

# As Introduced

**128th General Assembly  
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**H. B. No. 129**

**Representative Adams, J.**

**Cosponsors: Representatives Balderson, Blair, Boose, Bubp, Burke, Combs,  
Goodwin, Hall, Hite, Huffman, Jordan, Maag, Martin, Mecklenborg, Morgan,  
Sears, Snitchler, Uecker, Wachtmann**

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## **A B I L L**

To amend sections 1547.69, 2923.11, 2923.12, 1  
2923.122, 2923.123, 2923.124, 2923.125, 2923.126, 2  
2923.128, 2923.1212, 2923.1213, and 2923.16 of the 3  
Revised Code to authorize a person to carry a 4  
concealed handgun without obtaining a license to 5  
the same extent as if the person had obtained such 6  
a license, except on liquor permit premises, if 7  
the person qualifies for a concealed carry license 8  
and is legally permitted to purchase a handgun; to 9  
remove the requirements that a concealed carry 10  
licensee must be carrying the license in order to 11  
carry a concealed handgun, must inform approaching 12  
law enforcement officers that the person has a 13  
license and is carrying the handgun when the 14  
person is carrying a concealed handgun, and must 15  
submit a new or renewed competency certification 16  
when renewing the license; to eliminate as 17  
premises in which a concealed carry licensee may 18  
not carry a concealed handgun public or private 19  
institutions of higher education, places of 20  
worship, day-care centers and homes, and 21

government buildings other than schools, 22  
courthouses, law enforcement offices, and 23  
correctional facilities; to replace the 24  
prohibitions that apply only to a concealed carry 25  
licensee who is carrying a handgun in a motor 26  
vehicle with a prohibition against a licensee who 27  
is in a motor vehicle that is stopped by a law 28  
enforcement officer knowingly menacing or 29  
threatening an officer with a loaded handgun or 30  
knowingly pointing a loaded handgun at an officer; 31  
to remove the "in plain sight or secure 32  
encasement" criterion that a concealed carry 33  
licensee must satisfy to legally possess a handgun 34  
in a motor vehicle; and to require a sheriff who 35  
issues a renewed concealed carry license to return 36  
the expired license to the licensee or destroy it. 37  
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**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 1547.69, 2923.11, 2923.12, 2923.122, 39  
2923.123, 2923.124, 2923.125, 2923.126, 2923.128, 2923.1212, 40  
2923.1213, and 2923.16 of the Revised Code be amended to read as 41  
follows: 42

**Sec. 1547.69.** (A) As used in this section: 43

(1) "Firearm," ~~and~~ "handgun," and "qualifies for a license" 44  
have the same meanings as in section 2923.11 of the Revised Code. 45

(2) "Unloaded" has the same meaning as in section 2923.16 of 46  
the Revised Code. 47

(B) No person shall knowingly discharge a firearm while in or 48  
on a vessel. 49

(C) No person shall knowingly transport or have a loaded 50  
firearm in a vessel in a manner that the firearm is accessible to 51  
the operator or any passenger. 52

(D) No person shall knowingly transport or have a firearm in 53  
a vessel unless it is unloaded and is carried in one of the 54  
following ways: 55

(1) In a closed package, box, or case; 56

(2) In plain sight with the action opened or the weapon 57  
stripped, or, if the firearm is of a type on which the action will 58  
not stay open or that cannot easily be stripped, in plain sight. 59

(E)(1) The affirmative defenses authorized in divisions 60  
~~(D)~~(C)(1) and (2) of section 2923.12 of the Revised Code are 61  
affirmative defenses to a charge under division (C) or (D) of this 62  
section that involves a firearm other than a handgun. It is an 63  
affirmative defense to a charge under division (C) or (D) of this 64  
section of transporting or having a firearm of any type, including 65  
a handgun, in a vessel that the actor transported or had the 66  
firearm in the vessel for any lawful purpose and while the vessel 67  
was on the actor's own property, provided that this affirmative 68  
defense is not available unless the actor, prior to arriving at 69  
the vessel on the actor's own property, did not transport or 70  
possess the firearm in the vessel or in a motor vehicle in a 71  
manner prohibited by this section or division (B) or (C) of 72  
section 2923.16 of the Revised Code while the vessel was being 73  
operated on a waterway that was not on the actor's own property or 74  
while the motor vehicle was being operated on a street, highway, 75  
or other public or private property used by the public for 76  
vehicular traffic. 77

(2) No person who is charged with a violation of division (C) 78  
or (D) of this section shall be required to obtain a license or 79  
temporary emergency license to carry a concealed handgun under 80

section 2923.125 or 2923.1213 of the Revised Code as a condition 81  
for the dismissal of the charge. 82

(F) Divisions (B), (C), and (D) of this section do not apply 83  
to the possession or discharge of a United States coast guard 84  
approved signaling device required to be carried aboard a vessel 85  
under section 1547.251 of the Revised Code when the signaling 86  
device is possessed or used for the purpose of giving a visual 87  
distress signal. No person shall knowingly transport or possess 88  
any signaling device of that nature in or on a vessel in a loaded 89  
condition at any time other than immediately prior to the 90  
discharge of the signaling device for the purpose of giving a 91  
visual distress signal. 92

(G) No person shall operate or permit to be operated any 93  
vessel on the waters in this state in violation of this section. 94

(H)(1) This section does not apply to any of the following: 95

(a) An officer, agent, or employee of this or any other state 96  
or of the United States, or to a law enforcement officer, when 97  
authorized to carry or have loaded or accessible firearms in a 98  
vessel and acting within the scope of the officer's, agent's, or 99  
employee's duties; 100

(b) Any person who is employed in this state, who is 101  
authorized to carry or have loaded or accessible firearms in a 102  
vessel, and who is subject to and in compliance with the 103  
requirements of section 109.801 of the Revised Code, unless the 104  
appointing authority of the person has expressly specified that 105  
the exemption provided in division (H)(1)(b) of this section does 106  
not apply to the person; 107

(c) Any person legally engaged in hunting. 108

(2) Divisions (C) and (D) of this section do not apply to a 109  
person who transports or possesses a handgun in a vessel and who, 110  
at the time of that transportation or possession, ~~is carrying~~ 111

qualifies for a license or has a valid license or temporary 112  
emergency license to carry a concealed handgun issued to the 113  
person under section 2923.125 or 2923.1213 of the Revised Code or 114  
a license to carry a concealed handgun ~~that was~~ issued by another 115  
state with which the attorney general has entered into a 116  
reciprocity agreement under section 109.69 of the Revised Code, 117  
unless the person knowingly is in a place on the vessel described 118  
in division (B) of section 2923.126 of the Revised Code. 119

(I) If a law enforcement officer stops a vessel for a 120  
violation of this section or any other law enforcement purpose, if 121  
any person on the vessel surrenders a firearm to the officer, 122  
either voluntarily or pursuant to a request or demand of the 123  
officer, and if the officer does not charge the person with a 124  
violation of this section or arrest the person for any offense, 125  
the person is not otherwise prohibited by law from possessing the 126  
firearm, and the firearm is not contraband, the officer shall 127  
return the firearm to the person at the termination of the stop. 128

**Sec. 2923.11.** As used in sections 2923.11 to 2923.24 of the 129  
Revised Code: 130

(A) "Deadly weapon" means any instrument, device, or thing 131  
capable of inflicting death, and designed or specially adapted for 132  
use as a weapon, or possessed, carried, or used as a weapon. 133

(B)(1) "Firearm" means any deadly weapon capable of expelling 134  
or propelling one or more projectiles by the action of an 135  
explosive or combustible propellant. "Firearm" includes an 136  
unloaded firearm, and any firearm that is inoperable but that can 137  
readily be rendered operable. 138

(2) When determining whether a firearm is capable of 139  
expelling or propelling one or more projectiles by the action of 140  
an explosive or combustible propellant, the trier of fact may rely 141  
upon circumstantial evidence, including, but not limited to, the 142

representations and actions of the individual exercising control 143  
over the firearm. 144

(C) "Handgun" means any of the following: 145

(1) Any firearm that has a short stock and is designed to be 146  
held and fired by the use of a single hand; 147

(2) Any combination of parts from which a firearm of a type 148  
described in division (C)(1) of this section can be assembled. 149

(D) "Semi-automatic firearm" means any firearm designed or 150  
specially adapted to fire a single cartridge and automatically 151  
chamber a succeeding cartridge ready to fire, with a single 152  
function of the trigger. 153

(E) "Automatic firearm" means any firearm designed or 154  
specially adapted to fire a succession of cartridges with a single 155  
function of the trigger. "Automatic firearm" also means any 156  
semi-automatic firearm designed or specially adapted to fire more 157  
than thirty-one cartridges without reloading, other than a firearm 158  
chambering only .22 caliber short, long, or long-rifle cartridges. 159

(F) "Sawed-off firearm" means a shotgun with a barrel less 160  
than eighteen inches long, or a rifle with a barrel less than 161  
sixteen inches long, or a shotgun or rifle less than twenty-six 162  
inches long overall. 163

(G) "Zip-gun" means any of the following: 164

(1) Any firearm of crude and extemporized manufacture; 165

(2) Any device, including without limitation a starter's 166  
pistol, that is not designed as a firearm, but that is specially 167  
adapted for use as a firearm; 168

(3) Any industrial tool, signalling device, or safety device, 169  
that is not designed as a firearm, but that as designed is capable 170  
of use as such, when possessed, carried, or used as a firearm. 171

(H) "Explosive device" means any device designed or specially 172

adapted to cause physical harm to persons or property by means of 173  
an explosion, and consisting of an explosive substance or agency 174  
and a means to detonate it. "Explosive device" includes without 175  
limitation any bomb, any explosive demolition device, any blasting 176  
cap or detonator containing an explosive charge, and any pressure 177  
vessel that has been knowingly tampered with or arranged so as to 178  
explode. 179

(I) "Incendiary device" means any firebomb, and any device 180  
designed or specially adapted to cause physical harm to persons or 181  
property by means of fire, and consisting of an incendiary 182  
substance or agency and a means to ignite it. 183

(J) "Ballistic knife" means a knife with a detachable blade 184  
that is propelled by a spring-operated mechanism. 185

(K) "Dangerous ordnance" means any of the following, except 186  
as provided in division (L) of this section: 187

(1) Any automatic or sawed-off firearm, zip-gun, or ballistic 188  
knife; 189

(2) Any explosive device or incendiary device; 190

(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, 191  
cyclonite, TNT, picric acid, and other high explosives; amatol, 192  
tritonite, tetrytol, pentolite, pecretol, cyclitol, and other high 193  
explosive compositions; plastic explosives; dynamite, blasting 194  
gelatin, gelatin dynamite, sensitized ammonium nitrate, 195  
liquid-oxygen blasting explosives, blasting powder, and other 196  
blasting agents; and any other explosive substance having 197  
sufficient brisance or power to be particularly suitable for use 198  
as a military explosive, or for use in mining, quarrying, 199  
excavating, or demolitions; 200

(4) Any firearm, rocket launcher, mortar, artillery piece, 201  
grenade, mine, bomb, torpedo, or similar weapon, designed and 202  
manufactured for military purposes, and the ammunition for that 203

weapon;	204
(5) Any firearm muffler or silencer;	205
(6) Any combination of parts that is intended by the owner for use in converting any firearm or other device into a dangerous ordnance.	206 207 208
(L) "Dangerous ordnance" does not include any of the following:	209 210
(1) Any firearm, including a military weapon and the ammunition for that weapon, and regardless of its actual age, that employs a percussion cap or other obsolete ignition system, or that is designed and safe for use only with black powder;	211 212 213 214
(2) Any pistol, rifle, or shotgun, designed or suitable for sporting purposes, including a military weapon as issued or as modified, and the ammunition for that weapon, unless the firearm is an automatic or sawed-off firearm;	215 216 217 218
(3) Any cannon or other artillery piece that, regardless of its actual age, is of a type in accepted use prior to 1887, has no mechanical, hydraulic, pneumatic, or other system for absorbing recoil and returning the tube into battery without displacing the carriage, and is designed and safe for use only with black powder;	219 220 221 222 223
(4) Black powder, priming quills, and percussion caps possessed and lawfully used to fire a cannon of a type defined in division (L)(3) of this section during displays, celebrations, organized matches or shoots, and target practice, and smokeless and black powder, primers, and percussion caps possessed and lawfully used as a propellant or ignition device in small-arms or small-arms ammunition;	224 225 226 227 228 229 230
(5) Dangerous ordnance that is inoperable or inert and cannot readily be rendered operable or activated, and that is kept as a trophy, souvenir, curio, or museum piece.	231 232 233

(6) Any device that is expressly excepted from the definition 234  
of a destructive device pursuant to the "Gun Control Act of 1968," 235  
82 Stat. 1213, 18 U.S.C. 921(a)(4), as amended, and regulations 236  
issued under that act. 237

(M) "Explosive" means any chemical compound, mixture, or 238  
device, the primary or common purpose of which is to function by 239  
explosion. "Explosive" includes all materials that have been 240  
classified as division 1.1, division 1.2, division 1.3, or 241  
division 1.4 explosives by the United States department of 242  
transportation in its regulations and includes, but is not limited 243  
to, dynamite, black powder, pellet powders, initiating explosives, 244  
blasting caps, electric blasting caps, safety fuses, fuse 245  
igniters, squibs, cordeau detonant fuses, instantaneous fuses, and 246  
igniter cords and igniters. "Explosive" does not include 247  
"fireworks," as defined in section 3743.01 of the Revised Code, or 248  
any substance or material otherwise meeting the definition of 249  
explosive set forth in this section that is manufactured, sold, 250  
possessed, transported, stored, or used in any activity described 251  
in section 3743.80 of the Revised Code, provided the activity is 252  
conducted in accordance with all applicable laws, rules, and 253  
regulations, including, but not limited to, the provisions of 254  
section 3743.80 of the Revised Code and the rules of the fire 255  
marshal adopted pursuant to section 3737.82 of the Revised Code. 256  
257

(N) "Qualifies for a license" means not having a license 258  
issued under section 2923.125 of the Revised Code or a temporary 259  
emergency license issued under section 2923.1213 of the Revised 260  
Code but being legally permitted to purchase a firearm under the 261  
laws of this state and the United States and meeting all the 262  
requirements for a license to carry a concealed handgun under 263  
division (D)(1)(a) to (m) of section 2923.125 of the Revised Code. 264  
A person meets the requirement for a license that is specified in 265

division (D)(1)(1) of section 2923.125 of the Revised Code if the 266  
person has a competency certification of any type described in 267  
division (B)(3) of that section, regardless of when the 268  
certification was issued, and the person has read the pamphlet 269  
described in division (B)(4) of that section, regardless of 270  
whether the person has submitted to another person certifications 271  
of the types described in divisions (B)(3) and (4) of that 272  
section. For purposes of this division, a period of time specified 273  
in division (D)(1) of that section that is measured from the date 274  
of application shall be measured from the current date. 275

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**Sec. 2923.12.** (A) No person shall knowingly carry or have, 277  
concealed on the person's person or concealed ready at hand, any 278  
of the following: 279

(1) A deadly weapon other than a handgun; 280

(2) A handgun other than a dangerous ordnance; 281

(3) A dangerous ordnance. 282

~~(B) No person who has been issued a license or temporary~~ 283  
~~emergency license to carry a concealed handgun under section~~ 284  
~~2923.125 or 2923.1213 of the Revised Code or a license to carry a~~ 285  
~~concealed handgun that was issued by another state with which the~~ 286  
~~attorney general has entered into a reciprocity agreement under~~ 287  
~~section 109.69 of the Revised Code shall do any of the following:~~ 288

~~(1) If the person is stopped for a law enforcement purpose~~ 289  
~~and is carrying a concealed handgun, fail to promptly inform any~~ 290  
~~law enforcement officer who approaches the person after the person~~ 291  
~~has been stopped that the person has been issued a license or~~ 292  
~~temporary emergency license to carry a concealed handgun and that~~ 293  
~~the person then is carrying a concealed handgun;~~ 294

~~(2) If the person is stopped for a law enforcement purpose~~ 295

~~and if the person is carrying a concealed handgun, knowingly fail 296  
to keep the person's hands in plain sight at any time after any 297  
law enforcement officer begins approaching the person while 298  
stopped and before the law enforcement officer leaves, unless the 299  
failure is pursuant to and in accordance with directions given by 300  
a law enforcement officer; 301~~

~~(3) If the person is stopped for a law enforcement purpose, 302  
if the person is carrying a concealed handgun, and if the person 303  
is approached by any law enforcement officer while stopped, 304  
knowingly remove or attempt to remove the loaded handgun from the 305  
holster, pocket, or other place in which the person is carrying 306  
it, knowingly grasp or hold the loaded handgun, or knowingly have 307  
contact with the loaded handgun by touching it with the person's 308  
hands or fingers at any time after the law enforcement officer 309  
begins approaching and before the law enforcement officer leaves, 310  
unless the person removes, attempts to remove, grasps, holds, or 311  
has contact with the loaded handgun pursuant to and in accordance 312  
with directions given by the law enforcement officer; 313~~

~~(4) If the person is stopped for a law enforcement purpose 314  
and if the person is carrying a concealed handgun, knowingly 315  
disregard or fail to comply with any lawful order of any law 316  
enforcement officer given while the person is stopped, including, 317  
but not limited to, a specific order to the person to keep the 318  
person's hands in plain sight. 319~~

~~(C)(1) This section does not apply to any of the following: 320~~

~~(a) An officer, agent, or employee of this or any other state 321  
or the United States, or to a law enforcement officer, who is 322  
authorized to carry concealed weapons or dangerous ordnance or is 323  
authorized to carry handguns and is acting within the scope of the 324  
officer's, agent's, or employee's duties; 325~~

~~(b) Any person who is employed in this state, who is 326~~

authorized to carry concealed weapons or dangerous ordnance or is 327  
authorized to carry handguns, and who is subject to and in 328  
compliance with the requirements of section 109.801 of the Revised 329  
Code, unless the appointing authority of the person has expressly 330  
specified that the exemption provided in division ~~(C)~~(B)(1)(b) of 331  
this section does not apply to the person; 332

(c) A person's transportation or storage of a firearm, other 333  
than a firearm described in divisions (G) to (M) of section 334  
2923.11 of the Revised Code, in a motor vehicle for any lawful 335  
purpose if the firearm is not on the actor's person; 336

(d) A person's storage or possession of a firearm, other than 337  
a firearm described in divisions (G) to (M) of section 2923.11 of 338  
the Revised Code, in the actor's own home for any lawful purpose. 339

(2) Division (A)(2) of this section does not apply to any 340  
person who, at the time of the alleged carrying or possession of a 341  
handgun, ~~is carrying~~ qualifies for a license or has a valid 342  
license or temporary emergency license to carry a concealed 343  
handgun issued to the person under section 2923.125 or 2923.1213 344  
of the Revised Code or a license to carry a concealed handgun ~~that~~ 345  
~~was~~ issued by another state with which the attorney general has 346  
entered into a reciprocity agreement under section 109.69 of the 347  
Revised Code, unless the person knowingly is in a place described 348  
in division (B) of section 2923.126 of the Revised Code. 349

~~(D)~~(C) It is an affirmative defense to a charge under 350  
division (A)(1) of this section of carrying or having control of a 351  
weapon other than a handgun and other than a dangerous ordnance 352  
that the actor was not otherwise prohibited by law from having the 353  
weapon and that any of the following applies: 354

(1) The weapon was carried or kept ready at hand by the actor 355  
for defensive purposes while the actor was engaged in or was going 356  
to or from the actor's lawful business or occupation, which 357

business or occupation was of a character or was necessarily 358  
carried on in a manner or at a time or place as to render the 359  
actor particularly susceptible to criminal attack, such as would 360  
justify a prudent person in going armed. 361

(2) The weapon was carried or kept ready at hand by the actor 362  
for defensive purposes while the actor was engaged in a lawful 363  
activity and had reasonable cause to fear a criminal attack upon 364  
the actor, a member of the actor's family, or the actor's home, 365  
such as would justify a prudent person in going armed. 366

(3) The weapon was carried or kept ready at hand by the actor 367  
for any lawful purpose and while in the actor's own home. 368

~~(E)~~(D) No person who is charged with a violation of this 369  
section shall be required to obtain a competency certification or 370  
a license or temporary emergency license to carry a concealed 371  
handgun under section 2923.125 or 2923.1213 of the Revised Code as 372  
a condition for the dismissal of the charge. 373

~~(F)~~(E)(1) Whoever violates this section is guilty of carrying 374  
concealed weapons. Except as otherwise provided in this division 375  
~~or division (F)(2) of this section~~, carrying concealed weapons in 376  
violation of division (A) of this section is a misdemeanor of the 377  
first degree. Except as otherwise provided in this division ~~or~~ 378  
~~division (F)(2) of this section~~, if the offender previously has 379  
been convicted of a violation of this section or of any offense of 380  
violence, if the weapon involved is a firearm that is either 381  
loaded or for which the offender has ammunition ready at hand, or 382  
if the weapon involved is dangerous ordnance, carrying concealed 383  
weapons in violation of division (A) of this section is a felony 384  
of the fourth degree. ~~Except as otherwise provided in division~~ 385  
~~(F)(2) of this section, if~~ If the offense is committed aboard an 386  
aircraft, or with purpose to carry a concealed weapon aboard an 387  
aircraft, regardless of the weapon involved, carrying concealed 388  
weapons in violation of division (A) of this section is a felony 389

of the third degree. 390

(2) If a person being arrested for a violation of division 391  
(A)(2) of this section promptly produces a competency 392  
certification, in the case of a person who qualifies for a 393  
license, or a valid license or temporary emergency license to 394  
carry a concealed handgun issued under section 2923.125 or 395  
2923.1213 of the Revised Code or a license to carry a concealed 396  
handgun that was issued by another state with which the attorney 397  
general has entered into a reciprocity agreement under section 398  
109.69 of the Revised Code, and if at the time of the violation 399  
the person was not knowingly in a place described in division (B) 400  
of section 2923.126 of the Revised Code, the officer shall not 401  
arrest the person for a violation of that division. ~~If the person~~ 402  
~~is not able to promptly produce any of those types of license and~~ 403  
~~if the person is not in a place described in that section, the~~ 404  
~~officer may arrest the person for a violation of that division,~~ 405  
~~and the offender shall be punished as follows:~~ 406

~~(a) The offender shall be guilty of a minor misdemeanor if~~ 407  
~~both of the following apply:~~ 408

~~(i) Within ten days after the arrest, the offender presents a~~ 409  
~~license or temporary emergency license to carry a concealed~~ 410  
~~handgun issued under section 2923.125 or 2923.1213 of the Revised~~ 411  
~~Code or a license to carry a concealed handgun that was issued by~~ 412  
~~another state with which the attorney general has entered into a~~ 413  
~~reciprocity agreement under section 109.69 of the Revised Code,~~ 414  
~~which license was valid at the time of the arrest to the law~~ 415  
~~enforcement agency that employs the arresting officer.~~ 416

~~(ii) At the time of the arrest, the offender was not~~ 417  
~~knowingly in a place described in division (B) of section 2923.126~~ 418  
~~of the Revised Code.~~ 419

~~(b) The offender shall be guilty of a misdemeanor and shall~~ 420

~~be fined five hundred dollars if all of the following apply:~~ 421

~~(i) The offender previously had been issued a license to 422  
carry a concealed handgun under section 2923.125 of the Revised 423  
Code or a license to carry a concealed handgun that was issued by 424  
another state with which the attorney general has entered into a 425  
reciprocity agreement under section 109.69 of the Revised Code and 426  
that was similar in nature to a license issued under section 427  
2923.125 of the Revised Code, and that license expired within the 428  
two years immediately preceding the arrest. 429~~

~~(ii) Within forty five days after the arrest, the offender 430  
presents any type of license identified in division (F)(2)(a)(i) 431  
of this section to the law enforcement agency that employed the 432  
arresting officer, and the offender waives in writing the 433  
offender's right to a speedy trial on the charge of the violation 434  
that is provided in section 2945.71 of the Revised Code. 435~~

~~(iii) At the time of the commission of the offense, the 436  
offender was not knowingly in a place described in division (B) of 437  
section 2923.126 of the Revised Code. 438~~

~~(c) If neither division (F)(2)(a) nor (b) of this section 439  
applies, the offender shall be punished under division (F)(1) of 440  
this section. 441~~

~~(3) Except as otherwise provided in this division, carrying 442  
concealed weapons in violation of division (B)(1) of this section 443  
is a misdemeanor of the first degree, and, in addition to any 444  
other penalty or sanction imposed for a violation of division 445  
(B)(1) of this section, the offender's license or temporary 446  
emergency license to carry a concealed handgun shall be suspended 447  
pursuant to division (A)(2) of section 2923.128 of the Revised 448  
Code. If, at the time of the stop of the offender for a law 449  
enforcement purpose that was the basis of the violation, any law 450  
enforcement officer involved with the stop had actual knowledge 451~~

~~that the offender has been issued a license or temporary emergency license to carry a concealed handgun, carrying concealed weapons in violation of division (B)(1) of this section is a minor misdemeanor, and the offender's license or temporary emergency license to carry a concealed handgun shall not be suspended pursuant to division (A)(2) of section 2923.128 of the Revised Code.~~

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

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

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

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**Sec. 2923.122.** (A) No person shall knowingly convey, or 485  
attempt to convey, a deadly weapon or dangerous ordnance into a 486  
school safety zone. 487

(B) No person shall knowingly possess a deadly weapon or 488  
dangerous ordnance in a school safety zone. 489

(C) No person shall knowingly possess an object in a school 490  
safety zone if both of the following apply: 491

(1) The object is indistinguishable from a firearm, whether 492  
or not the object is capable of being fired. 493

(2) The person indicates that the person possesses the object 494  
and that it is a firearm, or the person knowingly displays or 495  
brandishes the object and indicates that it is a firearm. 496

(D)(1) This section does not apply to any of the following: 497

(a) An officer, agent, or employee of this or any other state 498  
or the United States, or a law enforcement officer, who is 499  
authorized to carry deadly weapons or dangerous ordnance and is 500  
acting within the scope of the officer's, agent's, or employee's 501  
duties, a security officer employed by a board of education or 502  
governing body of a school during the time that the security 503  
officer is on duty pursuant to that contract of employment, or any 504  
other person who has written authorization from the board of 505  
education or governing body of a school to convey deadly weapons 506  
or dangerous ordnance into a school safety zone or to possess a 507  
deadly weapon or dangerous ordnance in a school safety zone and 508  
who conveys or possesses the deadly weapon or dangerous ordnance 509  
in accordance with that authorization; 510

(b) Any person who is employed in this state, who is 511  
authorized to carry deadly weapons or dangerous ordnance, and who 512  
is subject to and in compliance with the requirements of section 513

109.801 of the Revised Code, unless the appointing authority of 514  
the person has expressly specified that the exemption provided in 515  
division (D)(1)(b) of this section does not apply to the person. 516

(2) Division (C) of this section does not apply to premises 517  
upon which home schooling is conducted. Division (C) of this 518  
section also does not apply to a school administrator, teacher, or 519  
employee who possesses an object that is indistinguishable from a 520  
firearm for legitimate school purposes during the course of 521  
employment, a student who uses an object that is indistinguishable 522  
from a firearm under the direction of a school administrator, 523  
teacher, or employee, or any other person who with the express 524  
prior approval of a school administrator possesses an object that 525  
is indistinguishable from a firearm for a legitimate purpose, 526  
including the use of the object in a ceremonial activity, a play, 527  
reenactment, or other dramatic presentation, or a ROTC activity or 528  
another similar use of the object. 529

(3) This section does not apply to a person who conveys or 530  
attempts to convey a handgun into, or possesses a handgun in, a 531  
school safety zone if, at the time of that conveyance, attempted 532  
conveyance, or possession of the handgun, all of the following 533  
apply: 534

(a) The person does not enter into a school building or onto 535  
school premises and is not at a school activity. 536

(b) The person ~~is carrying~~ qualifies for a license or has a 537  
valid license or temporary emergency license to carry a concealed 538  
handgun issued to the person under section 2923.125 or 2923.1213 539  
of the Revised Code or a license to carry a concealed handgun ~~that~~ 540  
~~was~~ issued by another state with which the attorney general has 541  
entered into a reciprocity agreement under section 109.69 of the 542  
Revised Code. 543

(c) The person is in the school safety zone in accordance 544

with 18 U.S.C. 922(q)(2)(B). 545

(d) The person is not knowingly in a place described in 546  
division (B)(1) or (B)(3) to ~~(10)~~(6) of section 2923.126 of the 547  
Revised Code. 548

(4) This section does not apply to a person who conveys or 549  
attempts to convey a handgun into, or possesses a handgun in, a 550  
school safety zone if at the time of that conveyance, attempted 551  
conveyance, or possession of the handgun all of the following 552  
apply: 553

(a) The person ~~is carrying~~ qualifies for a license or has a 554  
valid license or temporary emergency license to carry a concealed 555  
handgun issued to the person under section 2923.125 or 2923.1213 556  
of the Revised Code or a license to carry a concealed handgun ~~that~~ 557  
~~was~~ issued by another state with which the attorney general has 558  
entered into a reciprocity agreement under section 109.69 of the 559  
Revised Code. 560

(b) The person is the driver or passenger in a motor vehicle 561  
and is in the school safety zone while immediately in the process 562  
of picking up or dropping off a child. 563

(c) The person is not in violation of section 2923.16 of the 564  
Revised Code. 565

(E)(1) Whoever violates division (A) or (B) of this section 566  
is guilty of illegal conveyance or possession of a deadly weapon 567  
or dangerous ordnance in a school safety zone. Except as otherwise 568  
provided in this division, illegal conveyance or possession of a 569  
deadly weapon or dangerous ordnance in a school safety zone is a 570  
felony of the fifth degree. If the offender previously has been 571  
convicted of a violation of this section, illegal conveyance or 572  
possession of a deadly weapon or dangerous ordnance in a school 573  
safety zone is a felony of the fourth degree. 574

(2) Whoever violates division (C) of this section is guilty 575

of illegal possession of an object indistinguishable from a 576  
firearm in a school safety zone. Except as otherwise provided in 577  
this division, illegal possession of an object indistinguishable 578  
from a firearm in a school safety zone is a misdemeanor of the 579  
first degree. If the offender previously has been convicted of a 580  
violation of this section, illegal possession of an object 581  
indistinguishable from a firearm in a school safety zone is a 582  
felony of the fifth degree. 583

(F)(1) In addition to any other penalty imposed upon a person 584  
who is convicted of or pleads guilty to a violation of this 585  
section and subject to division (F)(2) of this section, if the 586  
offender has not attained nineteen years of age, regardless of 587  
whether the offender is attending or is enrolled in a school 588  
operated by a board of education or for which the state board of 589  
education prescribes minimum standards under section 3301.07 of 590  
the Revised Code, the court shall impose upon the offender a class 591  
four suspension of the offender's probationary driver's license, 592  
restricted license, driver's license, commercial driver's license, 593  
temporary instruction permit, or probationary commercial driver's 594  
license that then is in effect from the range specified in 595  
division (A)(4) of section 4510.02 of the Revised Code and shall 596  
deny the offender the issuance of any permit or license of that 597  
type during the period of the suspension. 598

If the offender is not a resident of this state, the court 599  
shall impose a class four suspension of the nonresident operating 600  
privilege of the offender from the range specified in division 601  
(A)(4) of section 4510.02 of the Revised Code. 602

(2) If the offender shows good cause why the court should not 603  
suspend one of the types of licenses, permits, or privileges 604  
specified in division (F)(1) of this section or deny the issuance 605  
of one of the temporary instruction permits specified in that 606  
division, the court in its discretion may choose not to impose the 607

suspension, revocation, or denial required in that division. 608

(G) As used in this section, "object that is 609  
indistinguishable from a firearm" means an object made, 610  
constructed, or altered so that, to a reasonable person without 611  
specialized training in firearms, the object appears to be a 612  
firearm. 613

**Sec. 2923.123.** (A) No person shall knowingly convey or 614  
attempt to convey a deadly weapon or dangerous ordnance into a 615  
courthouse or into another building or structure in which a 616  
courtroom is located. 617

(B) No person shall knowingly possess or have under the 618  
person's control a deadly weapon or dangerous ordnance in a 619  
courthouse or in another building or structure in which a 620  
courtroom is located. 621

(C) This section does not apply to any of the following: 622

(1) Except as provided in division (E) of this section, a 623  
judge of a court of record of this state or a magistrate; 624

(2) A peace officer, officer of a law enforcement agency, or 625  
person who is in either of the following categories: 626

(a) Except as provided in division (E) of this section, a 627  
peace officer, or an officer of a law enforcement agency of 628  
another state, a political subdivision of another state, or the 629  
United States, who is authorized to carry a deadly weapon or 630  
dangerous ordnance, who possesses or has under that individual's 631  
control a deadly weapon or dangerous ordnance as a requirement of 632  
that individual's duties, and who is acting within the scope of 633  
that individual's duties at the time of that possession or 634  
control; 635

(b) Except as provided in division (E) of this section, a 636  
person who is employed in this state, who is authorized to carry a 637

deadly weapon or dangerous ordnance, who possesses or has under 638  
that individual's control a deadly weapon or dangerous ordnance as 639  
a requirement of that person's duties, and who is subject to and 640  
in compliance with the requirements of section 109.801 of the 641  
Revised Code, unless the appointing authority of the person has 642  
expressly specified that the exemption provided in division 643  
(C)(2)(b) of this section does not apply to the person. 644

(3) A person who conveys, attempts to convey, possesses, or 645  
has under the person's control a deadly weapon or dangerous 646  
ordnance that is to be used as evidence in a pending criminal or 647  
civil action or proceeding; 648

(4) Except as provided in division (E) of this section, a 649  
bailiff or deputy bailiff of a court of record of this state who 650  
is authorized to carry a firearm pursuant to section 109.77 of the 651  
Revised Code, who possesses or has under that individual's control 652  
a firearm as a requirement of that individual's duties, and who is 653  
acting within the scope of that individual's duties at the time of 654  
that possession or control; 655

(5) Except as provided in division (E) of this section, a 656  
prosecutor, or a secret service officer appointed by a county 657  
prosecuting attorney, who is authorized to carry a deadly weapon 658  
or dangerous ordnance in the performance of the individual's 659  
duties, who possesses or has under that individual's control a 660  
deadly weapon or dangerous ordnance as a requirement of that 661  
individual's duties, and who is acting within the scope of that 662  
individual's duties at the time of that possession or control; 663

(6) Except as provided in division (E) of this section, a 664  
person who conveys or attempts to convey a handgun into a 665  
courthouse or into another building or structure in which a 666  
courtroom is located, who, at the time of the conveyance or 667  
attempt, ~~is carrying~~ qualifies for a license or has a valid 668  
license or temporary emergency license to carry a concealed 669

handgun issued to the person under section 2923.125 or 2923.1213 670  
of the Revised Code or a license to carry a concealed handgun ~~that~~ 671  
~~was~~ issued by another state with which the attorney general has 672  
entered into a reciprocity agreement under section 109.69 of the 673  
Revised Code, and who transfers possession of the handgun to the 674  
officer or officer's designee who has charge of the courthouse or 675  
building. The officer shall secure the handgun until the licensee 676  
or person who qualifies for a license is prepared to leave the 677  
premises. The exemption described in this division applies only if 678  
the officer who has charge of the courthouse or building provides 679  
services of the nature described in this division. An officer who 680  
has charge of the courthouse or building is not required to offer 681  
services of the nature described in this division. 682

(D)(1) Whoever violates division (A) of this section is 683  
guilty of illegal conveyance of a deadly weapon or dangerous 684  
ordnance into a courthouse. Except as otherwise provided in this 685  
division, illegal conveyance of a deadly weapon or dangerous 686  
ordnance into a courthouse is a felony of the fifth degree. If the 687  
offender previously has been convicted of a violation of division 688  
(A) or (B) of this section, illegal conveyance of a deadly weapon 689  
or dangerous ordnance into a courthouse is a felony of the fourth 690  
degree. 691

(2) Whoever violates division (B) of this section is guilty 692  
of illegal possession or control of a deadly weapon or dangerous 693  
ordnance in a courthouse. Except as otherwise provided in this 694  
division, illegal possession or control of a deadly weapon or 695  
dangerous ordnance in a courthouse is a felony of the fifth 696  
degree. If the offender previously has been convicted of a 697  
violation of division (A) or (B) of this section, illegal 698  
possession or control of a deadly weapon or dangerous ordnance in 699  
a courthouse is a felony of the fourth degree. 700  
701

(E) The exemptions described in divisions (C)(1), (2)(a), 702  
(2)(b), (4), (5), and (6) of this section do not apply to any 703  
judge, magistrate, peace officer, officer of a law enforcement 704  
agency, bailiff, deputy bailiff, prosecutor, secret service 705  
officer, or other person described in any of those divisions if a 706  
rule of superintendence or another type of rule adopted by the 707  
supreme court pursuant to Article IV, Ohio Constitution, or an 708  
applicable local rule of court prohibits all persons from 709  
conveying or attempting to convey a deadly weapon or dangerous 710  
ordnance into a courthouse or into another building or structure 711  
in which a courtroom is located or from possessing or having under 712  
one's control a deadly weapon or dangerous ordnance in a 713  
courthouse or in another building or structure in which a 714  
courtroom is located. 715

(F) As used in this section: 716

(1) "Magistrate" means an individual who is appointed by a 717  
court of record of this state and who has the powers and may 718  
perform the functions specified in Civil Rule 53, Criminal Rule 719  
19, or Juvenile Rule 40. 720

(2) "Peace officer" and "prosecutor" have the same meanings 721  
as in section 2935.01 of the Revised Code. 722

**Sec. 2923.124.** As used in sections 2923.124 to 2923.1213 of 723  
the Revised Code: 724

(A) "Application form" means the application form prescribed 725  
pursuant to division (A)(1) of section 109.731 of the Revised Code 726  
and includes a copy of that form. 727

(B) "Competency certification" and "competency certificate" 728  
mean a document of the type described in division (B)(3) of 729  
section 2923.125 of the Revised Code. 730

(C) "Detention facility" has the same meaning as in section 731

2921.01 of the Revised Code.	732
(D) "Licensee" means a person to whom a license to carry a concealed handgun has been issued under section 2923.125 of the Revised Code and, except when the context clearly indicates otherwise, includes a person to whom a temporary emergency license to carry a concealed handgun has been issued under section 2923.1213 of the Revised Code.	733 734 735 736 737 738
(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.	739 740 741 742 743
(F) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code.	744 745
(G) "State correctional institution" has the same meaning as in section 2967.01 of the Revised Code.	746 747
(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 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.	748 749 750 751 752 753 754 755
(I) "Civil protection order" means a protection order issued, or consent agreement approved, under section 2903.214 or 3113.31 of the Revised Code.	756 757 758
(J) "Temporary protection order" means a protection order issued under section 2903.213 or 2919.26 of the Revised Code.	759 760
(K) "Protection order issued by a court of another state" has	761

the same meaning as in section 2919.27 of the Revised Code. 762

~~(L) "Child day care center," "type A family day care home" 763  
and "type B family day care home" have the same meanings as in 764  
section 5104.01 of the Revised Code. 765~~

~~(M) "Type C family day care home" means a family day care 766  
home authorized to provide child care by Sub. H.B. 62 of the 121st 767  
general assembly, as amended by Am. Sub. S.B. 160 of the 121st 768  
general assembly and Sub. H.B. 407 of the 123rd general assembly. 769~~

~~(N) "Foreign air transportation," "interstate air 770  
transportation," and "intrastate air transportation" have the same 771  
meanings as in 49 U.S.C. 40102, as now or hereafter amended. 772~~

~~(O) "Commercial motor vehicle" has the same meaning as in 773  
division (A) of section 4506.25 of the Revised Code. 774~~

~~(P) "Motor carrier enforcement unit" has the same meaning as 775  
in section 2923.16 of the Revised Code. 776~~

**Sec. 2923.125.** (A) Upon the request of a person who wishes to 777  
obtain a license to carry a concealed handgun or to renew a 778  
license to carry a concealed handgun, a sheriff, as provided in 779  
division (I) of this section, shall provide to the person free of 780  
charge an application form and a copy of the pamphlet described in 781  
division (B) of section 109.731 of the Revised Code. A sheriff 782  
shall accept a completed application form and the fee, items, 783  
materials, and information specified in divisions (B)(1) to (5) of 784  
this section at the times and in the manners described in division 785  
(I) of this section. 786

(B) An applicant for a license to carry a concealed handgun 787  
shall submit a completed application form and all of the following 788  
to the sheriff of the county in which the applicant resides or to 789  
the sheriff of any county adjacent to the county in which the 790  
applicant resides: 791

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

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

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

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

(b) An original or photocopy of a certificate of completion

of a firearms safety, training, or requalification or firearms 824  
safety instructor course, class, or program that satisfies all of 825  
the following criteria: 826

(i) It was open to members of the general public. 827

(ii) It utilized qualified instructors who were certified by 828  
the national rifle association, the executive director of the Ohio 829  
peace officer training commission pursuant to section 109.75 or 830  
109.78 of the Revised Code, or a governmental official or entity 831  
of another state. 832

(iii) It was offered by or under the auspices of a law 833  
enforcement agency of this or another state or the United States, 834  
a public or private college, university, or other similar 835  
postsecondary educational institution located in this or another 836  
state, a firearms training school located in this or another 837  
state, or another type of public or private entity or organization 838  
located in this or another state. 839

(iv) It complies with the requirements set forth in division 840  
(G) of this section. 841

(c) An original or photocopy of a certificate of completion 842  
of a state, county, municipal, or department of natural resources 843  
peace officer training school that is approved by the executive 844  
director of the Ohio peace officer training commission pursuant to 845  
section 109.75 of the Revised Code and that complies with the 846  
requirements set forth in division (G) of this section, or the 847  
applicant has satisfactorily completed and been issued a 848  
certificate of completion of a basic firearms training program, a 849  
firearms requalification training program, or another basic 850  
training program described in section 109.78 or 109.801 of the 851  
Revised Code that complies with the requirements set forth in 852  
division (G) of this section; 853

(d) A document that evidences both of the following: 854

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

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

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

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

(4) A certification by the applicant that the applicant has  
read the pamphlet prepared by the Ohio peace officer training

commission pursuant to section 109.731 of the Revised Code that 887  
reviews firearms, dispute resolution, and use of deadly force 888  
matters. 889

(5) A set of fingerprints of the applicant provided as 890  
described in section 311.41 of the Revised Code through use of an 891  
electronic fingerprint reading device or, if the sheriff to whom 892  
the application is submitted does not possess and does not have 893  
ready access to the use of such a reading device, on a standard 894  
impression sheet prescribed pursuant to division (C)(2) of section 895  
109.572 of the Revised Code. 896

(C) Upon receipt of an applicant's completed application 897  
form, supporting documentation, and, if not waived, license fee, a 898  
sheriff, in the manner specified in section 311.41 of the Revised 899  
Code, shall conduct or cause to be conducted the criminal records 900  
check and the incompetency records check described in section 901  
311.41 of the Revised Code. 902

(D)(1) Except as provided in division (D)(3) or (4) of this 903  
section, within forty-five days after a sheriff's receipt of an 904  
applicant's completed application form for a license to carry a 905  
concealed handgun, the supporting documentation, and, if not 906  
waived, the license fee, the sheriff shall make available through 907  
the law enforcement automated data system in accordance with 908  
division (H) of this section the information described in that 909  
division and, upon making the information available through the 910  
system, shall issue to the applicant a license to carry a 911  
concealed handgun that shall expire as described in division 912  
(D)(2)(a) of this section if all of the following apply: 913

(a) The applicant is legally living in the United States, has 914  
been a resident of this state for at least forty-five days, and 915  
has been a resident of the county in which the person seeks the 916  
license or a county adjacent to the county in which the person 917  
seeks the license for at least thirty days. For purposes of 918

division (D)(1)(a) of this section: 919

(i) If a person is absent from the United States, from this 920  
state, or from a particular county in this state in compliance 921  
with military or naval orders as an active or reserve member of 922  
the armed forces of the United States and if prior to leaving this 923  
state in compliance with those orders the person was legally 924  
living in the United States and was a resident of this state, the 925  
person, solely by reason of that absence, shall not be considered 926  
to have lost the person's status as living in the United States or 927  
the person's residence in this state or in the county in which the 928  
person was a resident prior to leaving this state in compliance 929  
with those orders, without regard to whether or not the person 930  
intends to return to this state or to that county, shall not be 931  
considered to have acquired a residence in any other state, and 932  
shall not be considered to have become a resident of any other 933  
state. 934

(ii) If a person is present in this state in compliance with 935  
military or naval orders as an active or reserve member of the 936  
armed forces of the United States for at least forty-five days, 937  
the person shall be considered to have been a resident of this 938  
state for that period of at least forty-five days, and, if a 939  
person is present in a county of this state in compliance with 940  
military or naval orders as an active or reserve member of the 941  
armed forces of the United States for at least thirty days, the 942  
person shall be considered to have been a resident of that county 943  
for that period of at least thirty days. 944

(b) The applicant is at least twenty-one years of age. 945

(c) The applicant is not a fugitive from justice. 946

(d) The applicant is not under indictment for or otherwise 947  
charged with a felony; an offense under Chapter 2925., 3719., or 948  
4729. of the Revised Code that involves the illegal possession, 949

use, sale, administration, or distribution of or trafficking in a drug of abuse; a misdemeanor offense of violence; or a violation of section 2903.14 or 2923.1211 of the Revised Code.

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

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

Revised Code.	982
(g) Except as otherwise provided in division (D)(1)(e) of this section, the applicant, within five years of the date of the application, has not been convicted of, pleaded guilty to, or adjudicated a delinquent child for committing two or more violations of section 2903.13 or 2903.14 of the Revised Code.	983 984 985 986 987
(h) Except as otherwise provided in division (D)(5) of this section, the applicant, within ten years of the date of the application, has not been convicted of, pleaded guilty to, or adjudicated a delinquent child for committing a violation of section 2921.33 of the Revised Code.	988 989 990 991 992
(i) The applicant has not been adjudicated as a mental defective, has not been committed to any mental institution, is not under adjudication of mental incompetence, has not been found by a court to be a mentally ill person subject to hospitalization by court order, and is not an involuntary patient other than one who is a patient only for purposes of observation. As used in this division, "mentally ill person subject to hospitalization by court order" and "patient" have the same meanings as in section 5122.01 of the Revised Code.	993 994 995 996 997 998 999 1000 1001
(j) The applicant is not currently subject to a civil protection order, a temporary protection order, or a protection order issued by a court of another state.	1002 1003 1004
(k) The applicant certifies that the applicant desires a legal means to carry a concealed handgun for defense of the applicant or a member of the applicant's family while engaged in lawful activity.	1005 1006 1007 1008
(l) The applicant submits a competency certification of the type described in division (B)(3) of this section and submits a certification of the type described in division (B)(4) of this section regarding the applicant's reading of the pamphlet prepared	1009 1010 1011 1012

by the Ohio peace officer training commission pursuant to section 1013  
109.731 of the Revised Code. 1014

(m) The applicant currently is not subject to a suspension 1015  
imposed under former division (A)(2) of section 2923.128 of the 1016  
Revised Code of a license to carry a concealed handgun, or a 1017  
temporary emergency license to carry a concealed handgun, that 1018  
previously was issued to the applicant under this section or 1019  
section 2923.1213 of the Revised Code. 1020

(2)(a) A license to carry a concealed handgun that a sheriff 1021  
issues under division (D)(1) of this section on or after March 14, 1022  
2007, shall expire five years after the date of issuance. A 1023  
license to carry a concealed handgun that a sheriff issued under 1024  
division (D)(1) of this section prior to March 14, 2007, shall 1025  
expire four years after the date of issuance. 1026

If a sheriff issues a license under this section, the sheriff 1027  
shall place on the license a unique combination of letters and 1028  
numbers identifying the license in accordance with the procedure 1029  
prescribed by the Ohio peace officer training commission pursuant 1030  
to section 109.731 of the Revised Code. 1031

(b) If a sheriff denies an application under this section 1032  
because the applicant does not satisfy the criteria described in 1033  
division (D)(1) of this section, the sheriff shall specify the 1034  
grounds for the denial in a written notice to the applicant. The 1035  
applicant may appeal the denial pursuant to section 119.12 of the 1036  
Revised Code in the county served by the sheriff who denied the 1037  
application. If the denial was as a result of the criminal records 1038  
check conducted pursuant to section 311.41 of the Revised Code and 1039  
if, pursuant to section 2923.127 of the Revised Code, the 1040  
applicant challenges the criminal records check results using the 1041  
appropriate challenge and review procedure specified in that 1042  
section, the time for filing the appeal pursuant to section 119.12 1043  
of the Revised Code and this division is tolled during the 1044

pendency of the request or the challenge and review. If the court 1045  
in an appeal under section 119.12 of the Revised Code and this 1046  
division enters a judgment sustaining the sheriff's refusal to 1047  
grant to the applicant a license to carry a concealed handgun, the 1048  
applicant may file a new application beginning one year after the 1049  
judgment is entered. If the court enters a judgment in favor of 1050  
the applicant, that judgment shall not restrict the authority of a 1051  
sheriff to suspend or revoke the license pursuant to section 1052  
2923.128 or 2923.1213 of the Revised Code or to refuse to renew 1053  
the license for any proper cause that may occur after the date the 1054  
judgment is entered. In the appeal, the court shall have full 1055  
power to dispose of all costs. 1056

(3) If the sheriff with whom an application for a license to 1057  
carry a concealed handgun was filed under this section becomes 1058  
aware that the applicant has been arrested for or otherwise 1059  
charged with an offense that would disqualify the applicant from 1060  
holding the license, the sheriff shall suspend the processing of 1061  
the application until the disposition of the case arising from the 1062  
arrest or charge. 1063

(4) If the sheriff determines that the applicant is legally 1064  
living in the United States and is a resident of the county in 1065  
which the applicant seeks the license or of an adjacent county but 1066  
does not yet meet the residency requirements described in division 1067  
(D)(1)(a) of this section, the sheriff shall not deny the license 1068  
because of the residency requirements but shall not issue the 1069  
license until the applicant meets those residency requirements. 1070

(5) If an applicant has been convicted of or pleaded guilty 1071  
to an offense identified in division (D)(1)(e), (f), or (h) of 1072  
this section or has been adjudicated a delinquent child for 1073  
committing an act or violation identified in any of those 1074  
divisions, and if a court has ordered the sealing or expungement 1075  
of the records of that conviction, guilty plea, or adjudication 1076

pursuant to sections 2151.355 to 2151.358 or sections 2953.31 to 1077  
2953.36 of the Revised Code or a court has granted the applicant 1078  
relief pursuant to section 2923.14 of the Revised Code from the 1079  
disability imposed pursuant to section 2923.13 of the Revised Code 1080  
relative to that conviction, guilty plea, or adjudication, the 1081  
sheriff with whom the application was submitted shall not consider 1082  
the conviction, guilty plea, or adjudication in making a 1083  
determination under division (D)(1) or (F) of this section or, in 1084  
relation to an application for a temporary emergency license to 1085  
carry a concealed handgun submitted under section 2923.1213 of the 1086  
Revised Code, in making a determination under division (B)(2) of 1087  
that section. 1088

(E) If a license to carry a concealed handgun issued under 1089  
this section is lost or is destroyed, the licensee may obtain from 1090  
the sheriff who issued that license a duplicate license upon the 1091  
payment of a fee of fifteen dollars and the submission of an 1092  
affidavit attesting to the loss or destruction of the license. The 1093  
sheriff, in accordance with the procedures prescribed in section 1094  
109.731 of the Revised Code, shall place on the replacement 1095  
license a combination of identifying numbers different from the 1096  
combination on the license that is being replaced. 1097

(F)(1) A licensee who wishes to renew a license to carry a 1098  
concealed handgun issued under this section shall do so not 1099  
earlier than ninety days before the expiration date of the license 1100  
or at any time after the expiration date of the license by filing 1101  
with the sheriff of the county in which the applicant resides or 1102  
with the sheriff of an adjacent county an application for renewal 1103  
of the license obtained pursuant to division (D) of this section, 1104  
a certification by the applicant that, subsequent to the issuance 1105  
of the license, the applicant has reread the pamphlet prepared by 1106  
the Ohio peace officer training commission pursuant to section 1107  
109.731 of the Revised Code that reviews firearms, dispute 1108

resolution, and use of deadly force matters, and a nonrefundable 1109  
license renewal fee unless the fee is waived, ~~and one of the~~ 1110  
~~following:~~ 1111

~~(a) If the licensee previously has not renewed a license to~~ 1112  
~~carry a concealed handgun issued under this section, proof that~~ 1113  
~~the licensee at one time had a competency certification of the~~ 1114  
~~type described in division (B)(3) of this section. A valid license~~ 1115  
~~or any other previously issued license that has not been revoked~~ 1116  
~~is prima facie evidence that the licensee at one time had a~~ 1117  
~~competency certification of the type described in division (B)(3)~~ 1118  
~~of this section.~~ 1119

~~(b) If the licensee previously has renewed a license to carry~~ 1120  
~~a concealed handgun issued under this section, a renewed~~ 1121  
~~competency certification of the type described in division (C)(4)~~ 1122  
~~of this section.~~ 1123

(2) A sheriff shall accept a completed renewal application, 1124  
the license renewal fee, and information specified in division 1125  
(F)(1) of this section at the times and in the manners described 1126  
in division (I) of this section. Upon receipt of a completed 1127  
renewal application, of certification that the applicant has 1128  
reread the specified pamphlet prepared by the Ohio peace officer 1129  
training commission, ~~of proof of a prior competency certification~~ 1130  
~~for an initial renewal or of a renewed competency certification~~ 1131  
~~for a second or subsequent renewal,~~ and of a license renewal fee 1132  
unless the fee is waived, a sheriff, in the manner specified in 1133  
section 311.41 of the Revised Code shall conduct or cause to be 1134  
conducted the criminal records check and the incompetency records 1135  
check described in section 311.41 of the Revised Code. The sheriff 1136  
shall renew the license if the sheriff determines that the 1137  
applicant continues to satisfy the requirements described in 1138  
division (D)(1) of this section, except that the applicant is not 1139  
required to meet the requirements of division (D)(1)(1) of this 1140

section. A renewed license that is renewed on or after March 14, 1141  
2007, shall expire five years after the date of issuance, and a 1142  
renewed license that is renewed prior to March 14, 2007, shall 1143  
expire four years after the date of issuance. A renewed license is 1144  
subject to division (E) of this section and sections 2923.126 and 1145  
2923.128 of the Revised Code. A sheriff shall comply with 1146  
divisions (D)(2) to (4) of this section when the circumstances 1147  
described in those divisions apply to a requested license renewal. 1148  
If a sheriff denies the renewal of a license to carry a concealed 1149  
handgun, the applicant may appeal the denial, or challenge the 1150  
criminal record check results that were the basis of the denial if 1151  
applicable, in the same manner as specified in division (D)(2)(b) 1152  
of this section and in section 2923.127 of the Revised Code, 1153  
regarding the denial of a license under this section. 1154

1155

(G)(1) Each course, class, or program described in division 1156  
(B)(3)(a), (b), (c), or (e) of this section shall provide to each 1157  
person who takes the course, class, or program a copy of the 1158  
pamphlet prepared by the Ohio peace officer training commission 1159  
pursuant to section 109.731 of the Revised Code that reviews 1160  
firearms, dispute resolution, and use of deadly force matters. 1161  
Each such course, class, or program described in one of those 1162  
divisions shall include at least twelve hours of training in the 1163  
safe handling and use of a firearm that shall include all of the 1164  
following: 1165

(a) At least ten hours of training on the following matters: 1166

(i) The ability to name, explain, and demonstrate the rules 1167  
for safe handling of a handgun and proper storage practices for 1168  
handguns and ammunition; 1169

(ii) The ability to demonstrate and explain how to handle 1170  
ammunition in a safe manner; 1171

(iii) The ability to demonstrate the knowledge, skills, and attitude necessary to shoot a handgun in a safe manner; 1172  
1173

(iv) Gun handling training. 1174

(b) At least two hours of training that consists of range time and live-fire training. 1175  
1176

(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: 1177  
1178  
1179  
1180

(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; 1181  
1182  
1183

(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. 1184  
1185  
1186  
1187

(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. 1188  
1189  
1190  
1191  
1192  
1193  
1194

(4) A person who previously has received a competency certification as described in division (B)(3) of this section, or who previously has received a renewed competency certification as described in this division, may obtain a renewed competency certification pursuant to this division. If the person previously has received a competency certification or previously has received a renewed competency certification, the person may obtain a renewed competency certification from an entity that offers a 1195  
1196  
1197  
1198  
1199  
1200  
1201  
1202

course, class, or program described in division (B)(3)(a), (b), 1203  
(c), or (e) of this section by passing a test that demonstrates 1204  
that the person is range competent. In these circumstances, the 1205  
person is not required to attend the course, class, or program or 1206  
to take the competency examination described in division (G)(2) of 1207  
this section for the renewed competency certification in order to 1208  
be eligible to receive a renewed competency certification. A 1209  
renewed competency certification issued under this division shall 1210  
be dated and shall attest that the person has demonstrated range 1211  
competency. 1212

(H) Upon deciding to issue a license, deciding to issue a 1213  
replacement license, or deciding to renew a license to carry a 1214  
concealed handgun pursuant to this section, and before actually 1215  
issuing or renewing the license, the sheriff shall make available 1216  
through the law enforcement automated data system all information 1217  
contained on the license. If the license subsequently is suspended 1218  
under division (A)(1) ~~or (2)~~ of section 2923.128 of the Revised 1219  
Code, revoked pursuant to division (B)(1) of section 2923.128 of 1220  
the Revised Code, or lost or destroyed, the sheriff also shall 1221  
make available through the law enforcement automated data system a 1222  
notation of that fact. The superintendent of the state highway 1223  
patrol shall ensure that the law enforcement automated data system 1224  
is so configured as to permit the transmission through the system 1225  
of the information specified in this division. 1226

(I) A sheriff shall accept a completed application form or 1227  
renewal application, and the fee, items, materials, and 1228  
information specified in divisions (B)(1) to (5) or division (F) 1229  
of this section, whichever is applicable, and shall provide an 1230  
application form or renewal application and a copy of the pamphlet 1231  
described in division (B) of section 109.731 of the Revised Code 1232  
to any person during at least fifteen hours a week. The sheriff 1233  
shall post notice of the hours during which the sheriff is 1234

available to accept or provide the information described in this 1235  
division. 1236

(J) When a sheriff issues a renewed license, the sheriff 1237  
shall offer to return the expired license to the licensee. If the 1238  
licensee does not take the expired license, the sheriff shall 1239  
destroy it. 1240

**Sec. 2923.126.** (A) A license to carry a concealed handgun 1241  
that is issued under section 2923.125 of the Revised Code on or 1242  
after March 14, 2007, shall expire five years after the date of 1243  
issuance, and a license that is so issued prior to March 14, 2007, 1244  
shall expire four years after the date of issuance. A licensee who 1245  
has been issued a license under that section shall be granted a 1246  
grace period of thirty days after the licensee's license expires 1247  
during which the licensee's license remains valid. Except as 1248  
provided in divisions (B) and (C) of this section, a licensee who 1249  
has been issued a license under section 2923.125 or 2923.1213 of 1250  
the Revised Code may carry a concealed handgun anywhere in this 1251  
state if the licensee also carries a ~~valid license and~~ valid 1252  
identification when the licensee is in actual possession of a 1253  
concealed handgun. The licensee shall give notice of any change in 1254  
the licensee's residence address to the sheriff who issued the 1255  
license within forty-five days after that change. 1256

~~If a licensee is the driver or an occupant of a motor vehicle 1257~~  
~~that is stopped as the result of a traffic stop or a stop for 1258~~  
~~another law enforcement purpose and if the licensee is 1259~~  
~~transporting or has a loaded handgun in the motor vehicle at that 1260~~  
~~time, the licensee shall promptly inform any law enforcement 1261~~  
~~officer who approaches the vehicle while stopped that the licensee 1262~~  
~~has been issued a license or temporary emergency license to carry 1263~~  
~~a concealed handgun and that the licensee currently possesses or 1264~~  
~~has a loaded handgun; the licensee shall not knowingly disregard 1265~~

~~or fail to comply with lawful orders of a law enforcement officer 1266  
given while the motor vehicle is stopped, knowingly fail to remain 1267  
in the motor vehicle while stopped, or knowingly fail to keep the 1268  
licensee's hands in plain sight after any law enforcement officer 1269  
begins approaching the licensee while stopped and before the 1270  
officer leaves, unless directed otherwise by a law enforcement 1271  
officer; and the licensee shall not knowingly remove, attempt to 1272  
remove, grasp, or hold the loaded handgun or knowingly have 1273  
contact with the loaded handgun by touching it with the licensee's 1274  
hands or fingers, in any manner in violation of division (E) of 1275  
section 2923.16 of the Revised Code, after any law enforcement 1276  
officer begins approaching the licensee while stopped and before 1277  
the officer leaves. Additionally, if a licensee is the driver or 1278  
an occupant of a commercial motor vehicle that is stopped by an 1279  
employee of the motor carrier enforcement unit for the purposes 1280  
defined in section 5503.04 of the Revised Code and if the licensee 1281  
is transporting or has a loaded handgun in the commercial motor 1282  
vehicle at that time, the licensee shall promptly inform the 1283  
employee of the unit who approaches the vehicle while stopped that 1284  
the licensee has been issued a license or temporary emergency 1285  
license to carry a concealed handgun and that the licensee 1286  
currently possesses or has a loaded handgun. 1287~~

~~If a licensee is stopped for a law enforcement purpose and if 1289  
the licensee is carrying a concealed handgun at the time the 1290  
officer approaches, the licensee shall promptly inform any law 1291  
enforcement officer who approaches the licensee while stopped that 1292  
the licensee has been issued a license or temporary emergency 1293  
license to carry a concealed handgun and that the licensee 1294  
currently is carrying a concealed handgun; the licensee shall not 1295  
knowingly disregard or fail to comply with lawful orders of a law 1296  
enforcement officer given while the licensee is stopped or 1297  
knowingly fail to keep the licensee's hands in plain sight after 1298~~

~~any law enforcement officer begins approaching the licensee while 1299  
stopped and before the officer leaves, unless directed otherwise 1300  
by a law enforcement officer; and the licensee shall not knowingly 1301  
remove, attempt to remove, grasp, or hold the loaded handgun or 1302  
knowingly have contact with the loaded handgun by touching it with 1303  
the licensee's hands or fingers, in any manner in violation of 1304  
division (B) of section 2923.12 of the Revised Code, after any law 1305  
enforcement officer begins approaching the licensee while stopped 1306  
and before the officer leaves. 1307~~

1308  
(B) A competency certification described in or valid license 1309  
issued under section 2923.125 or 2923.1213 of the Revised Code 1310  
does not authorize the licensee holder of the certification or 1311  
license to carry a concealed handgun ~~in any manner prohibited 1312  
under division (B) of section 2923.12 of the Revised Code or in 1313  
any manner prohibited under section 2923.16 of the Revised Code. A 1314  
competency certification or valid license does not authorize the 1315  
licensee holder of the certification or license to carry a 1316  
concealed handgun into any of the following places: 1317~~

(1) A police station, sheriff's office, or state highway 1318  
patrol station, premises controlled by the bureau of criminal 1319  
identification and investigation, a state correctional 1320  
institution, jail, workhouse, or other detention facility, an 1321  
airport passenger terminal, or an institution that is maintained, 1322  
operated, managed, and governed pursuant to division (A) of 1323  
section 5119.02 of the Revised Code or division (A)(1) of section 1324  
5123.03 of the Revised Code; 1325

(2) A school safety zone if the ~~licensee's~~ holder's carrying 1326  
the concealed handgun is in violation of section 2923.122 of the 1327  
Revised Code; 1328

(3) A courthouse or another building or structure in which a 1329  
courtroom is located, in violation of section 2923.123 of the 1330

Revised Code; 1331

(4) Any premises or open air arena for which a D permit has 1332  
been issued under Chapter 4303. of the Revised Code if the 1333  
~~licensee's~~ holder's carrying the concealed handgun is in violation 1334  
of section 2923.121 of the Revised Code; 1335

(5) ~~Any premises owned or leased by any public or private 1336  
college, university, or other institution of higher education, 1337  
unless the handgun is in a locked motor vehicle or the licensee is 1338  
in the immediate process of placing the handgun in a locked motor 1339  
vehicle;~~ 1340

(6) ~~Any church, synagogue, mosque, or other place of worship, 1341  
unless the church, synagogue, mosque, or other place of worship 1342  
posts or permits otherwise;~~ 1343

(7) ~~A child day care center, a type A family day care home, a 1344  
type B family day care home, or a type C family day care home, 1345  
except that this division does not prohibit a licensee who resides 1346  
in a type A family day care home, a type B family day care home, 1347  
or a type C family day care home from carrying a concealed handgun 1348  
at any time in any part of the home that is not dedicated or used 1349  
for day care purposes, or from carrying a concealed handgun in a 1350  
part of the home that is dedicated or used for day care purposes 1351  
at any time during which no children, other than children of that 1352  
licensee, are in the home;~~ 1353

(8) An aircraft that is in, or intended for operation in, 1354  
foreign air transportation, interstate air transportation, 1355  
intrastate air transportation, or the transportation of mail by 1356  
aircraft; 1357

(9) ~~Any building that is a government facility of this state 1358  
or a political subdivision of this state and that is not a 1359  
building that is used primarily as a shelter, restroom, parking 1360  
facility for motor vehicles, or rest facility and is not a 1361~~

~~courthouse or other building or structure in which a courtroom is~~ 1362  
~~located that is subject to division (B)(3) of this section;~~ 1363

~~(10)(6)~~ A place in which federal law prohibits the carrying 1364  
of handguns. 1365

(C)(1) Nothing in this section shall negate or restrict a 1366  
rule, policy, or practice of a private employer that is not a 1367  
private college, university, or other institution of higher 1368  
education concerning or prohibiting the presence of firearms on 1369  
the private employer's premises or property, including motor 1370  
vehicles owned by the private employer. Nothing in this section 1371  
shall require a private employer of that nature to adopt a rule, 1372  
policy, or practice concerning or prohibiting the presence of 1373  
firearms on the private employer's premises or property, including 1374  
motor vehicles owned by the private employer. 1375

(2)(a) A private employer shall be immune from liability in a 1376  
civil action for any injury, death, or loss to person or property 1377  
that allegedly was caused by or related to a person who qualifies 1378  
for a license or who is a licensee bringing a handgun onto the 1379  
premises or property of the private employer, including motor 1380  
vehicles owned by the private employer, unless the private 1381  
employer acted with malicious purpose. A private employer is 1382  
immune from liability in a civil action for any injury, death, or 1383  
loss to person or property that allegedly was caused by or related 1384  
to the private employer's decision to permit a person who 1385  
qualifies for a license or who is a licensee to bring, or prohibit 1386  
a licensee from bringing, a handgun onto the premises or property 1387  
of the private employer. As used in this division, "private 1388  
employer" includes a private college, university, or other 1389  
institution of higher education. 1390

(b) A political subdivision shall be immune from liability in 1391  
a civil action, to the extent and in the manner provided in 1392  
Chapter 2744. of the Revised Code, for any injury, death, or loss 1393

to person or property that allegedly was caused by or related to a 1394  
person who qualifies for a license or who is a licensee bringing a 1395  
handgun onto any premises or property owned, leased, or otherwise 1396  
under the control of the political subdivision. As used in this 1397  
division, "political subdivision" has the same meaning as in 1398  
section 2744.01 of the Revised Code. 1399

(3)(a) Except as provided in division (C)(3)(b) of this 1400  
section, the owner or person in control of private land or 1401  
premises, and a private person or entity leasing land or premises 1402  
owned by the state, the United States, or a political subdivision 1403  
of the state or the United States, may post a sign in a 1404  
conspicuous location on that land or on those premises prohibiting 1405  
persons from carrying firearms or concealed firearms on or onto 1406  
that land or those premises. Except as otherwise provided in this 1407  
division, a person who knowingly violates a posted prohibition of 1408  
that nature is guilty of criminal trespass in violation of 1409  
division (A)(4) of section 2911.21 of the Revised Code and is 1410  
guilty of a misdemeanor of the fourth degree. If a person 1411  
knowingly violates a posted prohibition of that nature and the 1412  
posted land or premises primarily was a parking lot or other 1413  
parking facility, the person is not guilty of criminal trespass in 1414  
violation of division (A)(4) of section 2911.21 of the Revised 1415  
Code and instead is subject only to a civil cause of action for 1416  
trespass based on the violation. 1417

(b) A landlord may not prohibit or restrict a tenant who is a 1418  
licensee and who on or after ~~the effective date of this amendment~~ 1419  
September 9, 2008, enters into a rental agreement with the 1420  
landlord for the use of residential premises, and the tenant's 1421  
guest while the tenant is present, from lawfully carrying or 1422  
possessing a handgun on those residential premises. 1423

(c) As used in division (C)(3) of this section: 1424

(i) "Residential premises" has the same meaning as in section 1425

5321.01 of the Revised Code, except "residential premises" does 1426  
not include a dwelling unit that is owned or operated by a college 1427  
or university. 1428

(ii) "Landlord," "tenant," and "rental agreement" have the 1429  
same meanings as in section 5321.01 of the Revised Code. 1430

(D) A person who holds a license to carry a concealed handgun 1431  
that was issued pursuant to the law of another state that is 1432  
recognized by the attorney general pursuant to a reciprocity 1433  
agreement entered into pursuant to section 109.69 of the Revised 1434  
Code has the same right to carry a concealed handgun in this state 1435  
as a person who was issued a license to carry a concealed handgun 1436  
under section 2923.125 of the Revised Code and is subject to the 1437  
same restrictions that apply to a person who carries a license 1438  
issued under that section. 1439

(E) A peace officer has the same right to carry a concealed 1440  
handgun in this state as a person who was issued a license to 1441  
carry a concealed handgun under section 2923.125 of the Revised 1442  
Code. For purposes of reciprocity with other states, a peace 1443  
officer shall be considered to be a licensee in this state. 1444

(F)(1) A qualified retired peace officer who possesses a 1445  
retired peace officer identification card issued pursuant to 1446  
division (F)(2) of this section and a valid firearms 1447  
requalification certification issued pursuant to division (F)(3) 1448  
of this section has the same right to carry a concealed handgun in 1449  
this state as a person who was issued a license to carry a 1450  
concealed handgun under section 2923.125 of the Revised Code and 1451  
is subject to the same restrictions that apply to a person who 1452  
carries a license issued under that section. For purposes of 1453  
reciprocity with other states, a qualified retired peace officer 1454  
who possesses a retired peace officer identification card issued 1455  
pursuant to division (F)(2) of this section and a valid firearms 1456  
requalification certification issued pursuant to division (F)(3) 1457

of this section shall be considered to be a licensee in this 1458  
state. 1459

(2)(a) Each public agency of this state or of a political 1460  
subdivision of this state that is served by one or more peace 1461  
officers shall issue a retired peace officer identification card 1462  
to any person who retired from service as a peace officer with 1463  
that agency, if the issuance is in accordance with the agency's 1464  
policies and procedures and if the person, with respect to the 1465  
person's service with that agency, satisfies all of the following: 1466

(i) The person retired in good standing from service as a 1467  
peace officer with the public agency, and the retirement was not 1468  
for reasons of mental instability. 1469

(ii) Before retiring from service as a peace officer with 1470  
that agency, the person was authorized to engage in or supervise 1471  
the prevention, detection, investigation, or prosecution of, or 1472  
the incarceration of any person for, any violation of law and the 1473  
person had statutory powers of arrest. 1474

(iii) At the time of the person's retirement as a peace 1475  
officer with that agency, the person was trained and qualified to 1476  
carry firearms in the performance of the peace officer's duties. 1477

(iv) Before retiring from service as a peace officer with 1478  
that agency, the person was regularly employed as a peace officer 1479  
for an aggregate of fifteen years or more, or, in the alternative, 1480  
the person retired from service as a peace officer with that 1481  
agency, after completing any applicable probationary period of 1482  
that service, due to a service-connected disability, as determined 1483  
by the agency. 1484

(b) A retired peace officer identification card issued to a 1485  
person under division (F)(2)(a) of this section shall identify the 1486  
person by name, contain a photograph of the person, identify the 1487  
public agency of this state or of the political subdivision of 1488

this state from which the person retired as a peace officer and 1489  
that is issuing the identification card, and specify that the 1490  
person retired in good standing from service as a peace officer 1491  
with the issuing public agency and satisfies the criteria set 1492  
forth in divisions (F)(2)(a)(i) to (iv) of this section. In 1493  
addition to the required content specified in this division, a 1494  
retired peace officer identification card issued to a person under 1495  
division (F)(2)(a) of this section may include the firearms 1496  
requalification certification described in division (F)(3) of this 1497  
section, and if the identification card includes that 1498  
certification, the identification card shall serve as the firearms 1499  
requalification certification for the retired peace officer. If 1500  
the issuing public agency issues credentials to active law 1501  
enforcement officers who serve the agency, the agency may comply 1502  
with division (F)(2)(a) of this section by issuing the same 1503  
credentials to persons who retired from service as a peace officer 1504  
with the agency and who satisfy the criteria set forth in 1505  
divisions (F)(2)(a)(i) to (iv) of this section, provided that the 1506  
credentials so issued to retired peace officers are stamped with 1507  
the word "RETIRED." 1508

(c) A public agency of this state or of a political 1509  
subdivision of this state may charge persons who retired from 1510  
service as a peace officer with the agency a reasonable fee for 1511  
issuing to the person a retired peace officer identification card 1512  
pursuant to division (F)(2)(a) of this section. 1513

(3) If a person retired from service as a peace officer with 1514  
a public agency of this state or of a political subdivision of 1515  
this state and the person satisfies the criteria set forth in 1516  
divisions (F)(2)(a)(i) to (iv) of this section, the public agency 1517  
may provide the retired peace officer with the opportunity to 1518  
attend a firearms requalification program that is approved for 1519  
purposes of firearms requalification required under section 1520

109.801 of the Revised Code. The retired peace officer may be 1521  
required to pay the cost of the course. 1522

If a retired peace officer who satisfies the criteria set 1523  
forth in divisions (F)(2)(a)(i) to (iv) of this section attends a 1524  
firearms requalification program that is approved for purposes of 1525  
firearms requalification required under section 109.801 of the 1526  
Revised Code, the retired peace officer's successful completion of 1527  
the firearms requalification program requalifies the retired peace 1528  
officer for purposes of division (F) of this section for five 1529  
years from the date on which the program was successfully 1530  
completed, and the requalification is valid during that five-year 1531  
period. If a retired peace officer who satisfies the criteria set 1532  
forth in divisions (F)(2)(a)(i) to (iv) of this section 1533  
satisfactorily completes such a firearms requalification program, 1534  
the retired peace officer shall be issued a firearms 1535  
requalification certification that identifies the retired peace 1536  
officer by name, identifies the entity that taught the program, 1537  
specifies that the retired peace officer successfully completed 1538  
the program, specifies the date on which the course was 1539  
successfully completed, and specifies that the requalification is 1540  
valid for five years from that date of successful completion. The 1541  
firearms requalification certification for a retired peace officer 1542  
may be included in the retired peace officer identification card 1543  
issued to the retired peace officer under division (F)(2) of this 1544  
section. 1545

A retired peace officer who attends a firearms 1546  
requalification program that is approved for purposes of firearms 1547  
requalification required under section 109.801 of the Revised Code 1548  
may be required to pay the cost of the program. 1549

(G) As used in this section: 1550

(1) "Qualified retired peace officer" means a person who 1551  
satisfies all of the following: 1552

(a) The person satisfies the criteria set forth in divisions	1553
(F)(2)(a)(i) to (v) of this section.	1554
(b) The person is not under the influence of alcohol or	1555
another intoxicating or hallucinatory drug or substance.	1556
(c) The person is not prohibited by federal law from	1557
receiving firearms.	1558
(2) "Retired peace officer identification card" means an	1559
identification card that is issued pursuant to division (F)(2) of	1560
this section to a person who is a retired peace officer.	1561
(3) "Government facility of this state or a political	1562
subdivision of this state" means any of the following:	1563
(a) A building or part of a building that is owned or leased	1564
by the government of this state or a political subdivision of this	1565
state and where employees of the government of this state or the	1566
political subdivision regularly are present for the purpose of	1567
performing their official duties as employees of the state or	1568
political subdivision;	1569
(b) The office of a deputy registrar serving pursuant to	1570
Chapter 4503. of the Revised Code that is used to perform deputy	1571
registrar functions.	1572
<b>Sec. 2923.128.</b> (A)(1)(a) If a licensee holding a valid	1573
license issued under section 2923.125 or 2923.1213 of the Revised	1574
Code is arrested for or otherwise charged with an offense	1575
described in division (D)(1)(d) of section 2923.125 of the Revised	1576
Code or with a violation of section 2923.15 of the Revised Code or	1577
becomes subject to a temporary protection order or to a protection	1578
order issued by a court of another state that is substantially	1579
equivalent to a temporary protection order, the sheriff who issued	1580
the license or temporary emergency license shall suspend it and	1581
shall comply with division (A) <del>(3)</del> <u>(2)</u> of this section upon becoming	1582

aware of the arrest, charge, or protection order. Upon suspending 1583  
the license or temporary emergency license, the sheriff also shall 1584  
comply with division (H) of section 2923.125 of the Revised Code. 1585

(b) A suspension under division (A)(1)(a) of this section 1586  
shall be considered as beginning on the date that the licensee is 1587  
arrested for or otherwise charged with an offense described in 1588  
that division or on the date the appropriate court issued the 1589  
protection order described in that division, irrespective of when 1590  
the sheriff notifies the licensee under division (A)(3) of this 1591  
section. The suspension shall end on the date on which the charges 1592  
are dismissed or the licensee is found not guilty of the offense 1593  
described in division (A)(1)(a) of this section or, subject to 1594  
division (B) of this section, on the date the appropriate court 1595  
terminates the protection order described in that division. If the 1596  
suspension so ends, the sheriff shall return the license or 1597  
temporary emergency license to the licensee. 1598

~~(2)(a) If a licensee holding a valid license issued under 1599  
section 2923.125 or 2923.1213 of the Revised Code is convicted of 1600  
or pleads guilty to a misdemeanor violation of division (B)(1), 1601  
(2), or (4) of section 2923.12 of the Revised Code or of division 1602  
(E)(3), (4), or (6) of section 2923.16 of the Revised Code, except 1603  
as provided in division (A)(2)(c) of this section and subject to 1604  
division (C) of this section, the sheriff who issued the license 1605  
or temporary emergency license shall suspend it and shall comply 1606  
with division (A)(3) of this section upon becoming aware of the 1607  
conviction or guilty plea. Upon suspending the license or 1608  
temporary emergency license, the sheriff also shall comply with 1609  
division (H) of section 2923.125 of the Revised Code. 1610~~

~~(b) A suspension under division (A)(2)(a) of this section 1611  
shall be considered as beginning on the date that the licensee is 1612  
convicted of or pleads guilty to the offense described in that 1613  
division, irrespective of when the sheriff notifies the licensee 1614~~

~~under division (A)(3) of this section. If the suspension is 1615  
imposed for a misdemeanor violation of division (B)(1) or (2) of 1616  
section 2923.12 of the Revised Code or of division (E)(3) or (4) 1617  
of section 2923.16 of the Revised Code, it shall end on the date 1618  
that is one year after the date that the licensee is convicted of 1619  
or pleads guilty to that violation. If the suspension is imposed 1620  
for a misdemeanor violation of division (B)(4) of section 2923.12 1621  
of the Revised Code or of division (E)(6) of section 2923.16 of 1622  
the Revised Code, it shall end on the date that is two years after 1623  
the date that the licensee is convicted of or pleads guilty to 1624  
that violation. If the licensee's license was issued under section 1625  
2923.125 of the Revised Code and the license remains valid after 1626  
the suspension ends as described in this division, when the 1627  
suspension ends, the sheriff shall return the license to the 1628  
licensee. If the licensee's license was issued under section 1629  
2923.125 of the Revised Code and the license expires before the 1630  
suspension ends as described in this division, or if the 1631  
licensee's license was issued under section 2923.1213 of the 1632  
Revised Code, the licensee is not eligible to apply for a new 1633  
license under section 2923.125 or 2923.1213 of the Revised Code or 1634  
to renew the license under section 2923.125 of the Revised Code 1635  
until after the suspension ends as described in this division. 1636~~

~~(c) The license of a licensee who is convicted of or pleads 1637  
guilty to a violation of division (B)(1) of section 2923.12 or 1638  
division (E)(3) of section 2923.16 of the Revised Code shall not 1639  
be suspended pursuant to division (A)(2)(a) of this section if, at 1640  
the time of the stop of the licensee for a law enforcement 1641  
purpose, for a traffic stop, or for a purpose defined in section 1642  
5503.34 of the Revised Code that was the basis of the violation, 1643  
any law enforcement officer involved with the stop or the employee 1644  
of the motor carrier enforcement unit who made the stop had actual 1645  
knowledge of the licensee's status as a licensee. 1646~~

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

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

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

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

(c) Subject to division (C) of this section, on or after the date on which the license or temporary emergency license was

issued, the licensee is convicted of or pleads guilty to a 1679  
violation of section 2923.15 of the Revised Code or an offense 1680  
described in division (D)(1)(e), (f), (g), or (h) of section 1681  
2923.125 of the Revised Code. 1682

(d) On or after the date on which the license or temporary 1683  
emergency license was issued, the licensee becomes subject to a 1684  
civil protection order or to a protection order issued by a court 1685  
of another state that is substantially equivalent to a civil 1686  
protection order. 1687

(e) The licensee knowingly carries a concealed handgun into a 1688  
place that the licensee knows is an unauthorized place specified 1689  
in division (B) of section 2923.126 of the Revised Code. 1690

(f) On or after the date on which the license or temporary 1691  
emergency license was issued, the licensee is adjudicated as a 1692  
mental defective or is committed to a mental institution. 1693

(g) At the time of the issuance of the license or temporary 1694  
emergency license, the licensee did not meet the residency 1695  
requirements described in division (D)(1) of section 2923.125 of 1696  
the Revised Code and currently does not meet the residency 1697  
requirements described in that division. 1698

(h) Regarding a license issued under section 2923.125 of the 1699  
Revised Code, the competency certificate the licensee submitted 1700  
was forged or otherwise was fraudulent. 1701

(2) Upon becoming aware of any circumstance listed in 1702  
division (B)(1) of this section that applies to a particular 1703  
licensee who was issued a license under section 2923.125 or 1704  
2923.1213 of the Revised Code, subject to division (C) of this 1705  
section, the sheriff who issued the license or temporary emergency 1706  
license to carry a concealed handgun to the licensee shall notify 1707  
the licensee, by certified mail, return receipt requested, at the 1708  
licensee's last known residence address that the license or 1709

temporary emergency license is subject to revocation and that the 1710  
licensee may come to the sheriff's office and contest the 1711  
sheriff's proposed revocation within fourteen days of the date on 1712  
which the notice was mailed. After the fourteen-day period and 1713  
after consideration of any information that the licensee provides 1714  
during that period, if the sheriff determines on the basis of the 1715  
information of which the sheriff is aware that the licensee is 1716  
described in division (B)(1) of this section and no longer 1717  
satisfies the requirements described in division (D)(1) of section 1718  
2923.125 of the Revised Code that are applicable to the licensee's 1719  
type of license, the sheriff shall revoke the license or temporary 1720  
emergency license, notify the licensee of that fact, and require 1721  
the licensee to surrender the license or temporary emergency 1722  
license. Upon revoking the license or temporary emergency license, 1723  
the sheriff also shall comply with division (H) of section 1724  
2923.125 of the Revised Code. 1725

(C) If a sheriff who issues a license or temporary emergency 1726  
license to carry a concealed handgun to a licensee under section 1727  
2923.125 or 2923.1213 of the Revised Code becomes aware that at 1728  
the time of the issuance of the license or temporary emergency 1729  
license the licensee had been convicted of or pleaded guilty to an 1730  
offense identified in division (D)(1)(e), (f), or (h) of section 1731  
2923.125 of the Revised Code or had been adjudicated a delinquent 1732  
child for committing an act or violation identified in any of 1733  
those divisions or becomes aware that on or after the date on 1734  
which the license or temporary emergency license was issued the 1735  
licensee has been convicted of or pleaded guilty to an offense 1736  
identified in division ~~(A)(2)(a)~~ or (B)(1)(c) of this section, the 1737  
sheriff shall not consider that conviction, guilty plea, or 1738  
adjudication as having occurred for purposes of divisions ~~(A)(2)~~, 1739  
(A)(3), (B)(1), and (B)(2) of this section if a court has ordered 1740  
the sealing or expungement of the records of that conviction, 1741  
guilty plea, or adjudication pursuant to sections 2151.355 to 1742

2151.358 or sections 2953.31 to 2953.36 of the Revised Code or a 1743  
court has granted the licensee relief pursuant to section 2923.14 1744  
of the Revised Code from the disability imposed pursuant to 1745  
section 2923.13 of the Revised Code relative to that conviction, 1746  
guilty plea, or adjudication. 1747

~~(D) As used in this section, "motor carrier enforcement unit" 1748  
has the same meaning as in section 2923.16 of the Revised Code. 1749~~

**Sec. 2923.1212.** (A) The following persons, boards, and 1750  
entities, or designees, shall post in the following locations a 1751  
sign that contains a statement in substantially the following 1752  
form: "Unless otherwise authorized by law, pursuant to the Ohio 1753  
Revised Code, no person shall knowingly possess, have under the 1754  
person's control, convey, or attempt to convey a deadly weapon or 1755  
dangerous ordnance onto these premises.": 1756

(1) The director of public safety or the person or board 1757  
charged with the erection, maintenance, or repair of police 1758  
stations, municipal jails, and the municipal courthouse and 1759  
courtrooms in a conspicuous location at all police stations, 1760  
municipal jails, and municipal courthouses and courtrooms; 1761

(2) The sheriff or sheriff's designee who has charge of the 1762  
sheriff's office in a conspicuous location in that office; 1763

(3) The superintendent of the state highway patrol or the 1764  
superintendent's designee in a conspicuous location at all state 1765  
highway patrol stations; 1766

(4) Each sheriff, chief of police, or person in charge of 1767  
every county, multicounty, municipal, municipal-county, or 1768  
multicounty-municipal jail or workhouse, community-based 1769  
correctional facility, halfway house, alternative residential 1770  
facility, or other local or state correctional institution or 1771  
detention facility within the state, or that person's designee, in 1772

a conspicuous location at that facility under that person's 1773  
charge; 1774

(5) The board of trustees of a regional airport authority, 1775  
chief administrative officer of an airport facility, or other 1776  
person in charge of an airport facility in a conspicuous location 1777  
at each airport facility under that person's control; 1778

(6) The officer or officer's designee who has charge of a 1779  
courthouse or the building or structure in which a courtroom is 1780  
located in a conspicuous location in that building or structure; 1781

(7) The superintendent of the bureau of criminal 1782  
identification and investigation or the superintendent's designee 1783  
in a conspicuous location in all premises controlled by that 1784  
bureau; 1785

~~(8) The owner, administrator, or operator of a child day care 1786  
center, a type A family day care home, a type B family day care 1787  
home, or a type C family day care home; 1788~~

~~(9) The officer of this state or of a political subdivision 1789  
of this state, or the officer's designee, who has charge of a 1790  
building that is a government facility of this state or the 1791  
political subdivision of this state, as defined in section 1792  
2923.126 of the Revised Code, and that is not a building that is 1793  
used primarily as a shelter, restroom, parking facility for motor 1794  
vehicles, or rest facility and is not a courthouse or other 1795  
building or structure in which a courtroom is located that is 1796  
subject to division (B)(3) of that section. 1797~~

(B) The following boards, bodies, and persons, or designees, 1798  
shall post in the following locations a sign that contains a 1799  
statement in substantially the following form: "Unless otherwise 1800  
authorized by law, pursuant to Ohio Revised Code section 2923.122, 1801  
no person shall knowingly possess, have under the person's 1802  
control, convey, or attempt to convey a deadly weapon or dangerous 1803

ordnance into a school safety zone.": 1804

(1) A board of education of a city, local, exempted village, 1805  
or joint vocational school district or that board's designee in a 1806  
conspicuous location in each building and on each parcel of real 1807  
property owned or controlled by the board; 1808

(2) A governing body of a school for which the state board of 1809  
education prescribes minimum standards under section 3301.07 of 1810  
the Revised Code or that body's designee in a conspicuous location 1811  
in each building and on each parcel of real property owned or 1812  
controlled by the school; 1813

(3) The principal or chief administrative officer of a 1814  
nonpublic school in a conspicuous location on property owned or 1815  
controlled by that nonpublic school. 1816

**Sec. 2923.1213.** (A) As used in this section: 1817

(1) "Evidence of imminent danger" means any of the following: 1818

(a) A statement sworn by the person seeking to carry a 1819  
concealed handgun that is made under threat of perjury and that 1820  
states that the person has reasonable cause to fear a criminal 1821  
attack upon the person or a member of the person's family, such as 1822  
would justify a prudent person in going armed; 1823

(b) A written document prepared by a governmental entity or 1824  
public official describing the facts that give the person seeking 1825  
to carry a concealed handgun reasonable cause to fear a criminal 1826  
attack upon the person or a member of the person's family, such as 1827  
would justify a prudent person in going armed. Written documents 1828  
of this nature include, but are not limited to, any temporary 1829  
protection order, civil protection order, protection order issued 1830  
by another state, or other court order, any court report, and any 1831  
report filed with or made by a law enforcement agency or 1832  
prosecutor. 1833

(2) "Prosecutor" has the same meaning as in section 2935.01 1834  
of the Revised Code. 1835

(B)(1) A person seeking a temporary emergency license to 1836  
carry a concealed handgun shall submit to the sheriff of the 1837  
county in which the person resides all of the following: 1838

(a) Evidence of imminent danger to the person or a member of 1839  
the person's family; 1840

(b) A sworn affidavit that contains all of the information 1841  
required to be on the license and attesting that the person is 1842  
legally living in the United States; is at least twenty-one years 1843  
of age; is not a fugitive from justice; is not under indictment 1844  
for or otherwise charged with an offense identified in division 1845  
(D)(1)(d) of section 2923.125 of the Revised Code; has not been 1846  
convicted of or pleaded guilty to an offense, and has not been 1847  
adjudicated a delinquent child for committing an act, identified 1848  
in division (D)(1)(e) of that section and to which division (B)(3) 1849  
of this section does not apply; within three years of the date of 1850  
the submission, has not been convicted of or pleaded guilty to an 1851  
offense, and has not been adjudicated a delinquent child for 1852  
committing an act, identified in division (D)(1)(f) of that 1853  
section and to which division (B)(3) of this section does not 1854  
apply; within five years of the date of the submission, has not 1855  
been convicted of, pleaded guilty, or adjudicated a delinquent 1856  
child for committing two or more violations identified in division 1857  
(D)(1)(g) of that section; within ten years of the date of the 1858  
submission, has not been convicted of, pleaded guilty, or 1859  
adjudicated a delinquent child for committing a violation 1860  
identified in division (D)(1)(h) of that section and to which 1861  
division (B)(3) of this section does not apply; has not been 1862  
adjudicated as a mental defective, has not been committed to any 1863  
mental institution, is not under adjudication of mental 1864  
incompetence, has not been found by a court to be a mentally ill 1865

person subject to hospitalization by court order, and is not an 1866  
involuntary patient other than one who is a patient only for 1867  
purposes of observation, as described in division (D)(1)(i) of 1868  
that section; and is not currently subject to a civil protection 1869  
order, a temporary protection order, or a protection order issued 1870  
by a court of another state, as described in division (D)(1)(j) of 1871  
that section; ~~and is not currently subject to a suspension imposed~~ 1872  
~~under division (A)(2) of section 2923.128 of the Revised Code of a~~ 1873  
~~license to carry a concealed handgun, or a temporary emergency~~ 1874  
~~license to carry a concealed handgun, that previously was issued~~ 1875  
~~to the person;~~ 1876

(c) A temporary emergency license fee established by the Ohio 1877  
peace officer training commission for an amount that does not 1878  
exceed the actual cost of conducting the criminal background check 1879  
or thirty dollars; 1880

(d) A set of fingerprints of the applicant provided as 1881  
described in section 311.41 of the Revised Code through use of an 1882  
electronic fingerprint reading device or, if the sheriff to whom 1883  
the application is submitted does not possess and does not have 1884  
ready access to the use of an electronic fingerprint reading 1885  
device, on a standard impression sheet prescribed pursuant to 1886  
division (C)(2) of section 109.572 of the Revised Code. If the 1887  
fingerprints are provided on a standard impression sheet, the 1888  
person also shall provide the person's social security number to 1889  
the sheriff. 1890

(2) A sheriff shall accept the evidence of imminent danger, 1891  
the sworn affidavit, the fee, and the set of fingerprints required 1892  
under division (B)(1) of this section at the times and in the 1893  
manners described in division (I) of this section. Upon receipt of 1894  
the evidence of imminent danger, the sworn affidavit, the fee, and 1895  
the set of fingerprints required under division (B)(1) of this 1896  
section, the sheriff, in the manner specified in section 311.41 of 1897

the Revised Code, immediately shall conduct or cause to be 1898  
conducted the criminal records check and the incompetency records 1899  
check described in section 311.41 of the Revised Code. Immediately 1900  
upon receipt of the results of the records checks, the sheriff 1901  
shall review the information and shall determine whether the 1902  
criteria set forth in divisions (D)(1)(a) to (j) and (m) of 1903  
section 2923.125 of the Revised Code apply regarding the person. 1904  
If the sheriff determines that all of criteria set forth in 1905  
divisions (D)(1)(a) to (j) and (m) of section 2923.125 of the 1906  
Revised Code apply regarding the person, the sheriff shall 1907  
immediately make available through the law enforcement automated 1908  
data system all information that will be contained on the 1909  
temporary emergency license for the person if one is issued, and 1910  
the superintendent of the state highway patrol shall ensure that 1911  
the system is so configured as to permit the transmission through 1912  
the system of that information. Upon making that information 1913  
available through the law enforcement automated data system, the 1914  
sheriff shall immediately issue to the person a temporary 1915  
emergency license to carry a concealed handgun. 1916

If the sheriff denies the issuance of a temporary emergency 1917  
license to the person, the sheriff shall specify the grounds for 1918  
the denial in a written notice to the person. The person may 1919  
appeal the denial, or challenge criminal records check results 1920  
that were the basis of the denial if applicable, in the same 1921  
manners specified in division (D)(2) of section 2923.125 and in 1922  
section 2923.127 of the Revised Code, regarding the denial of an 1923  
application for a license to carry a concealed handgun under that 1924  
section. 1925

The temporary emergency license under this division shall be 1926  
in the form, and shall include all of the information, described 1927  
in divisions (A)(2) and (5) of section 109.731 of the Revised 1928  
Code, and also shall include a unique combination of identifying 1929

letters and numbers in accordance with division (A)(4) of that section. 1930  
1931

The temporary emergency license issued under this division is valid for ninety days and may not be renewed. A person who has been issued a temporary emergency license under this division shall not be issued another temporary emergency license unless at least four years has expired since the issuance of the prior temporary emergency license. 1932  
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(3) If a person seeking a temporary emergency license to carry a concealed handgun has been convicted of or pleaded guilty to an offense identified in division (D)(1)(e), (f), or (h) of section 2923.125 of the Revised Code or has been adjudicated a delinquent child for committing an act or violation identified in any of those divisions, and if a court has ordered the sealing or expungement of the records of that conviction, guilty plea, or adjudication pursuant to sections 2151.355 to 2151.358 or sections 2953.31 to 2953.36 of the Revised Code or a court has granted the applicant relief pursuant to section 2923.14 of the Revised Code from the disability imposed pursuant to section 2923.13 of the Revised Code relative to that conviction, guilty plea, or adjudication, the conviction, guilty plea, or adjudication shall not be relevant for purposes of the sworn affidavit described in division (B)(1)(b) of this section, and the person may complete, and swear to the truth of, the affidavit as if the conviction, guilty plea, or adjudication never had occurred. 1938  
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(C) A person who holds a temporary emergency license to carry a concealed handgun has the same right to carry a concealed handgun as a person who was issued a license to carry a concealed handgun under section 2923.125 of the Revised Code, and any exceptions to the prohibitions contained in section 1547.69 and sections 2923.12 to 2923.16 of the Revised Code for a licensee under section 2923.125 of the Revised Code apply to a licensee 1955  
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under this section. The person is subject to the same 1962  
restrictions, and to all other procedures, duties, and sanctions, 1963  
that apply to a person who carries a license issued under section 1964  
2923.125 of the Revised Code, other than the license renewal 1965  
procedures set forth in that section. 1966

(D) A sheriff who issues a temporary emergency license to 1967  
carry a concealed handgun under this section shall not require a 1968  
person seeking to carry a concealed handgun in accordance with 1969  
this section to submit a competency certificate as a prerequisite 1970  
for issuing the license and shall comply with division (H) of 1971  
section 2923.125 of the Revised Code in regards to the license. 1972  
The sheriff shall suspend or revoke the license in accordance with 1973  
section 2923.128 of the Revised Code. In addition to the 1974  
suspension or revocation procedures set forth in section 2923.128 1975  
of the Revised Code, the sheriff may revoke the license upon 1976  
receiving information, verifiable by public documents, that the 1977  
person is not eligible to possess a firearm under either the laws 1978  
of this state or of the United States or that the person committed 1979  
perjury in obtaining the license; if the sheriff revokes a license 1980  
under this additional authority, the sheriff shall notify the 1981  
person, by certified mail, return receipt requested, at the 1982  
person's last known residence address that the license has been 1983  
revoked and that the person is required to surrender the license 1984  
at the sheriff's office within ten days of the date on which the 1985  
notice was mailed. Division (H) of section 2923.125 of the Revised 1986  
Code applies regarding any suspension or revocation of a temporary 1987  
emergency license to carry a concealed handgun. 1988

(E) A sheriff who issues a temporary emergency license to 1989  
carry a concealed handgun under this section shall retain, for the 1990  
entire period during which the temporary emergency license is in 1991  
effect, the evidence of imminent danger that the person submitted 1992  
to the sheriff and that was the basis for the license, or a copy 1993

of that evidence, as appropriate. 1994

(F) If a temporary emergency license to carry a concealed 1995  
handgun issued under this section is lost or is destroyed, the 1996  
licensee may obtain from the sheriff who issued that license a 1997  
duplicate license upon the payment of a fee of fifteen dollars and 1998  
the submission of an affidavit attesting to the loss or 1999  
destruction of the license. The sheriff, in accordance with the 2000  
procedures prescribed in section 109.731 of the Revised Code, 2001  
shall place on the replacement license a combination of 2002  
identifying numbers different from the combination on the license 2003  
that is being replaced. 2004

(G) The Ohio peace officer training commission shall 2005  
prescribe, and shall make available to sheriffs, a standard form 2006  
to be used under division (B) of this section by a person who 2007  
applies for a temporary emergency license to carry a concealed 2008  
handgun on the basis of imminent danger of a type described in 2009  
division (A)(1)(a) of this section. 2010

(H) A sheriff who receives any fees paid by a person under 2011  
this section shall deposit all fees so paid into the sheriff's 2012  
concealed handgun license issuance expense fund established under 2013  
section 311.42 of the Revised Code. 2014

(I) A sheriff shall accept evidence of imminent danger, a 2015  
sworn affidavit, the fee, and the set of fingerprints specified in 2016  
division (B)(1) of this section at any time during normal business 2017  
hours. In no case shall a sheriff require an appointment, or 2018  
designate a specific period of time, for the submission or 2019  
acceptance of evidence of imminent danger, a sworn affidavit, the 2020  
fee, and the set of fingerprints specified in division (B)(1) of 2021  
this section, or for the provision to any person of a standard 2022  
form to be used for a person to apply for a temporary emergency 2023  
license to carry a concealed handgun. 2024

Sec. 2923.16. (A) No person shall knowingly discharge a 2025  
firearm while in or on a motor vehicle. 2026

(B) No person shall knowingly transport or have a loaded 2027  
firearm in a motor vehicle in such a manner that the firearm is 2028  
accessible to the operator or any passenger without leaving the 2029  
vehicle. 2030

(C) No person shall knowingly transport or have a firearm in 2031  
a motor vehicle, unless the person may lawfully possess that 2032  
firearm under applicable law of this state or the United States, 2033  
the firearm is unloaded, and the firearm is carried in one of the 2034  
following ways: 2035

(1) In a closed package, box, or case; 2036

(2) In a compartment that can be reached only by leaving the 2037  
vehicle; 2038

(3) In plain sight and secured in a rack or holder made for 2039  
the purpose; 2040

(4) If the firearm is at least twenty-four inches in overall 2041  
length as measured from the muzzle to the part of the stock 2042  
furthest from the muzzle and if the barrel is at least eighteen 2043  
inches in length, either in plain sight with the action open or 2044  
the weapon stripped, or, if the firearm is of a type on which the 2045  
action will not stay open or which cannot easily be stripped, in 2046  
plain sight. 2047

(D) No person shall knowingly transport or have a loaded 2048  
handgun in a motor vehicle if, at the time of that transportation 2049  
or possession, any of the following applies: 2050

(1) The person is under the influence of alcohol, a drug of 2051  
abuse, or a combination of them. 2052

(2) The person's whole blood, blood serum or plasma, breath, 2053  
or urine contains a concentration of alcohol, a listed controlled 2054

substance, or a listed metabolite of a controlled substance 2055  
prohibited for persons operating a vehicle, as specified in 2056  
division (A) of section 4511.19 of the Revised Code, regardless of 2057  
whether the person at the time of the transportation or possession 2058  
as described in this division is the operator of or a passenger in 2059  
the motor vehicle. 2060

(E) No person who qualifies for a license or ~~has been issued~~ 2061  
a valid license or temporary emergency license to carry a 2062  
concealed handgun under section 2923.125 or 2923.1213 of the 2063  
Revised Code ~~shall do any of the following:~~ 2064

~~(1) Knowingly transport or have a loaded handgun in a motor 2065  
vehicle unless one of the following applies:~~ 2066

~~(a) The loaded handgun is in a holster on the person's 2067  
person.~~ 2068

~~(b) The loaded handgun is in a closed case, bag, box, or 2069  
other container that is in plain sight and that has a lid, a 2070  
cover, or a closing mechanism with a zipper, snap, or buckle, 2071  
which lid, cover, or closing mechanism must be opened for a person 2072  
to gain access to the handgun.~~ 2073

~~(c) The loaded handgun is securely encased by being stored in 2074  
a closed glove compartment or vehicle console or in a case that is 2075  
locked.~~ 2076

~~(2) If the person is transporting or has a loaded handgun in 2077  
a motor vehicle in a manner authorized under division (E)(1) of 2078  
this section, knowingly remove or attempt to remove the loaded 2079  
handgun from the holster, case, bag, box, container, or glove 2080  
compartment, knowingly grasp or hold the loaded handgun, or 2081  
knowingly have contact with the loaded handgun by touching it with 2082  
the person's hands or fingers while the motor vehicle is being 2083  
operated on a street, highway, or public property unless the 2084  
person removes, attempts to remove, grasps, holds, or has the 2085~~

~~contact with the loaded handgun pursuant to and in accordance with 2086  
directions given by a law enforcement officer; 2087~~

~~(3) If the person is the driver or an occupant of a motor 2088  
vehicle that is stopped as a result of a traffic stop or a stop 2089  
for another law enforcement purpose or is the driver or an 2090  
occupant of a commercial motor vehicle that is stopped by an 2091  
employee of the motor carrier enforcement unit for the purposes 2092  
defined in section 5503.34 of the Revised Code, and if the person 2093  
is transporting or has a loaded handgun in the motor vehicle or 2094  
commercial motor vehicle in any manner, fail to do any of the 2095  
following that is applicable: 2096~~

~~(a) If the person is the driver or an occupant of a motor 2097  
vehicle stopped as a result of a traffic stop or a stop for 2098  
another law enforcement purpose, fail to promptly inform any law 2099  
enforcement officer who approaches the vehicle while stopped that 2100  
the person has been issued a license or temporary emergency 2101  
license to carry a concealed handgun and that the person then 2102  
possesses or has a loaded handgun in the motor vehicle; 2103~~

~~(b) If the person is the driver or an occupant of a 2104  
commercial motor vehicle stopped by an employee of the motor 2105  
carrier enforcement unit for any of the defined purposes, fail to 2106  
promptly inform the employee of the unit who approaches the 2107  
vehicle while stopped that the person has been issued a license or 2108  
temporary emergency license to carry a concealed handgun and that 2109  
the person then possesses or has a loaded handgun in the 2110  
commercial motor vehicle. 2111~~

~~(4) If the person is the driver or an occupant of a motor 2112  
vehicle that is stopped as a result of a traffic stop or a stop 2113  
for another law enforcement purpose and if the person is 2114  
transporting or has a loaded handgun in the motor vehicle in any 2115  
manner, knowingly fail to remain in the motor vehicle while 2116  
stopped or knowingly fail to keep the person's hands in plain 2117~~

~~sight at any time after any law enforcement officer begins 2118  
approaching the person while stopped and before the law 2119  
enforcement officer leaves, unless the failure is pursuant to and 2120  
in accordance with directions given by a law enforcement officer; 2121~~

~~(5) If the person, who is the driver or an occupant of a 2122  
motor vehicle that is stopped as a result of a traffic stop or a 2123  
stop for another law enforcement purpose, if the person and who is 2124  
transporting or has a loaded handgun in the motor vehicle in a 2125  
manner authorized under division (E)(1) of this section, and if 2126  
the person is approached by any law enforcement officer while 2127  
stopped, knowingly remove or attempt to remove the loaded handgun 2128  
from the holster, case, bag, box, container, or glove compartment, 2129  
knowingly grasp or hold the loaded handgun, or knowingly have 2130  
contact with the loaded handgun by touching it with the person's 2131  
hands or fingers in the motor vehicle at any time after the law 2132  
enforcement officer begins approaching and before the law 2133  
enforcement officer leaves shall, while stopped, knowingly 2134  
brandish the loaded handgun in a menacing manner while a law 2135  
enforcement officer is approaching the vehicle or in a law 2136  
enforcement officer's presence, knowingly threaten a law 2137  
enforcement officer with the loaded handgun, knowingly point the 2138  
loaded handgun at a law enforcement officer, or otherwise 2139  
knowingly cause a law enforcement officer to believe that the 2140  
person will cause or attempt to cause physical harm to a law 2141  
enforcement officer with the handgun, unless the person removes, 2142  
~~attempts to remove, grasps, holds, or has contact with the loaded 2143  
handgun engages in the conduct pursuant to and in accordance with 2144  
directions given by the law enforcement officer; 2145~~~~

~~(6) If the person is the driver or an occupant of a motor 2146  
vehicle that is stopped as a result of a traffic stop or a stop 2147  
for another law enforcement purpose and if the person is 2148  
transporting or has a loaded handgun in the motor vehicle in any 2149~~

~~manner, knowingly disregard or fail to comply with any lawful 2150  
order of any law enforcement officer given while the motor vehicle 2151  
is stopped, including, but not limited to, a specific order to the 2152  
person to keep the person's hands in plain sight. 2153~~

(F)(1) Divisions (A), (B), and (C), ~~and (E)~~ of this section 2154  
do not apply to any of the following: 2155

(a) An officer, agent, or employee of this or any other state 2156  
or the United States, or a law enforcement officer, when 2157  
authorized to carry or have loaded or accessible firearms in motor 2158  
vehicles and acting within the scope of the officer's, agent's, or 2159  
employee's duties; 2160

(b) Any person who is employed in this state, who is 2161  
authorized to carry or have loaded or accessible firearms in motor 2162  
vehicles, and who is subject to and in compliance with the 2163  
requirements of section 109.801 of the Revised Code, unless the 2164  
appointing authority of the person has expressly specified that 2165  
the exemption provided in division (F)(1)(b) of this section does 2166  
not apply to the person. 2167

(2) Division (A) of this section does not apply to a person 2168  
if all of the following circumstances apply: 2169

(a) The person discharges a firearm from a motor vehicle at a 2170  
coyote or groundhog, the discharge is not during the deer gun 2171  
hunting season as set by the chief of the division of wildlife of 2172  
the department of natural resources, and the discharge at the 2173  
coyote or groundhog, but for the operation of this section, is 2174  
lawful. 2175

(b) The motor vehicle from which the person discharges the 2176  
firearm is on real property that is located in an unincorporated 2177  
area of a township and that either is zoned for agriculture or is 2178  
used for agriculture. 2179

(c) The person owns the real property described in division 2180

(F)(2)(b) of this section, is the spouse or a child of another 2181  
person who owns that real property, is a tenant of another person 2182  
who owns that real property, or is the spouse or a child of a 2183  
tenant of another person who owns that real property. 2184

(d) The person does not discharge the firearm in any of the 2185  
following manners: 2186

(i) While under the influence of alcohol, a drug of abuse, or 2187  
alcohol and a drug of abuse; 2188

(ii) In the direction of a street, highway, or other public 2189  
or private property used by the public for vehicular traffic or 2190  
parking; 2191

(iii) At or into an occupied structure that is a permanent or 2192  
temporary habitation; 2193

(iv) In the commission of any violation of law, including, 2194  
but not limited to, a felony that includes, as an essential 2195  
element, purposely or knowingly causing or attempting to cause the 2196  
death of or physical harm to another and that was committed by 2197  
discharging a firearm from a motor vehicle. 2198

(3) Division (A) of this section does not apply to a person 2199  
if all of the following apply: 2200

(a) The person possesses a valid electric-powered all-purpose 2201  
vehicle permit issued under section 1533.103 of the Revised Code 2202  
by the chief of the division of wildlife. 2203

(b) The person discharges a firearm at a wild quadruped or 2204  
game bird as defined in section 1531.01 of the Revised Code during 2205  
the open hunting season for the applicable wild quadruped or game 2206  
bird. 2207

(c) The person discharges a firearm from a stationary 2208  
electric-powered all-purpose vehicle as defined in section 1531.01 2209  
of the Revised Code or a motor vehicle that is parked on a road 2210

that is owned or administered by the division of wildlife, 2211  
provided that the road is identified by an electric-powered 2212  
all-purpose vehicle sign. 2213

(d) The person does not discharge the firearm in any of the 2214  
following manners: 2215

(i) While under the influence of alcohol, a drug of abuse, or 2216  
alcohol and a drug of abuse; 2217

(ii) In the direction of a street, a highway, or other public 2218  
or private property that is used by the public for vehicular 2219  
traffic or parking; 2220

(iii) At or into an occupied structure that is a permanent or 2221  
temporary habitation; 2222

(iv) In the commission of any violation of law, including, 2223  
but not limited to, a felony that includes, as an essential 2224  
element, purposely or knowingly causing or attempting to cause the 2225  
death of or physical harm to another and that was committed by 2226  
discharging a firearm from a motor vehicle. 2227

(4) Division (A) of this section does not apply to a person 2228  
who discharges a firearm in self-defense while in or on a motor 2229  
vehicle. 2230

(5) Divisions (B) and (C) of this section do not apply to a 2231  
person if all of the following circumstances apply: 2232

(a) At the time of the alleged violation of either of those 2233  
divisions, the person is the operator of or a passenger in a motor 2234  
vehicle. 2235

(b) The motor vehicle is on real property that is located in 2236  
an unincorporated area of a township and that either is zoned for 2237  
agriculture or is used for agriculture. 2238

(c) The person owns the real property described in division 2239  
~~(D)~~~~(4)~~~~(F)~~~~(5)~~(b) of this section, is the spouse or a child of 2240

another person who owns that real property, is a tenant of another 2241  
person who owns that real property, or is the spouse or a child of 2242  
a tenant of another person who owns that real property. 2243

(d) The person, prior to arriving at the real property 2244  
described in division ~~(D)~~~~(4)~~~~(F)~~~~(5)~~(b) of this section, did not 2245  
transport or possess a firearm in the motor vehicle in a manner 2246  
prohibited by division (B) or (C) of this section while the motor 2247  
vehicle was being operated on a street, highway, or other public 2248  
or private property used by the public for vehicular traffic or 2249  
parking. 2250

~~(5)~~~~(6)~~ Divisions (B) and (C) of this section do not apply to 2251  
a person who transports or possesses a handgun in a motor vehicle 2252  
if, at the time of that transportation or possession, all both of 2253  
the following apply: 2254

(a) The person transporting or possessing the handgun ~~is~~ 2255  
~~carrying~~ qualifies for a license or has a valid license or 2256  
temporary emergency license to carry a concealed handgun issued to 2257  
the person under section 2923.125 or 2923.1213 of the Revised Code 2258  
or a license to carry a concealed handgun ~~that was~~ issued by 2259  
another state with which the attorney general has entered into a 2260  
reciprocity agreement under section 109.69 of the Revised Code. 2261

(b) The person transporting or possessing the handgun is not 2262  
knowingly in a place described in division (B) of section 2923.126 2263  
of the Revised Code. 2264

~~(c) One of the following applies:~~ 2265

~~(i) The handgun is in a holster on the person's person.~~ 2266

~~(ii) The handgun is in a closed case, bag, box, or other 2267  
container that is in plain sight and that has a lid, a cover, or a 2268  
closing mechanism with a zipper, snap, or buckle, which lid, 2269  
cover, or closing mechanism must be opened for a person to gain 2270  
access to the handgun.~~ 2271

~~(iii) The handgun is securely encased by being stored in a closed glove compartment or vehicle console or in a case that is locked.~~

~~(6)~~(7) Divisions (B) and (C) of this section do not apply to a person if all of the following apply:

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

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

(c) The person is on or in an electric-powered all-purpose vehicle as defined in section 1531.01 of the Revised Code or a motor vehicle that is parked on a road that is owned or administered by the division of wildlife, provided that the road is identified by an electric-powered all-purpose vehicle sign.

(G)(1) The affirmative defenses authorized in ~~divisions (D)(1) and (2)~~ division (C) 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, immediately 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. 2303

(H) No person who is charged with a violation of division 2304  
(B), (C), or (D) of this section shall be required to obtain a 2305  
competency certification or a license or temporary emergency 2306  
license to carry a concealed handgun under section 2923.125 or 2307  
2923.1213 of the Revised Code as a condition for the dismissal of 2308  
the charge. 2309

(I) Whoever violates this section is guilty of improperly 2310  
handling firearms in a motor vehicle. Violation of division (A) of 2311  
this section is a felony of the fourth degree. Violation of 2312  
division (C) of this section is a misdemeanor of the fourth 2313  
degree. A violation of division (D) of this section is a felony of 2314  
the fifth degree or, if the loaded handgun is concealed on the 2315  
person's person, a felony of the fourth degree. ~~Except as~~ 2316  
~~otherwise provided in this division, a violation of division~~ 2317  
~~(E)(3) of this section is a misdemeanor of the first degree, and,~~ 2318  
~~in addition to any other penalty or sanction imposed for the~~ 2319  
~~violation, the offender's license or temporary emergency license~~ 2320  
~~to carry a concealed handgun shall be suspended pursuant to~~ 2321  
~~division (A)(2) of section 2923.128 of the Revised Code. If at the~~ 2322  
~~time of the stop of the offender for a traffic stop, for another~~ 2323  
~~law enforcement purpose, or for a purpose defined in section~~ 2324  
~~5503.34 of the Revised Code that was the basis of the violation~~ 2325  
~~any law enforcement officer involved with the stop or the employee~~ 2326  
~~of the motor carrier enforcement unit who made the stop had actual~~ 2327  
~~knowledge of the offender's status as a licensee, a violation of~~ 2328  
~~division (E)(3) of this section is a minor misdemeanor, and the~~ 2329  
~~offender's license or temporary emergency license to carry a~~ 2330  
~~concealed handgun shall not be suspended pursuant to division~~ 2331  
~~(A)(2) of section 2923.128 of the Revised Code. A violation of~~ 2332  
~~division (E)(1), (2), or (5) of this section is a felony of the~~ 2333  
~~fifth degree. A violation of division (E)(4) or (6) of this~~ 2334

~~section is a misdemeanor of the first degree or, if the offender 2335  
previously has been convicted of or pleaded guilty to a violation 2336  
of division (E)(4) or (6) of this section, a felony of the fifth 2337  
degree. In addition to any other penalty or sanction imposed for a 2338  
misdemeanor violation of division (E)(4) or (6) of this section, 2339  
the offender's license or temporary emergency license to carry a 2340  
concealed handgun shall be suspended pursuant to division (A)(2) 2341  
of section 2923.128 of the Revised Code. A violation of division 2342  
(B) of this section is whichever of the following is applicable: 2343~~

~~(1) If, at the time of the transportation or possession in 2345  
violation of division (B) of this section, the offender was 2346  
carrying a valid license or temporary emergency license to carry a 2347  
concealed handgun issued to the offender under section 2923.125 or 2348  
2923.1213 of the Revised Code or a license to carry a concealed 2349  
handgun that was issued by another state with which the attorney 2350  
general has entered into a reciprocity agreement under section 2351  
109.69 of the Revised Code and the offender was not knowingly in a 2352  
place described in division (B) of section 2923.126 of the Revised 2353  
Code, the violation is a misdemeanor of the first degree or, if 2354  
the offender previously has been convicted of or pleaded guilty to 2355  
a violation of division (B) of this section, a felony of the 2356  
fourth degree. 2357~~

~~(2) If division (I)(1) of this section does not apply, a 2358  
felony of the fourth degree. 2359~~

(J) If a law enforcement officer stops a motor vehicle for a 2360  
traffic stop or any other purpose, if any person in the motor 2361  
vehicle surrenders a firearm to the officer, either voluntarily or 2362  
pursuant to a request or demand of the officer, and if the officer 2363  
does not charge the person with a violation of this section or 2364  
arrest the person for any offense, the person is not otherwise 2365  
prohibited by law from possessing the firearm, and the firearm is 2366

not contraband, the officer shall return the firearm to the person 2367  
at the termination of the stop. If a court orders a law 2368  
enforcement officer to return a firearm to a person pursuant to 2369  
the requirement set forth in this division, division (B) of 2370  
section 2923.163 of the Revised Code applies. 2371

(K) As used in this section: 2372

(1) "Motor vehicle," "street," and "highway" have the same 2373  
meanings as in section 4511.01 of the Revised Code. 2374

(2) "Occupied structure" has the same meaning as in section 2375  
2909.01 of the Revised Code. 2376

(3) "Agriculture" has the same meaning as in section 519.01 2377  
of the Revised Code. 2378

(4) "Tenant" has the same meaning as in section 1531.01 of 2379  
the Revised Code. 2380

(5) "Unloaded" means any of the following: 2381

(a) No ammunition is in the firearm in question, and no 2382  
ammunition is loaded into a magazine or speed loader that may be 2383  
used with the firearm in question and that is located anywhere 2384  
within the vehicle in question, without regard to where ammunition 2385  
otherwise is located within the vehicle in question. 2386

(b) With respect to a firearm employing a percussion cap, 2387  
flintlock, or other obsolete ignition system, when the weapon is 2388  
uncapped or when the priming charge is removed from the pan. 2389

~~(6) "Commercial motor vehicle" has the same meaning as in 2390  
division (A) of section 4506.25 of the Revised Code. 2391~~

~~(7) "Motor carrier enforcement unit" means the motor carrier 2392  
enforcement unit in the department of public safety, division of 2393  
state highway patrol, that is created by section 5503.34 of the 2394  
Revised Code. 2395~~

**Section 2.** That existing sections 1547.69, 2923.11, 2923.12, 2396  
2923.122, 2923.123, 2923.124, 2923.125, 2923.126, 2923.128, 2397  
2923.1212, 2923.1213, and 2923.16 of the Revised Code are hereby 2398  
repealed. 2399

**Section 3.** Section 2923.16 of the Revised Code is presented 2400  
in this act as a composite of the section as amended by both Sub. 2401  
S.B. 184 and Sub. S.B. 209 of the 127th General Assembly. The 2402  
General Assembly, applying the principle stated in division (B) of 2403  
section 1.52 of the Revised Code that amendments are to be 2404  
harmonized if reasonably capable of simultaneous operation, finds 2405  
that the composite is the resulting version of the section in 2406  
effect prior to the effective date of the section as presented in 2407  
this act. 2408