948
of section 2923.125 of the Revised Code regarding initial 949
applications for a license to carry a concealed handgun, and a 950
nonrefundable license renewal fee unless the fee is waived. ~~The~~ 951
~~licensee also shall submit a competency certification of the type~~ 952
~~described in division (B)(3) of this section that is not older~~ 953
~~than six years or a renewed competency certification of the type~~ 954
~~described in division (C)(4) of this section that is not older~~ 955
~~than six years.~~ 956

Upon receipt of a completed renewal application, color 957
photograph, certification that the applicant has reread the 958
specified pamphlet prepared by the Ohio peace officer training 959
commission, new set of fingerprints, ~~competency certification or~~ 960
~~renewed competency certification~~, and license renewal fee unless 961
the fee is waived, a sheriff shall conduct or cause to be 962
conducted the criminal records check and the incompetency records 963
check described in section 311.41 of the Revised Code. The sheriff 964
shall renew the license if the sheriff determines that the 965
applicant continues to satisfy the requirements described in 966
division (D)(1) of this section, except that the applicant is not 967
required to submit a ~~renewed~~ competency certification ~~only in the~~ 968
~~circumstances described in division (G)(4) of this section for~~ 969
renewal. A renewed license shall expire four years after the date 970
of issuance and is subject to division (E) of this section and 971
sections 2923.126 and 2923.128 of the Revised Code. A sheriff 972
shall comply with divisions (D)(2) to (4) of this section when the 973
circumstances described in those divisions apply to a requested 974
license renewal. 975

(G)(1) Each course, class, or program described in division 976
(B)(3)(a), (b), (c), or (e) of this section shall provide to each 977
person who takes the course, class, or program a copy of the 978
pamphlet prepared by the Ohio peace officer training commission 979
pursuant to section 109.731 of the Revised Code that reviews 980
firearms, dispute resolution, and use of deadly force matters. 981
Each such course, class, or program described in one of those 982
divisions shall include at least twelve hours of training in the 983
safe handling and use of a firearm that shall include all of the 984
following: 985

(a) At least ten hours of training on the following matters: 986

(i) The ability to name, explain, and demonstrate the rules 987
for safe handling of a handgun and proper storage practices for 988

handguns and ammunition;	989
(ii) The ability to demonstrate and explain how to handle ammunition in a safe manner;	990 991
(iii) The ability to demonstrate the knowledge, skills, and attitude necessary to shoot a handgun in a safe manner;	992 993
(iv) Gun handling training.	994
(b) At least two hours of training that consists of range time and live-fire training.	995 996
(2) To satisfactorily complete the course, class, or program described in division (B)(3)(a), (b), (c), or (e) of this section, the applicant shall pass a competency examination that shall include both of the following:	997 998 999 1000
(a) A written section on the ability to name and explain the rules for the safe handling of a handgun and proper storage practices for handguns and ammunition;	1001 1002 1003
(b) A physical demonstration of competence in the use of a handgun and in the rules for safe handling and storage of a handgun and a physical demonstration of the attitude necessary to shoot a handgun in a safe manner.	1004 1005 1006 1007
(3) The competency certification described in division (B)(3)(a), (b), (c), or (e) of this section shall be dated and shall attest that the course, class, or program the applicant successfully completed met the requirements described in division (G)(1) of this section and that the applicant passed the competency examination described in division (G)(2) of this section.	1008 1009 1010 1011 1012 1013 1014
 (4) A person who has received a competency certification as described in division (B)(3) of this section, or who previously has received a renewed competency certification as described in this division, may obtain a renewed competency certification	1015 1016 1017 1018

~~pursuant to this division. If the person has received a competency certification within the preceding six years, or previously has received a renewed competency certification within the preceding six years, the person may obtain a renewed competency certification from an entity that offers a course, class, or program described in division (B)(3)(a), (b), (c), or (e) of this section by passing a competency examination of the type described in division (G)(2) of this section. In these circumstances, the person is not required to attend the course, class, or program in order to be eligible to take the competency examination for the renewed competency certification. If more than six years has elapsed since the person last received a competency certification or a renewed competency certification, in order for the person to obtain a renewed competency certification, the person shall both satisfactorily complete a course, class, or program described in division (B)(3)(a), (b), (c), or (e) of this section and pass a competency examination of the type described in division (G)(2) of this section. A renewed competency certification issued under this division shall be dated and shall attest that the applicant passed the competency examination of the type described in division (G)(2) of this section and, if applicable, that the person successfully completed a course, class, or program that met the requirements described in division (G)(1) of this section.~~

(H) Upon deciding to issue a license, deciding to issue a replacement license, or deciding to renew a license to carry a concealed handgun pursuant to this section, and before actually issuing or renewing the license, the sheriff shall make available through the law enforcement automated data system all information contained on the license. If the license subsequently is suspended under division (A)(1) of section 2923.128 of the Revised Code, revoked pursuant to division (B)(1) of section 2923.128 of the Revised Code, or lost or destroyed, the sheriff also shall make

available through the law enforcement automated data system a 1051
notation of that fact. The superintendent of the state highway 1052
patrol shall ensure that the law enforcement automated data system 1053
is so configured as to permit the transmission through the system 1054
of the information specified in this division. 1055

Sec. 2923.126. (A)(1) A license to carry a concealed handgun 1056
that is issued under section 2923.125 of the Revised Code shall 1057
expire four years after the date of issuance. A licensee who has 1058
been issued a license under that section shall be granted a grace 1059
period of thirty days after the licensee's license expires during 1060
which the licensee's license remains valid. Except as provided in 1061
divisions (B) and (C) of this section, a licensee who has been 1062
issued a license under section 2923.125 or 2923.1213 of the 1063
Revised Code may carry a concealed handgun anywhere in this state 1064
if the licensee also carries ~~a valid license and~~ valid 1065
identification when the licensee is in actual possession of a 1066
concealed handgun. The authority to carry a concealed handgun 1067
granted under this division applies to a licensee who has been 1068
issued a license or temporary emergency license as described in 1069
this division regardless of whether the licensee is carrying that 1070
license or temporary emergency license when in actual possession 1071
of a concealed handgun. The licensee shall give notice of any 1072
change in the licensee's residence address to the sheriff who 1073
issued the license within forty-five days after that change. 1074

~~If a licensee is the driver or an occupant of a motor vehicle 1075
that is stopped as the result of a traffic stop or a stop for 1076
another law enforcement purpose and if the licensee is 1077
transporting or has a loaded handgun in the motor vehicle at that 1078
time, the licensee shall promptly inform any law enforcement 1079
officer who approaches the vehicle while stopped that the licensee 1080
has been issued a license or temporary emergency license to carry 1081~~

~~a concealed handgun and that the licensee currently possesses or
has a loaded handgun; the licensee shall comply with lawful orders
of a law enforcement officer given while the motor vehicle is
stopped, shall remain in the motor vehicle while stopped, and
shall keep the licensee's hands in plain sight while any law
enforcement officer begins approaching the licensee while stopped
and before the officer leaves, unless directed otherwise by a law
enforcement officer; and the licensee shall not knowingly remove,
attempt to remove, grasp, or hold the loaded handgun or knowingly
have contact with the loaded handgun by touching it with the
licensee's hands or fingers, in any manner in violation of
division (E) of section 2923.16 of the Revised Code, while any law
enforcement officer begins approaching the licensee while stopped
and before the officer leaves. If a law enforcement officer
otherwise approaches a person who has been stopped for a law
enforcement purpose, if the person is a licensee, and if the
licensee is carrying a concealed handgun at the time the officer
approaches, the licensee shall promptly inform the officer that
the licensee has been issued a license or temporary emergency
license to carry a concealed handgun and that the licensee
currently is carrying a concealed handgun.~~

(2) A person who is legally permitted to purchase a firearm
under the laws of this state and the United States and who would
meet all the requirements for a license to carry a concealed
handgun under division (D)(1) of section 2923.125 of the Revised
Code if the person had submitted an application for a license to
carry a concealed handgun may carry a concealed handgun anywhere
in this state, in the same manner and to the same extent as if the
person had been issued a license to carry a concealed handgun
under section 2923.125 of the Revised Code. The restrictions
specified in divisions (B) and (C) of this section that limit the
authority of a licensee to carry a concealed handgun also apply to

a person who is granted authority under this division to carry a
concealed handgun. For purposes of this division, a person would
meet the requirement for a license that is specified in division
(D)(1)(1) of section 2923.125 of the Revised Code if the person
has a competency certification of any type described in division
(B)(3) of that section, and the person has read the pamphlet
described in division (B)(4) of that section, regardless of
whether the person has submitted to another person certifications
of the types described in divisions (B)(3) and (4) of that
section.

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

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

(2) A school safety zone, in violation of section 2923.122 of
the Revised Code;

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

(4) Any room or open air arena in which liquor is being

dispensed in premises for which a D permit has been issued under 1145
Chapter 4303. of the Revised Code, in violation of section 1146
2923.121 of the Revised Code; 1147

~~(5) Any premises owned or leased by any public or private 1148
college, university, or other institution of higher education, 1149
unless the handgun is in a locked motor vehicle or the licensee is 1150
in the immediate process of placing the handgun in a locked motor 1151
vehicle; 1152~~

~~(6) Any church, synagogue, mosque, or other place of worship, 1153
unless the church, synagogue, mosque, or other place of worship 1154
posts or permits otherwise; 1155~~

~~(7) A child day care center, a type A family day care home, a 1156
type B family day care home, or a type C family day care home, 1157
except that this division does not prohibit a licensee who resides 1158
in a type A family day care home, a type B family day care home, 1159
or a type C family day care home from carrying a concealed handgun 1160
at any time in any part of the home that is not dedicated or used 1161
for day care purposes, or from carrying a concealed handgun in a 1162
part of the home that is dedicated or used for day care purposes 1163
at any time during which no children, other than children of that 1164
licensee, are in the home; 1165~~

~~(8) An aircraft that is in, or intended for operation in, 1166
foreign air transportation, interstate air transportation, 1167
intrastate air transportation, or the transportation of mail by 1168
aircraft; 1169~~

~~(9) Any building that is owned by this state or any political 1170
subdivision of this state, and all portions of any building that 1171
is not owned by any governmental entity listed in this division 1172
but that is leased by such a governmental entity listed in this 1173
division; 1174~~

~~(10)~~(6) A place in which federal law prohibits the carrying 1175

of handguns. 1176

(C)(1) Nothing in this section shall negate or restrict a 1177
rule, policy, or practice of a private employer that is not a 1178
private college, university, or other institution of higher 1179
education concerning or prohibiting the presence of firearms on 1180
the private employer's premises or property, including motor 1181
vehicles owned by the private employer. Nothing in this section 1182
shall require a private employer of that nature to adopt a rule, 1183
policy, or practice concerning or prohibiting the presence of 1184
firearms on the private employer's premises or property, including 1185
motor vehicles owned by the private employer. 1186

(2)(a) A private employer shall be immune from liability in a 1187
civil action for any injury, death, or loss to person or property 1188
that allegedly was caused by or related to a licensee bringing a 1189
handgun onto the premises or property of the private employer, 1190
including motor vehicles owned by the private employer, unless the 1191
private employer acted with malicious purpose. A private employer 1192
is immune from liability in a civil action for any injury, death, 1193
or loss to person or property that allegedly was caused by or 1194
related to the private employer's decision to permit a licensee to 1195
bring, or prohibit a licensee from bringing, a handgun onto the 1196
premises or property of the private employer. As used in this 1197
division, "private employer" includes a private college, 1198
university, or other institution of higher education. 1199

(b) A political subdivision shall be immune from liability in 1200
a civil action, to the extent and in the manner provided in 1201
Chapter 2744. of the Revised Code, for any injury, death, or loss 1202
to person or property that allegedly was caused by or related to a 1203
licensee bringing a handgun onto any premises or property owned, 1204
leased, or otherwise under the control of the political 1205
subdivision. As used in this division, "political subdivision" has 1206
the same meaning as in section 2744.01 of the Revised Code. 1207

(3) The owner or person in control of private land or premises, and a private person or entity leasing land or premises owned by the state, the United States, or a political subdivision of the state or the United States, may post a sign in a conspicuous location on that land or on those premises prohibiting persons from carrying firearms or concealed firearms on or onto that land or those premises. A person who knowingly violates a posted prohibition of that nature is guilty of criminal trespass in violation of division (A)(4) of section 2911.21 of the Revised Code and is guilty of a misdemeanor of the fourth degree.

(D) A person who holds a license to carry a concealed handgun that was issued pursuant to the law of another state that is recognized by the attorney general pursuant to a reciprocity agreement entered into pursuant to section 109.69 of the Revised Code has the same right to carry a concealed handgun in this state as a person who was issued a license to carry a concealed handgun under section 2923.125 of the Revised Code and is subject to the same restrictions that apply to a person who carries a license issued under that section.

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

Sec. 2923.129. (A)(1) If a sheriff, the superintendent of the bureau of criminal identification and investigation, the employees of the bureau, the Ohio peace officer training commission, or the employees of the commission make a good faith effort in performing the duties imposed upon the sheriff, the superintendent, the bureau's employees, the commission, or the commission's employees by sections 109.731, 311.41, and 2923.124 to 2923.1213 of the

Revised Code, in addition to the personal immunity provided by 1239
section 9.86 of the Revised Code or division (A)(6) of section 1240
2744.03 of the Revised Code and the governmental immunity of 1241
sections 2744.02 and 2744.03 of the Revised Code and in addition 1242
to any other immunity possessed by the bureau, the commission, and 1243
their employees, the sheriff, the sheriff's office, the county in 1244
which the sheriff has jurisdiction, the bureau, the superintendent 1245
of the bureau, the bureau's employees, the commission, and the 1246
commission's employees are immune from liability in a civil action 1247
for injury, death, or loss to person or property that allegedly 1248
was caused by or related to any of the following: 1249

(a) The issuance, renewal, suspension, or revocation of a 1250
license to carry a concealed handgun or the issuance, suspension, 1251
or revocation of a temporary emergency license to carry a 1252
concealed handgun; 1253

(b) The failure to issue, renew, suspend, or revoke a license 1254
to carry a concealed handgun or the failure to issue, suspend, or 1255
revoke a temporary emergency license to carry a concealed handgun; 1256

(c) Any action or misconduct with a handgun committed by a 1257
licensee. 1258

(2) Any action of a sheriff relating to the issuance, 1259
renewal, suspension, or revocation of a license to carry a 1260
concealed handgun or the issuance, suspension, or revocation of a 1261
temporary emergency license to carry a concealed handgun shall be 1262
considered to be a governmental function for purposes of Chapter 1263
2744. of the Revised Code. 1264

(3) An entity that or instructor who provides a competency 1265
certification of a type described in division (B)(3) of section 1266
2923.125 of the Revised Code is immune from civil liability that 1267
might otherwise be incurred or imposed for any death or any injury 1268
or loss to person or property that is caused by or related to a 1269

person to whom the entity or instructor has issued the competency certificate if all of the following apply: 1270
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(a) The alleged liability of the entity or instructor relates to the training provided in the course, class, or program covered by the competency certificate. 1272
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(b) The entity or instructor makes a good faith effort in determining whether the person has satisfactorily completed the course, class, or program and makes a good faith effort in assessing the person in the competency examination conducted pursuant to division (G)(2) of section 2923.125 of the Revised Code. 1275
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(c) The entity or instructor did not issue the competency certificate with malicious purpose, in bad faith, or in a wanton or reckless manner. 1281
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~~(4) An entity that or instructor who provides a renewed competency certification of a type described in division (G)(4) of section 2923.125 of the Revised Code is immune from civil liability that might otherwise be incurred or imposed for any death or any injury or loss to person or property that is caused by or related to a person to whom the entity or instructor has issued the renewed competency certificate if all of the following apply:~~ 1284
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~~(a) The entity or instructor makes a good faith effort in assessing the person in the competency examination conducted pursuant to division (G)(2) of section 2923.125 of the Revised Code.~~ 1292
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~~(b) The entity or instructor did not issue the renewed competency certificate with malicious purpose, in bad faith, or in a wanton or reckless manner.~~ 1296
1297
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~~(5) A law enforcement agency that employs a peace officer is~~ 1299

immune from liability in a civil action to recover damages for 1300
injury, death, or loss to person or property allegedly caused by 1301
any act of that peace officer if the act occurred while the peace 1302
officer carried a concealed handgun and was off duty and if the 1303
act allegedly involved the peace officer's use of the concealed 1304
handgun. Sections 9.86 and 9.87, and Chapter 2744., of the Revised 1305
Code apply to any civil action involving a peace officer's use of 1306
a concealed handgun in the performance of the peace officer's 1307
official duties while the peace officer is off duty. 1308

(B)~~(1)~~ Notwithstanding section 149.43 of the Revised Code, 1309
~~except as provided in division (B)(2) of this section,~~ the records 1310
that a sheriff keeps relative to the issuance, renewal, 1311
suspension, or revocation of a license to carry a concealed 1312
handgun or the issuance, suspension, or revocation of a temporary 1313
emergency license to carry a concealed handgun, including, but not 1314
limited to, completed applications for the issuance or renewal of 1315
a license, completed affidavits submitted regarding an application 1316
for a temporary emergency license, reports of criminal records 1317
checks and incompetency records checks under section 311.41 of the 1318
Revised Code, and applicants' social security numbers and 1319
fingerprints that are obtained under division (A) of section 1320
311.41 of the Revised Code, are confidential and are not public 1321
records. ~~Except as provided in division (B)(2) of this section, no~~ 1322
No person shall release or otherwise disseminate records that are 1323
confidential under this division unless required to do so pursuant 1324
to a court order. 1325

~~(2) Upon a written request made to a sheriff and signed by a~~ 1326
~~journalist on or after the effective date of this section, the~~ 1327
~~sheriff shall disclose to the journalist the name, county of~~ 1328
~~residence, and date of birth of each person to whom the sheriff~~ 1329
~~has issued a license or replacement license to carry a concealed~~ 1330
~~handgun, renewed a license to carry a concealed handgun, or issued~~ 1331

~~a temporary emergency license or replacement temporary emergency
license to carry a concealed handgun under section 2923.125 or
2923.1213 of the Revised Code. The request shall include the
journalist's name and title, shall include the name and address of
the journalist's employer, and shall state that disclosure of the
information sought would be in the public interest.~~

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

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

(D) Law enforcement agencies may use the information a 1364
sheriff makes available through the use of the law enforcement 1365
automated data system pursuant to division (H) of section 2923.125 1366
or division (B)(2) or (D) of section 2923.1213 of the Revised Code 1367
for law enforcement purposes only. The information is confidential 1368
and is not a public record. A person who releases or otherwise 1369
disseminates this information obtained through the law enforcement 1370
automated data system in a manner not described in this division 1371
is guilty of a violation of section 2913.04 of the Revised Code. 1372

(E) Whoever violates division (B) of this section is guilty 1373
of illegal release of confidential concealed handgun license 1374
records, a felony of the fifth degree. In addition to any 1375
penalties imposed under Chapter 2929. of the Revised Code for a 1376
violation of division (B) of this section or a violation of 1377
section 2913.04 of the Revised Code described in division (D) of 1378
this section, if the offender is a sheriff, an employee of a 1379
sheriff, or any other public officer or employee, and if the 1380
violation was willful and deliberate, the offender shall be 1381
subject to a civil fine of one thousand dollars. Any person who is 1382
harmed by a violation of division (B) or (C) of this section or a 1383
violation of section 2913.04 of the Revised Code described in 1384
division (D) of this section has a private cause of action against 1385
the offender for any injury, death, or loss to person or property 1386
that is a proximate result of the violation and may recover court 1387
costs and attorney's fees related to the action. 1388

Sec. 2923.1212. (A) The following persons, boards, and 1389
entities, or designees, shall post in the following locations a 1390
sign that contains a statement in substantially the following 1391
form: "Unless otherwise authorized by law, pursuant to the Ohio 1392
Revised Code, no person shall knowingly possess, have under the 1393
person's control, convey, or attempt to convey a deadly weapon or 1394

dangerous ordnance onto these premises.": 1395

(1) The director of public safety or the person or board 1396
charged with the erection, maintenance, or repair of police 1397
stations, municipal jails, and the municipal courthouse and 1398
courtrooms in a conspicuous location at all police stations, 1399
municipal jails, and municipal courthouses and courtrooms; 1400

(2) The sheriff or sheriff's designee who has charge of the 1401
sheriff's office in a conspicuous location in that office; 1402

(3) The superintendent of the state highway patrol or the 1403
superintendent's designee in a conspicuous location at all state 1404
highway patrol stations; 1405

(4) Each sheriff, chief of police, or person in charge of 1406
every county, multicounty, municipal, municipal-county, or 1407
multicounty-municipal jail or workhouse, community-based 1408
correctional facility, halfway house, alternative residential 1409
facility, or other local or state correctional institution or 1410
detention facility within the state, or that person's designee, in 1411
a conspicuous location at that facility under that person's 1412
charge; 1413

(5) The board of trustees of a regional airport authority, 1414
chief administrative officer of an airport facility, or other 1415
person in charge of an airport facility in a conspicuous location 1416
at each airport facility under that person's control; 1417

(6) The officer or officer's designee who has charge of a 1418
courthouse or the building or structure in which a courtroom is 1419
located in a conspicuous location in that building or structure; 1420

(7) The superintendent of the bureau of criminal 1421
identification and investigation or the superintendent's designee 1422
in a conspicuous location in all premises controlled by that 1423
bureau; 1424

~~(8) The owner, administrator, or operator of a child day care center, a type A family day care home, a type B family day care home, or a type C family day care home;~~ 1425
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~~(9) The officer of this state or of the political subdivision of this state, or the officer's designee, who has charge of a building that is owned by this state or the political subdivision of this state, or who has charge of the portion of a building that is not owned by any governmental entity listed in this division but that is leased by a governmental entity listed in this division.~~ 1428
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(B) The following boards, bodies, and persons, or designees, shall post in the following locations a sign that contains a statement in substantially the following form: "Unless otherwise authorized by law, pursuant to Ohio Revised Code section 2923.122, no person shall knowingly possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordnance into a school safety zone.": 1435
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(1) A board of education of a city, local, exempted village, or joint vocational school district or that board's designee in a conspicuous location in each building and on each parcel of real property owned or controlled by the board; 1442
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(2) A governing body of a school for which the state board of education prescribes minimum standards under section 3301.07 of the Revised Code or that body's designee in a conspicuous location in each building and on each parcel of real property owned or controlled by the school; 1446
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(3) The principal or chief administrative officer of a nonpublic school in a conspicuous location on property owned or controlled by that nonpublic school. 1451
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Sec. 2923.16. (A) No person shall knowingly discharge a 1454

firearm while in or on a motor vehicle. 1455

(B) No person shall knowingly transport or have a loaded 1456
firearm in a motor vehicle in such a manner that the firearm is 1457
accessible to the operator or any passenger without leaving the 1458
vehicle. 1459

(C) No person shall knowingly transport or have a firearm in 1460
a motor vehicle, unless it is unloaded and is carried in one of 1461
the following ways: 1462

(1) In a closed package, box, or case; 1463

(2) In a compartment that can be reached only by leaving the 1464
vehicle; 1465

(3) In plain sight and secured in a rack or holder made for 1466
the purpose; 1467

(4) In plain sight with the action open or the weapon 1468
stripped, or, if the firearm is of a type on which the action will 1469
not stay open or which cannot easily be stripped, in plain sight. 1470

(D) No person shall knowingly transport or have a loaded 1471
handgun in a motor vehicle if, at the time of that transportation 1472
or possession, any of the following applies: 1473

(1) The person is under the influence of alcohol, a drug of 1474
abuse, or a combination of them. 1475

(2) The person's whole blood, blood serum or plasma, breath, 1476
or urine contains a concentration of alcohol prohibited for 1477
persons operating a vehicle, as specified in division (A) of 1478
section 4511.19 of the Revised Code, regardless of whether the 1479
person at the time of the transportation or possession as 1480
described in this division is the operator of or a passenger in 1481
the motor vehicle. 1482

(E) No person who has been issued a license or temporary 1483

emergency license to carry a concealed handgun under section 1484
2923.125 or 2923.1213 of the Revised Code shall do any of the 1485
following: 1486

~~(1) Knowingly transport or have a loaded handgun in a motor 1487
vehicle unless the loaded handgun either is in a holster and in 1488
plain sight on the person's person or it is securely encased by 1489
being stored in a closed, locked glove compartment or in a case 1490
that is in plain sight and that is locked; 1491~~

~~(2) If the person is transporting or has a loaded handgun in 1492
a motor vehicle in a manner authorized under division (E)(1) of 1493
this section, knowingly remove or attempt to remove the loaded 1494
handgun from the holster, glove compartment, or case, knowingly 1495
grasp or hold the loaded handgun, or knowingly have contact with 1496
the loaded handgun by touching it with the person's hands or 1497
fingers while the motor vehicle is being operated on a street, 1498
highway, or public property unless the person removes, attempts to 1499
remove, grasps, holds, or has the contact with the loaded handgun 1500
pursuant to and in accordance with directions given by a law 1501
enforcement officer; 1502~~

~~(3) If the person is the driver or an occupant of a motor 1503
vehicle that is stopped as a result of a traffic stop or a stop 1504
for another law enforcement purpose and if the person is 1505
transporting or has a loaded handgun in the motor vehicle in any 1506
manner, fail to promptly inform any law enforcement officer who 1507
approaches the vehicle while stopped that the person has been 1508
issued a license or temporary emergency license to carry a 1509
concealed handgun and that the person then possesses or has a 1510
loaded handgun in the motor vehicle. 1511~~

~~(4) If the person is the driver or an occupant of a motor 1512
vehicle that is stopped as a result of a traffic stop or a stop 1513
for another law enforcement purpose and if the person is 1514~~

~~transporting or has a loaded handgun in the motor vehicle in any
manner, knowingly disregard or fail to comply with any lawful
order of any law enforcement officer given while the motor vehicle
is stopped, knowingly fail to remain in the motor vehicle while
stopped, or knowingly fail to keep the person's hands in plain
sight at any time after any law enforcement officer begins
approaching the person while stopped and before the law
enforcement officer leaves, unless, regarding a failure to remain
in the motor vehicle or to keep the person's hands in plain sight,
the failure is pursuant to and in accordance with directions given
by a law enforcement officer;~~

~~(5) If the person or is described in division (F)(5)(b) of
this section, who is the driver or an occupant of a motor vehicle
that is stopped as a result of a traffic stop or a stop for
another law enforcement purpose, ~~if the person and who is~~
transporting or has a loaded handgun in the motor vehicle ~~in a
manner authorized under division (E)(1) of this section, and if
the person is approached by any law enforcement officer while
stopped, knowingly remove or attempt to remove the loaded handgun
from the holster, glove compartment, or case, knowingly grasp or
hold the loaded handgun, or knowingly have contact with the loaded
handgun by touching it with the person's hands or fingers in the
motor vehicle at any time after the law enforcement officer begins
approaching and before the law enforcement officer leaves~~ shall,
while stopped, knowingly brandish the loaded handgun in a menacing
manner while a law enforcement officer is approaching the vehicle
or in a law enforcement officer's presence, knowingly threaten a
law enforcement officer with the loaded handgun, knowingly point
the loaded handgun at a law enforcement officer, or otherwise
knowingly cause a law enforcement officer to believe that the
person will cause or attempt to cause physical harm to a law
enforcement officer with the handgun, unless the person ~~removes,~~~~

~~attempts to remove, grasps, holds, or has contact with the loaded~~ 1547
~~handgun engages in the conduct~~ pursuant to and in accordance with 1548
directions given by the law enforcement officer. 1549

(F)(1) This section does not apply to officers, agents, or 1550
employees of this or any other state or the United States, or to 1551
law enforcement officers, when authorized to carry or have loaded 1552
or accessible firearms in motor vehicles and acting within the 1553
scope of their duties. 1554

(2) Division (A) of this section does not apply to a person 1555
if all of the following circumstances apply: 1556

(a) The person discharges a firearm from a motor vehicle at a 1557
coyote or groundhog, the discharge is not during the deer gun 1558
hunting season as set by the chief of the division of wildlife of 1559
the department of natural resources, and the discharge at the 1560
coyote or groundhog, but for the operation of this section, is 1561
lawful. 1562

(b) The motor vehicle from which the person discharges the 1563
firearm is on real property that is located in an unincorporated 1564
area of a township and that either is zoned for agriculture or is 1565
used for agriculture. 1566

(c) The person owns the real property described in division 1567
(F)(2)(b) of this section, is the spouse or a child of another 1568
person who owns that real property, is a tenant of another person 1569
who owns that real property, or is the spouse or a child of a 1570
tenant of another person who owns that real property. 1571

(d) The person does not discharge the firearm in any of the 1572
following manners: 1573

(i) While under the influence of alcohol, a drug of abuse, or 1574
alcohol and a drug of abuse; 1575

(ii) In the direction of a street, highway, or other public 1576

or private property used by the public for vehicular traffic or parking; 1577
1578

(iii) At or into an occupied structure that is a permanent or temporary habitation; 1579
1580

(iv) In the commission of any violation of law, including, but not limited to, a felony that includes, as an essential element, purposely or knowingly causing or attempting to cause the death of or physical harm to another and that was committed by discharging a firearm from a motor vehicle. 1581
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(3) Division (A) of this section does not apply to a person who discharges a firearm in self-defense while in or on a motor vehicle. 1586
1587
1588

(4) Divisions (B) and (C) of this section do not apply to a person if all of the following circumstances apply: 1589
1590

(a) At the time of the alleged violation of either of those divisions, the person is the operator of or a passenger in a motor vehicle. 1591
1592
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(b) The motor vehicle is on real property that is located in an unincorporated area of a township and that either is zoned for agriculture or is used for agriculture. 1594
1595
1596

(c) The person owns the real property described in division ~~(D)~~~~(3)~~(F)~~(4)~~(b) of this section, is the spouse or a child of another person who owns that real property, is a tenant of another person who owns that real property, or is the spouse or a child of a tenant of another person who owns that real property. 1597
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1600
1601

(d) The person, prior to arriving at the real property described in division ~~(D)~~~~(3)~~(F)~~(4)~~(b) of this section, did not transport or possess a firearm in the motor vehicle in a manner prohibited by division (B) or (C) of this section while the motor vehicle was being operated on a street, highway, or other public 1602
1603
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or private property used by the public for vehicular traffic or 1607
parking. 1608

~~(4)(5)~~ Divisions (B) and (C) of this section do not apply to 1609
a any of the following: 1610

~~(a) A person who transports or possesses a handgun in a motor 1611
vehicle if, at the time of that transportation or possession, all 1612
of the following apply:~~ 1613

~~(a) The person transporting or possessing the handgun is 1614
carrying a valid, who has been issued a license or temporary 1615
emergency license to carry a concealed handgun issued to the 1616
person under section 2923.125 or 2923.1213 of the Revised Code or 1617
a license to carry a concealed handgun that was issued by another 1618
state with which the attorney general has entered into a 1619
reciprocity agreement under section 109.69 of the Revised Code.~~ 1620

~~(b) The person transporting or possessing the handgun, whose 1621
license or temporary emergency license issued as described in this 1622
division is valid at the time of the transportation or possession 1623
of the handgun, and who at the time of the transportation or 1624
possession of the handgun is not knowingly in a place described in 1625
division (B) of section 2923.126 of the Revised Code. The 1626
exemption provided in division (F)(5)(a) of this section applies 1627
to a person who has been issued a license or temporary emergency 1628
license as described in division (F)(5)(a) of this section and who 1629
satisfies the other criteria specified for the exemption 1630
regardless of whether the person, at the time of the 1631
transportation or possession of the handgun, is carrying that 1632
license or temporary emergency license. 1633~~

~~(c) Either the handgun is in a holster and in plain sight on 1634
the person's person or the handgun is securely encased by being 1635
stored in a closed, locked glove compartment or in a case that is 1636
in plain sight and that is locked.~~ 1637

(b) A person who, at the time of the transportation or possession of the handgun, is legally permitted to purchase a firearm under the laws of this state and the United States, would meet all the requirements for a license to carry a concealed handgun under division (D)(1) of section 2923.125 of the Revised Code if the person had submitted an application for a license to carry a concealed handgun at that time, and is not knowingly in a place described in division (B) of section 2923.126 of the Revised Code. For purposes of division (F)(5)(b) of this section, a person would meet the requirement for a license that is specified in division (D)(1)(1) of section 2923.125 of the Revised Code if the person has a competency certification of any type described in division (B)(3) of that section, and the person has read the pamphlet described in division (B)(4) of that section, regardless of whether the person has submitted to another person certifications of the types described in divisions (B)(3) and (4) of that section.

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

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

(H) No person who is charged with a violation of division 1670
(B), (C), or (D) of this section shall be required to obtain a 1671
license or temporary emergency license to carry a concealed 1672
handgun under section 2923.125 or 2923.1213 of the Revised Code as 1673
a condition for the dismissal of the charge. 1674

(I) Whoever violates this section is guilty of improperly 1675
handling firearms in a motor vehicle. Violation of division (A) of 1676
this section is a felony of the fourth degree. Violation of 1677
division (C) of this section is a misdemeanor of the fourth 1678
degree. A violation of division (D) of this section is a felony of 1679
the fifth degree. ~~A violation of division (E)(3) of this section~~ 1680
~~is a misdemeanor of the fourth degree. A violation of division~~ 1681
~~(E)(1), (2), or (5) of this section is a felony of the fifth~~ 1682
~~degree.~~ A violation of division (E)(4) of this section is a 1683
misdemeanor of the first degree or, if the offender previously has 1684
been convicted of or pleaded guilty to a violation of ~~division~~ 1685
~~(E)(4) of this section, a felony of the fifth~~ fourth degree. A 1686
violation of division (B) of this section is ~~whichever of the~~ 1687
~~following is applicable:~~ 1688

~~(1) If, at the time of the transportation or possession in~~ 1689
~~violation of division (B) of this section, the offender was~~ 1690
~~carrying a valid license or temporary emergency license to carry a~~ 1691
~~concealed handgun issued to the offender under section 2923.125 or~~ 1692
~~2923.1213 of the Revised Code or a license to carry a concealed~~ 1693
~~handgun that was issued by another state with which the attorney~~ 1694
~~general has entered into a reciprocity agreement under section~~ 1695
~~109.69 of the Revised Code and the offender was not knowingly in a~~ 1696
~~place described in division (B) of section 2923.126 of the Revised~~ 1697
~~Code, the violation is a misdemeanor of the first degree or, if~~ 1698
~~the offender previously has been convicted of or pleaded guilty to~~ 1699
~~a violation of division (B) of this section, a felony of the~~ 1700
~~fourth degree.~~ 1701

~~(2) If division (I)(1) of this section does not apply, a~~ 1702
felony of the fourth degree. 1703

(J) If a law enforcement officer stops a motor vehicle for a 1704
traffic stop or any other purpose, if any person in the motor 1705
vehicle surrenders a firearm to the officer, either voluntarily or 1706
pursuant to a request or demand of the officer, and if the officer 1707
does not charge the person with a violation of this section or 1708
arrest the person for any offense, the person is not otherwise 1709
prohibited by law from possessing the firearm, and the firearm is 1710
not contraband, the officer shall return the firearm to the person 1711
at the termination of the stop. 1712

(K) As used in this section: 1713

(1) "Motor vehicle," "street," and "highway" have the same 1714
meanings as in section 4511.01 of the Revised Code. 1715

(2) "Occupied structure" has the same meaning as in section 1716
2909.01 of the Revised Code. 1717

(3) "Agriculture" has the same meaning as in section 519.01 1718
of the Revised Code. 1719

(4) "Tenant" has the same meaning as in section 1531.01 of 1720
the Revised Code. 1721

(5) "Unloaded" means, with respect to a firearm employing a 1722
percussion cap, flintlock, or other obsolete ignition system, when 1723
the weapon is uncapped or when the priming charge is removed from 1724
the pan. 1725

Section 2. That existing sections 1547.69, 2923.12, 2923.122, 1726
2923.123, 2923.124, 2923.125, 2923.126, 2923.129, 2923.1212, and 1727
2923.16 of the Revised Code are hereby repealed. 1728