

As Introduced

136th General Assembly

Regular Session

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H. B. No. 348

Representatives Isaacsohn, Lawson-Rowe

**Cosponsors: Representatives Jarrells, Mohamed, Piccolantonio, Somani, Lett,
Rader, Brennan, Sweeney, Brent, Robinson, Upchurch, Synenberg, Brewer, Baker,
Brownlee, Sims, Tims, Grim, McNally**

To amend sections 109.69, 109.731, 311.41, 311.42,	1
311.43, 1547.69, 2921.13, 2923.11, 2923.12,	2
2923.121, 2923.122, 2923.123, 2923.124,	3
2923.125, 2923.126, 2923.127, 2923.128,	4
2923.129, 2923.1210, 2923.1211, 2923.1213,	5
2923.16, 2953.35, and 5502.411 and to repeal	6
section 2923.111 of the Revised Code to repeal	7
the changes made by S.B. 215 of the 134th	8
General Assembly to the laws regarding a	9
concealed handgun licensee's duty to carry the	10
license and notify law enforcement if the	11
licensee is carrying a concealed handgun and to	12
rename concealed handgun licenses as basic	13
competency licenses.	14

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

Section 1. That sections 109.69, 109.731, 311.41, 311.42,	15
311.43, 1547.69, 2921.13, 2923.11, 2923.12, 2923.121, 2923.122,	16
2923.123, 2923.124, 2923.125, 2923.126, 2923.127, 2923.128,	17
2923.129, 2923.1210, 2923.1211, 2923.1213, 2923.16, 2953.35, and	18
5502.411 of the Revised Code be amended to read as follows:	19

Sec. 109.69. (A) (1) The attorney general shall negotiate 20
and enter into a reciprocity agreement with any other license- 21
issuing state under which a ~~concealed handgun~~ basic competency 22
license that is issued by the other state is recognized in this 23
state, except as provided in division (B) of this section, if 24
the attorney general determines that both of the following 25
apply: 26

(a) The eligibility requirements imposed by that license- 27
issuing state for that license are substantially comparable to 28
the eligibility requirements for a ~~concealed handgun~~ basic 29
competency license issued under section 2923.125 of the Revised 30
Code. 31

(b) That license-issuing state recognizes a ~~concealed-~~ 32
~~handgun~~ basic competency license issued under section 2923.125 of 33
the Revised Code. 34

(2) A reciprocity agreement entered into under division 35
(A) (1) of this section also may provide for the recognition in 36
this state of a ~~concealed handgun~~ basic competency license 37
issued on a temporary or emergency basis by the other license- 38
issuing state, if the eligibility requirements imposed by that 39
license-issuing state for the temporary or emergency license are 40
substantially comparable to the eligibility requirements for a 41
~~concealed handgun~~ basic competency license issued under section 42
2923.125 or 2923.1213 of the Revised Code and if that license- 43
issuing state recognizes a ~~concealed handgun~~ basic competency 44
license issued under section 2923.1213 of the Revised Code. 45

(3) The attorney general shall not negotiate any agreement 46
with any other license-issuing state under which a ~~concealed-~~ 47
~~handgun~~ basic competency license issued by the other state is 48
recognized in this state other than as provided in divisions (A) 49

(1) and (2) of this section.

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(B) (1) If, on or after ~~the effective date of this~~
~~amendment~~ March 23, 2015, a person who is a resident of this
state has a valid ~~concealed handgun~~ basic competency license that
was issued by another license-issuing state that has entered
into a reciprocity agreement with the attorney general under
division (A) (1) of this section or the attorney general
determines that the eligibility requirements imposed by that
license-issuing state for that license are substantially
comparable to the eligibility requirements for a ~~concealed~~
~~handgun~~ basic competency license issued under section 2923.125
of the Revised Code, the license issued by the other license-
issuing state shall be recognized in this state, shall be
accepted and valid in this state, and grants the person the same
right to carry a concealed handgun in this state as a person who
was issued a ~~concealed handgun~~ basic competency license under
section 2923.125 of the Revised Code.

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(2) If, on or after ~~the effective date of this amendment~~
March 23, 2015, a person who is a resident of this state has a
valid ~~concealed handgun~~ basic competency license that was issued
by another license-issuing state that has not entered into a
reciprocity agreement with the attorney general under division
(A) (1) of this section, the license issued by the other license-
issuing state shall be recognized in this state, shall be
accepted and valid in this state, and grants the person the same
right to carry a concealed handgun in this state as a person who
was issued a ~~concealed handgun~~ basic competency license under
section 2923.125 of the Revised Code for a period of six months
after the person became a resident of this state. After that
six-month period, if the person wishes to obtain a ~~concealed~~
~~handgun~~ basic competency license, the person shall apply for a-

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~~concealed handgun~~ basic competency license pursuant to section 81
2923.125 of the Revised Code. 82

(3) If, on or after ~~the effective date of this amendment~~ 83
March 23, 2015, a person who is not a resident of this state has 84
a valid ~~concealed handgun~~ basic competency license that was 85
issued by another license-issuing state, regardless of whether 86
the other license-issuing state has entered into a reciprocity 87
agreement with the attorney general under division (A) (1) of 88
this section, and the person is temporarily in this state, 89
during the time that the person is temporarily in this state the 90
license issued by the other license-issuing state shall be 91
recognized in this state, shall be accepted and valid in this 92
state, and grants the person the same right to carry a concealed 93
handgun in this state as a person who was issued a ~~concealed~~ 94
~~handgun~~ basic competency license under section 2923.125 of the 95
Revised Code. 96

(C) The attorney general shall publish each determination 97
described in division (B) (1) of this section that the attorney 98
general makes in the same manner that written agreements entered 99
into under division (A) (1) or (2) of this section are published. 100

(D) As used in this section: 101

(1) "Handgun," "~~concealed handgun~~ basic competency 102
license," and "valid ~~concealed handgun~~ basic competency license" 103
have the same meanings as in section 2923.11 of the Revised 104
Code. 105

(2) "License-issuing state" means a state other than this 106
state that, pursuant to law, provides for the issuance of a 107
license to carry a concealed handgun. 108

Sec. 109.731. (A) (1) The attorney general shall prescribe, 109

and shall make available to sheriffs an application form that is 110
to be used under section 2923.125 of the Revised Code by a 111
person who applies for a ~~concealed handgun~~ basic competency 112
license and an application form that is to be used under section 113
2923.125 of the Revised Code by a person who applies for the 114
renewal of a license of that nature. The attorney general shall 115
design the form to enable applicants to provide the information 116
that is required by law to be collected, and shall update the 117
form as necessary. Burdens or restrictions to obtaining a 118
~~concealed handgun~~ basic competency license that are not 119
expressly prescribed in law shall not be incorporated into the 120
form. The attorney general shall post a printable version of the 121
form on the web site of the attorney general and shall provide 122
the address of the web site to any person who requests the form. 123

(2) The Ohio peace officer training commission shall 124
prescribe, and shall make available to sheriffs, all of the 125
following: 126

(a) A form for the ~~concealed handgun~~ basic competency 127
license that is to be issued by sheriffs to persons who qualify 128
for a ~~concealed handgun~~ basic competency license under section 129
2923.125 of the Revised Code and that conforms to the following 130
requirements: 131

(i) It has space for the licensee's full name, residence 132
address, and date of birth and for a color photograph of the 133
licensee. 134

(ii) It has space for the date of issuance of the license, 135
its expiration date, its county of issuance, the name of the 136
sheriff who issues the license, and the unique combination of 137
letters and numbers that identify the county of issuance and the 138
license given to the licensee by the sheriff in accordance with 139

division (A) (2) (c) of this section. 140

(iii) It has space for the signature of the licensee and 141
the signature or a facsimile signature of the sheriff who issues 142
the license. 143

(iv) It does not require the licensee to include serial 144
numbers of handguns, other identification related to handguns, 145
or similar data that is not pertinent or relevant to obtaining 146
the license and that could be used as a de facto means of 147
registration of handguns owned by the licensee. 148

(b) A series of three-letter county codes that identify 149
each county in this state; 150

(c) A procedure by which a sheriff shall give each 151
~~concealed handgun basic competency~~ license, replacement 152
~~concealed handgun basic competency~~ license, or renewal ~~concealed~~ 153
~~handgun basic competency~~ license and each ~~concealed handgun~~ 154
~~basic competency~~ license on a temporary emergency basis or 155
replacement license on a temporary emergency basis the sheriff 156
issues under section 2923.125 or 2923.1213 of the Revised Code a 157
unique combination of letters and numbers that identifies the 158
county in which the license was issued and that uses the county 159
code and a unique number for each license the sheriff of that 160
county issues; 161

(d) A form for a ~~concealed handgun basic competency~~ 162
license on a temporary emergency basis that is to be issued by 163
sheriffs to persons who qualify for such a license under section 164
2923.1213 of the Revised Code, which form shall conform to all 165
the requirements set forth in divisions (A) (2) (a) (i) to (iv) of 166
this section and shall additionally conspicuously specify that 167
the license is issued on a temporary emergency basis and the 168

date of its issuance. 169

(B) (1) The Ohio peace officer training commission, in 170
consultation with the attorney general, shall prepare a pamphlet 171
that does all of the following, in everyday language: 172

(a) Explains the firearms laws of this state; 173

(b) Instructs the reader in dispute resolution and 174
explains the laws of this state related to that matter; 175

(c) Provides information to the reader regarding all 176
aspects of the use of deadly force with a firearm, including, 177
but not limited to, the steps that should be taken before 178
contemplating the use of, or using, deadly force with a firearm, 179
possible alternatives to using deadly force with a firearm, and 180
the law governing the use of deadly force with a firearm. 181

(2) The attorney general shall consult with and assist the 182
commission in the preparation of the pamphlet described in 183
division (B) (1) of this section and, as necessary, shall 184
recommend to the commission changes in the pamphlet to reflect 185
changes in the law that are relevant to it. The attorney general 186
shall publish the pamphlet on the web site of the attorney 187
general and shall provide the address of the web site to any 188
person who requests the pamphlet. 189

(3) The attorney general shall create and maintain a 190
section on the attorney general's web site that provides 191
information on firearms laws of this state specifically 192
applicable to members of the armed forces of the United States 193
and a link to the pamphlet described in division (B) (1) of this 194
section. 195

(C) The Ohio peace officer training commission shall 196
maintain statistics with respect to the issuance, renewal, 197

suspension, revocation, and denial of ~~concealed handgun~~-basic competency licenses under section 2923.125 of the Revised Code 198
and the suspension of processing of applications for those 199
licenses, and with respect to the issuance, suspension, 200
revocation, and denial of ~~concealed handgun~~-basic competency 201
licenses on a temporary emergency basis under section 2923.1213 202
of the Revised Code, as reported by the sheriffs pursuant to 203
division (C) of section 2923.129 of the Revised Code. Not later 204
than the first day of March in each year, the commission shall 205
submit a statistical report to the governor, the president of 206
the senate, and the speaker of the house of representatives 207
indicating the number of ~~concealed handgun~~-basic competency 208
licenses that were issued, renewed, suspended, revoked, and 209
denied under section 2923.125 of the Revised Code in the 210
previous calendar year, the number of applications for those 211
licenses for which processing was suspended in accordance with 212
division (D)(3) of that section in the previous calendar year, 213
and the number of ~~concealed handgun~~-basic competency licenses on 214
a temporary emergency basis that were issued, suspended, 215
revoked, or denied under section 2923.1213 of the Revised Code 216
in the previous calendar year. Nothing in the statistics or the 217
statistical report shall identify, or enable the identification 218
of, any individual who was issued or denied a license, for whom 219
a license was renewed, whose license was suspended or revoked, 220
or for whom application processing was suspended. The statistics 221
and the statistical report are public records for the purpose of 222
section 149.43 of the Revised Code. 223
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(D) As used in this section, "~~concealed handgun~~-basic competency license" and "handgun" have the same meanings as in 225
section 2923.11 of the Revised Code. 226
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Sec. 311.41. (A)(1) Upon receipt of an application for a 228

~~concealed handgun~~ basic competency license under division (C) of 229
section 2923.125 of the Revised Code, an application to renew a 230
~~concealed handgun~~ basic competency license under division (F) of 231
that section, or an application for a ~~concealed handgun~~ basic
competency license on a temporary emergency basis under section 232
2923.1213 of the Revised Code, the sheriff shall conduct a 233
criminal records check and an incompetency check of the 234
applicant to determine whether the applicant fails to meet the 235
criteria described in division (D)(1) of section 2923.125 of the 236
Revised Code. As part of any such criminal records check, the 237
sheriff shall contact the national instant criminal background 238
check system to verify that the applicant is eligible lawfully 239
to receive or possess a firearm in the United States. The 240
sheriff shall conduct the criminal records check and the 241
incompetency records check required by this division through use 242
of an electronic fingerprint reading device or, if the sheriff 243
does not possess and does not have ready access to the use of an 244
electronic fingerprint reading device, by requesting the bureau 245
of criminal identification and investigation to conduct the 246
checks as described in this division. 247
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In order to conduct the criminal records check and the 249
incompetency records check, the sheriff shall obtain the 250
fingerprints of at least four fingers of the applicant by using 251
an electronic fingerprint reading device for the purpose of 252
conducting the criminal records check and the incompetency 253
records check or, if the sheriff does not possess and does not 254
have ready access to the use of an electronic fingerprint 255
reading device, shall obtain from the applicant a completed 256
standard fingerprint impression sheet prescribed pursuant to 257
division (C)(2) of section 109.572 of the Revised Code. The 258
fingerprints so obtained, along with the applicant's social 259

security number, shall be used to conduct the criminal records 260
check and the incompetency records check. If the sheriff does 261
not use an electronic fingerprint reading device to obtain the 262
fingerprints and conduct the records checks, the sheriff shall 263
submit the completed standard fingerprint impression sheet of 264
the applicant, along with the applicant's social security 265
number, to the superintendent of the bureau of criminal 266
identification and investigation and shall request the bureau to 267
conduct the criminal records check and the incompetency records 268
check of the applicant and, if necessary, shall request the 269
superintendent of the bureau to obtain information from the 270
federal bureau of investigation as part of the criminal records 271
check for the applicant. If it is not possible to use an 272
electronic fingerprint reading device to conduct an incompetency 273
records check, the sheriff shall submit the completed standard 274
fingerprint impression sheet of the applicant, along with the 275
applicant's social security number, to the superintendent of the 276
bureau of criminal identification and investigation and shall 277
request the bureau to conduct the incompetency records check. 278
The sheriff shall not retain the applicant's fingerprints as 279
part of the application. 280

(2) Except as otherwise provided in this division, if at 281
any time the applicant decides not to continue with the 282
application process, the sheriff immediately shall cease any 283
investigation that is being conducted under division (A)(1) of 284
this section. The sheriff shall not cease that investigation if, 285
at the time of the applicant's decision not to continue with the 286
application process, the sheriff had determined from any of the 287
sheriff's investigations that the applicant then was engaged in 288
activity of a criminal nature. 289

(B) If a criminal records check and an incompetency 290

records check conducted under division (A) of this section do 291
not indicate that the applicant fails to meet the criteria 292
described in division (D) (1) of section 2923.125 of the Revised 293
Code, except as otherwise provided in this division, the sheriff 294
shall destroy or cause a designated employee to destroy all 295
records other than the application for a ~~concealed handgun~~ basic 296
competency license, the application to renew a ~~concealed handgun~~ 297
basic competency license, or the affidavit submitted regarding 298
an application for a ~~concealed handgun~~ basic competency license 299
on a temporary emergency basis that were made in connection with 300
the criminal records check and incompetency records check within 301
twenty days after conducting the criminal records check and 302
incompetency records check. If an applicant appeals a denial of 303
an application as described in division (D) (2) of section 304
2923.125 of the Revised Code or challenges the results of a 305
criminal records check pursuant to section 2923.127 of the 306
Revised Code, records of fingerprints of the applicant shall not 307
be destroyed during the pendency of the appeal or the challenge 308
and review. When an applicant appeals a denial as described in 309
that division, the twenty-day period described in this division 310
commences regarding the fingerprints upon the determination of 311
the appeal. When required as a result of a challenge and review 312
performed pursuant to section 2923.127 of the Revised Code, the 313
source the sheriff used in conducting the criminal records check 314
shall destroy or the chief operating officer of the source shall 315
cause an employee of the source designated by the chief to 316
destroy all records other than the application for a ~~concealed~~ 317
~~handgun~~ basic competency license, the application to renew a 318
~~concealed handgun~~ basic competency license, or the affidavit 319
submitted regarding an application for a ~~concealed handgun~~ basic 320
competency license on a temporary emergency basis that were made 321
in connection with the criminal records check within twenty days 322

after completion of that challenge and review. 323

(C) If division (B) of this section applies to a 324
particular criminal records check or incompetency records check, 325
no sheriff, employee of a sheriff designated by the sheriff to 326
destroy records under that division, source the sheriff used in 327
conducting the criminal records check or incompetency records 328
check, or employee of the source designated by the chief 329
operating officer of the source to destroy records under that 330
division shall fail to destroy or cause to be destroyed within 331
the applicable twenty-day period specified in that division all 332
records other than the application for a ~~concealed handgun~~ basic 333
competency license, the application to renew a ~~concealed handgun~~ 334
basic competency license, or the affidavit submitted regarding 335
an application for a ~~concealed handgun~~ basic competency license 336
on a temporary emergency basis made in connection with the 337
particular criminal records check or incompetency records check. 338

(D) Whoever violates division (C) of this section is 339
guilty of failure to destroy records, a misdemeanor of the 340
second degree. 341

(E) As used in this section: 342

(1) "~~Concealed handgun~~ Basic competency license" and 343
"handgun" have the same meanings as in section 2923.11 of the 344
Revised Code. 345

(2) "National instant criminal background check system" 346
means the system established by the United States attorney 347
general pursuant to section 103 of the "Brady Handgun Violence 348
Prevention Act," Pub. L. No. 103-159. 349

Sec. 311.42. (A) Each county shall establish in the county 350
treasury a sheriff's ~~concealed handgun~~ basic competency license 351

issuance expense fund. The sheriff of that county shall deposit 352
into that fund all fees paid by applicants for the issuance or 353
renewal of a ~~concealed handgun~~-basic competency license or 354
duplicate ~~concealed handgun~~-basic competency license under 355
section 2923.125 of the Revised Code and all fees paid by the 356
person seeking a ~~concealed handgun~~-basic competency license on a 357
temporary emergency basis under section 2923.1213 of the Revised 358
Code. The county shall distribute all fees deposited into the 359
fund except forty dollars of each fee paid by an applicant under 360
division (B) of section 2923.125 of the Revised Code, fifteen 361
dollars of each fee paid under section 2923.1213 of the Revised 362
Code, and thirty-five dollars of each fee paid under division 363
(F) of section 2923.125 of the Revised Code to the attorney 364
general to be used to pay the cost of background checks 365
performed by the bureau of criminal identification and 366
investigation and the federal bureau of investigation and to 367
cover administrative costs associated with issuing the license. 368

(B) The sheriff, with the approval of the board of county 369
commissioners, may expend any county portion of the fees 370
deposited into the sheriff's ~~concealed handgun~~-basic competency 371
license issuance expense fund for any of the following: 372

(1) Any costs incurred by the sheriff in connection with 373
performing any administrative functions related to the issuance 374
of ~~concealed handgun~~-basic competency licenses under section 375
2923.125 or 2923.1213 of the Revised Code, including, but not 376
limited to, personnel expenses and any costs associated with a 377
firearm safety education program, or a firearm training or 378
qualification program that the sheriff chooses to fund; 379

(2) Ammunition and firearms to be used by the sheriff and 380
the sheriff's employees; 381

(3) Any costs incurred in constructing, maintaining, or 382
renovating a shooting range to be used by the sheriff or the 383
sheriff's employees, including costs incurred for equipment 384
associated with the shooting range. 385

Sec. 311.43. (A) As used in this section: 386

(1) "Certification" means the participation and assent of 387
the chief law enforcement officer necessary under federal law 388
for the approval of an application to make or transfer a 389
firearm. 390

(2) "Chief law enforcement officer" means any official the 391
bureau of alcohol, tobacco, firearms, and explosives, or any 392
successor agency, identifies by regulation or otherwise as 393
eligible to provide any required certification for the making or 394
transfer of a firearm. 395

(3) "~~Concealed handgun~~ Basic competency license" has the 396
same meaning as in section 2923.11 of the Revised Code. 397

(B) A resident of this state may submit to the sheriff of 398
the county in which the resident resides or to the sheriff of 399
any county adjacent to the county in which the resident resides 400
any federal form that requires a law enforcement certification 401
by a chief law enforcement officer. 402

(C) The sheriff shall accept and process the certification 403
in the same manner as an application for a ~~concealed handgun~~ 404
basic competency license is processed under section 2923.125 of 405
the Revised Code, including the requirement for a background 406
check, except as follows: 407

(1) If a resident of this state submits one or more 408
federal forms, the sheriff shall charge the resident no more 409
than the applicable fee described in division (B) (1) (a) of 410

section 2923.125 of the Revised Code, without regard to how many 411
federal forms are submitted at the same time. 412

(2) If a resident of this state submits one or more 413
federal forms and currently has a ~~concealed handgun basic~~ 414
competency license or the sheriff has previously approved a 415
federal form for that resident, the sheriff shall charge the 416
resident no more than the applicable fee described in division 417
(F) (4) of section 2923.125 of the Revised Code, without regard 418
to how many federal forms are submitted at the same time. 419

Sec. 1547.69. (A) As used in this section: 420

(1) "Firearm," "~~concealed handgun basic competency~~ 421
license," "handgun," "valid ~~concealed handgun basic competency~~ 422
license," and "active duty" have the same meanings as in section 423
2923.11 of the Revised Code. 424

(2) "Unloaded" has the same meanings as in divisions (K) 425
(5) and (6) of section 2923.16 of the Revised Code, except that 426
all references in the definition in division (K) (5) of that 427
section to "vehicle" shall be construed for purposes of this 428
section to be references to "vessel." 429

(B) No person shall knowingly discharge a firearm while in 430
or on a vessel. 431

(C) No person shall knowingly transport or have a loaded 432
firearm in a vessel in a manner that the firearm is accessible 433
to the operator or any passenger. 434

(D) No person shall knowingly transport or have a firearm 435
in a vessel unless it is unloaded and is carried in one of the 436
following ways: 437

(1) In a closed package, box, or case; 438

(2) In plain sight with the action opened or the weapon 439
stripped, or, if the firearm is of a type on which the action 440
will not stay open or that cannot easily be stripped, in plain 441
sight. 442

(E) (1) The affirmative defenses authorized in divisions 443
(D) (1) and (2) of section 2923.12 of the Revised Code are 444
affirmative defenses to a charge under division (C) or (D) of 445
this section that involves a firearm other than a handgun. It is 446
an affirmative defense to a charge under division (C) or (D) of 447
this section of transporting or having a firearm of any type, 448
including a handgun, in a vessel that the actor transported or 449
had the firearm in the vessel for any lawful purpose and while 450
the vessel was on the actor's own property, provided that this 451
affirmative defense is not available unless the actor, prior to 452
arriving at the vessel on the actor's own property, did not 453
transport or possess the firearm in the vessel or in a motor 454
vehicle in a manner prohibited by this section or division (B) 455
or (C) of section 2923.16 of the Revised Code while the vessel 456
was being operated on a waterway that was not on the actor's own 457
property or while the motor vehicle was being operated on a 458
street, highway, or other public or private property used by the 459
public for vehicular traffic. 460

(2) No person who is charged with a violation of division 461
(C) or (D) of this section shall be required to obtain a basic 462
competency license or temporary emergency license to carry a 463
concealed handgun under section 2923.125 or 2923.1213 of the 464
Revised Code as a condition for the dismissal of the charge. 465

(F) Divisions (B), (C), and (D) of this section do not 466
apply to the possession or discharge of a United States coast 467
guard approved signaling device required to be carried aboard a 468

vessel under section 1547.251 of the Revised Code when the 469
signaling device is possessed or used for the purpose of giving 470
a visual distress signal. No person shall knowingly transport or 471
possess any signaling device of that nature in or on a vessel in 472
a loaded condition at any time other than immediately prior to 473
the discharge of the signaling device for the purpose of giving 474
a visual distress signal. 475

(G) No person shall operate or permit to be operated any 476
vessel on the waters in this state in violation of this section. 477

(H) (1) This section does not apply to any of the 478
following: 479

(a) An officer, agent, or employee of this or any other 480
state or of the United States, or to a law enforcement officer, 481
when authorized to carry or have loaded or accessible firearms 482
in a vessel and acting within the scope of the officer's, 483
agent's, or employee's duties; 484

(b) Any person who is employed in this state, who is 485
authorized to carry or have loaded or accessible firearms in a 486
vessel, and who is subject to and in compliance with the 487
requirements of section 109.801 of the Revised Code, unless the 488
appointing authority of the person has expressly specified that 489
the exemption provided in division (H) (1) (b) of this section 490
does not apply to the person; 491

(c) Any person legally engaged in hunting. 492

(2) Divisions (C) and (D) of this section do not apply to 493
a person who transports or possesses a handgun in a vessel and- 494
~~who has been issued a concealed handgun license that is valid at~~ 495
~~the time of that transportation or possession or~~ who, at the 496
time of that transportation or possession, either is carrying a 497

valid basic competency license or is an active duty member of 498
the armed forces of the United States and is carrying a valid 499
military identification card and documentation of successful 500
completion of firearms training that meets or exceeds the 501
training requirements described in division (G) (1) of section 502
2923.125 of the Revised Code, unless the person knowingly is in 503
a place on the vessel described in division (B) of section 504
2923.126 of the Revised Code. 505

(I) If a law enforcement officer stops a vessel for a 506
violation of this section or any other law enforcement purpose, 507
if any person on the vessel surrenders a firearm to the officer, 508
either voluntarily or pursuant to a request or demand of the 509
officer, and if the officer does not charge the person with a 510
violation of this section or arrest the person for any offense, 511
the person is not otherwise prohibited by law from possessing 512
the firearm, and the firearm is not contraband, the officer 513
shall return the firearm to the person at the termination of the 514
stop. 515

(J) Division (L) of section 2923.16 of the Revised Code 516
applies with respect to division (A) (2) of this section, except 517
that all references in division (L) of section 2923.16 of the 518
Revised Code to "vehicle," to "this chapter," or to "division 519
(K) (5) (a) or (b) of this section" shall be construed for 520
purposes of this section to be, respectively, references to 521
"vessel," to "section 1547.69 of the Revised Code," and to 522
divisions (K) (5) (a) and (b) of section 2923.16 of the Revised 523
Code as incorporated under the definition of firearm adopted 524
under division (A) (2) of this section. 525

Sec. 2921.13. (A) No person shall knowingly make a false 526
statement, or knowingly swear or affirm the truth of a false 527

statement previously made, when any of the following applies: 528

(1) The statement is made in any official proceeding. 529

(2) The statement is made with purpose to incriminate 530
another. 531

(3) The statement is made with purpose to mislead a public 532
official in performing the public official's official function. 533

(4) The statement is made with purpose to secure the 534
payment of unemployment compensation; Ohio works first; 535
prevention, retention, and contingency benefits and services; 536
disability financial assistance; retirement benefits or health 537
care coverage from a state retirement system; economic 538
development assistance, as defined in section 9.66 of the 539
Revised Code; or other benefits administered by a governmental 540
agency or paid out of a public treasury. 541

(5) The statement is made with purpose to secure the 542
issuance by a governmental agency of a license, permit, 543
authorization, certificate, registration, release, or provider 544
agreement. 545

(6) The statement is sworn or affirmed before a notary 546
public or another person empowered to administer oaths. 547

(7) The statement is in writing on or in connection with a 548
report or return that is required or authorized by law. 549

(8) The statement is in writing and is made with purpose 550
to induce another to extend credit to or employ the offender, to 551
confer any degree, diploma, certificate of attainment, award of 552
excellence, or honor on the offender, or to extend to or bestow 553
upon the offender any other valuable benefit or distinction, 554
when the person to whom the statement is directed relies upon it 555

to that person's detriment. 556

(9) The statement is made with purpose to commit or 557
facilitate the commission of a theft offense. 558

(10) The statement is knowingly made to a probate court in 559
connection with any action, proceeding, or other matter within 560
its jurisdiction, either orally or in a written document, 561
including, but not limited to, an application, petition, 562
complaint, or other pleading, or an inventory, account, or 563
report. 564

(11) The statement is made on an account, form, record, 565
stamp, label, or other writing that is required by law. 566

(12) The statement is made in connection with the purchase 567
of a firearm, as defined in section 2923.11 of the Revised Code, 568
and in conjunction with the furnishing to the seller of the 569
firearm of a fictitious or altered driver's or commercial 570
driver's license or permit, a fictitious or altered 571
identification card, or any other document that contains false 572
information about the purchaser's identity. 573

(13) The statement is made in a document or instrument of 574
writing that purports to be a judgment, lien, or claim of 575
indebtedness and is filed or recorded with the secretary of 576
state, a county recorder, or the clerk of a court of record. 577

(14) The statement is made in an application filed with a 578
county sheriff pursuant to section 2923.125 of the Revised Code 579
in order to obtain or renew a ~~concealed handgun~~ basic competency 580
license or is made in an affidavit submitted to a county sheriff 581
to obtain a ~~concealed handgun~~ basic competency license on a 582
temporary emergency basis under section 2923.1213 of the Revised 583
Code. 584

(15) The statement is required under section 5743.71 of 585
the Revised Code in connection with the person's purchase of 586
cigarettes or tobacco products in a delivery sale. 587

(B) No person, in connection with the purchase of a 588
firearm, as defined in section 2923.11 of the Revised Code, 589
shall knowingly furnish to the seller of the firearm a 590
fictitious or altered driver's or commercial driver's license or 591
permit, a fictitious or altered identification card, or any 592
other document that contains false information about the 593
purchaser's identity. 594

(C) No person, in an attempt to obtain a ~~concealed handgun~~ 595
basic competency license under section 2923.125 of the Revised 596
Code, shall knowingly present to a sheriff a fictitious or 597
altered document that purports to be certification of the 598
person's competence in handling a handgun as described in 599
division (B) (3) of that section. 600

(D) It is no defense to a charge under division (A) (6) of 601
this section that the oath or affirmation was administered or 602
taken in an irregular manner. 603

(E) If contradictory statements relating to the same fact 604
are made by the offender within the period of the statute of 605
limitations for falsification, it is not necessary for the 606
prosecution to prove which statement was false but only that one 607
or the other was false. 608

(F) (1) Whoever violates division (A) (1), (2), (3), (4), 609
(5), (6), (7), (8), (10), (11), (13), or (15) of this section is 610
guilty of falsification. Except as otherwise provided in this 611
division, falsification is a misdemeanor of the first degree. 612

(2) Whoever violates division (A) (9) of this section is 613

guilty of falsification in a theft offense. Except as otherwise 614
provided in this division, falsification in a theft offense is a 615
misdemeanor of the first degree. If the value of the property or 616
services stolen is one thousand dollars or more and is less than 617
seven thousand five hundred dollars, falsification in a theft 618
offense is a felony of the fifth degree. If the value of the 619
property or services stolen is seven thousand five hundred 620
dollars or more and is less than one hundred fifty thousand 621
dollars, falsification in a theft offense is a felony of the 622
fourth degree. If the value of the property or services stolen 623
is one hundred fifty thousand dollars or more, falsification in 624
a theft offense is a felony of the third degree. 625

(3) Whoever violates division (A) (12) or (B) of this 626
section is guilty of falsification to purchase a firearm, a 627
felony of the fifth degree. 628

(4) Whoever violates division (A) (14) or (C) of this 629
section is guilty of falsification to obtain a ~~concealed handgun~~ 630
basic competency license, a felony of the fourth degree. 631

(5) Whoever violates division (A) of this section in 632
removal proceedings under section 319.26, 321.37, 507.13, or 633
733.78 of the Revised Code is guilty of falsification regarding 634
a removal proceeding, a felony of the third degree. 635

(G) A person who violates this section is liable in a 636
civil action to any person harmed by the violation for injury, 637
death, or loss to person or property incurred as a result of the 638
commission of the offense and for reasonable attorney's fees, 639
court costs, and other expenses incurred as a result of 640
prosecuting the civil action commenced under this division. A 641
civil action under this division is not the exclusive remedy of 642
a person who incurs injury, death, or loss to person or property 643

as a result of a violation of this section. 644

Sec. 2923.11. As used in sections 2923.11 to 2923.24 of 645
the Revised Code: 646

(A) "Deadly weapon" means any instrument, device, or thing 647
capable of inflicting death, and designed or specially adapted 648
for use as a weapon, or possessed, carried, or used as a weapon. 649

(B) (1) "Firearm" means any deadly weapon capable of 650
expelling or propelling one or more projectiles by the action of 651
an explosive or combustible propellant. "Firearm" includes an 652
unloaded firearm, and any firearm that is inoperable but that 653
can readily be rendered operable. 654

(2) When determining whether a firearm is capable of 655
expelling or propelling one or more projectiles by the action of 656
an explosive or combustible propellant, the trier of fact may 657
rely upon circumstantial evidence, including, but not limited 658
to, the representations and actions of the individual exercising 659
control over the firearm. 660

(C) "Handgun" means any of the following: 661

(1) Any firearm that has a short stock and is designed to 662
be held and fired by the use of a single hand; 663

(2) Any combination of parts from which a firearm of a 664
type described in division (C) (1) of this section can be 665
assembled. 666

(D) "Semi-automatic firearm" means any firearm designed or 667
specially adapted to fire a single cartridge and automatically 668
chamber a succeeding cartridge ready to fire, with a single 669
function of the trigger. 670

(E) "Automatic firearm" means any firearm designed or 671

672 specially adapted to fire a succession of cartridges with a
673 single function of the trigger.

674 (F) "Sawed-off firearm" means a shotgun with a barrel less
675 than eighteen inches long, or a rifle with a barrel less than
676 sixteen inches long, or a shotgun or rifle less than twenty-six
677 inches long overall. "Sawed-off firearm" does not include any
678 firearm with an overall length of at least twenty-six inches
679 that is approved for sale by the federal bureau of alcohol,
680 tobacco, firearms, and explosives under the "Gun Control Act of
681 1968," 82 Stat. 1213, 18 U.S.C. 921(a)(3), but that is found by
682 the bureau not to be regulated under the "National Firearms
683 Act," 68A Stat. 725 (1934), 26 U.S.C. 5845(a).

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

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

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

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

693 (H) "Explosive device" means any device designed or
694 specially adapted to cause physical harm to persons or property
695 by means of an explosion, and consisting of an explosive
696 substance or agency and a means to detonate it. "Explosive
697 device" includes without limitation any bomb, any explosive
698 demolition device, any blasting cap or detonator containing an
699 explosive charge, and any pressure vessel that has been
700 knowingly tampered with or arranged so as to explode.

(I) "Incendiary device" means any firebomb, and any device 701
designed or specially adapted to cause physical harm to persons 702
or property by means of fire, and consisting of an incendiary 703
substance or agency and a means to ignite it. 704

(J) "Ballistic knife" means a knife with a detachable 705
blade that is propelled by a spring-operated mechanism. 706

(K) "Dangerous ordnance" means any of the following, 707
except as provided in division (L) of this section: 708

(1) Any automatic or sawed-off firearm, zip-gun, or 709
ballistic knife; 710

(2) Any explosive device or incendiary device; 711

(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, 712
cyclonite, TNT, picric acid, and other high explosives; amatol, 713
tritonite, tetrytol, pentolite, pecretol, cyclotol, and other 714
high explosive compositions; plastic explosives; dynamite, 715
blasting gelatin, gelatin dynamite, sensitized ammonium nitrate, 716
liquid-oxygen blasting explosives, blasting powder, and other 717
blasting agents; and any other explosive substance having 718
sufficient brisance or power to be particularly suitable for use 719
as a military explosive, or for use in mining, quarrying, 720
excavating, or demolitions; 721

(4) Any firearm, rocket launcher, mortar, artillery piece, 722
grenade, mine, bomb, torpedo, or similar weapon, designed and 723
manufactured for military purposes, and the ammunition for that 724
weapon; 725

(5) Any firearm muffler or suppressor; 726

(6) Any combination of parts that is intended by the owner 727
for use in converting any firearm or other device into a 728

dangerous ordnance. 729

(L) "Dangerous ordnance" does not include any of the 730
following: 731

(1) Any firearm, including a military weapon and the 732
ammunition for that weapon, and regardless of its actual age, 733
that employs a percussion cap or other obsolete ignition system, 734
or that is designed and safe for use only with black powder; 735

(2) Any pistol, rifle, or shotgun, designed or suitable 736
for sporting purposes, including a military weapon as issued or 737
as modified, and the ammunition for that weapon, unless the 738
firearm is an automatic or sawed-off firearm; 739

(3) Any cannon or other artillery piece that, regardless 740
of its actual age, is of a type in accepted use prior to 1887, 741
has no mechanical, hydraulic, pneumatic, or other system for 742
absorbing recoil and returning the tube into battery without 743
displacing the carriage, and is designed and safe for use only 744
with black powder; 745

(4) Black powder, priming quills, and percussion caps 746
possessed and lawfully used to fire a cannon of a type defined 747
in division (L)(3) of this section during displays, 748
celebrations, organized matches or shoots, and target practice, 749
and smokeless and black powder, primers, and percussion caps 750
possessed and lawfully used as a propellant or ignition device 751
in small-arms or small-arms ammunition; 752

(5) Dangerous ordnance that is inoperable or inert and 753
cannot readily be rendered operable or activated, and that is 754
kept as a trophy, souvenir, curio, or museum piece; 755

(6) Any device that is expressly excepted from the 756
definition of a destructive device pursuant to the "Gun Control 757

Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a)(4), as amended, 758
and regulations issued under that act; 759

(7) Any firearm with an overall length of at least twenty- 760
six inches that is approved for sale by the federal bureau of 761
alcohol, tobacco, firearms, and explosives under the "Gun 762
Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a)(3), but 763
that is found by the bureau not to be regulated under the 764
"National Firearms Act," 68A Stat. 725 (1934), 26 U.S.C. 765
5845(a). 766

(M) "Explosive" means any chemical compound, mixture, or 767
device, the primary or common purpose of which is to function by 768
explosion. "Explosive" includes all materials that have been 769
classified as division 1.1, division 1.2, division 1.3, or 770
division 1.4 explosives by the United States department of 771
transportation in its regulations and includes, but is not 772
limited to, dynamite, black powder, pellet powders, initiating 773
explosives, blasting caps, electric blasting caps, safety fuses, 774
fuse igniters, squibs, cordeau detonnant fuses, instantaneous 775
fuses, and igniter cords and igniters. "Explosive" does not 776
include "fireworks," as defined in section 3743.01 of the 777
Revised Code, or any substance or material otherwise meeting the 778
definition of explosive set forth in this section that is 779
manufactured, sold, possessed, transported, stored, or used in 780
any activity described in section 3743.80 of the Revised Code, 781
provided the activity is conducted in accordance with all 782
applicable laws, rules, and regulations, including, but not 783
limited to, the provisions of section 3743.80 of the Revised 784
Code and the rules of the fire marshal adopted pursuant to 785
section 3737.82 of the Revised Code. 786

(N) (1) ~~"Concealed handgun"~~ Basic competency license or 787

"license to carry a concealed handgun" means, subject to 788
division (N) (2) of this section, a basic competency license or 789
temporary emergency license to carry a concealed handgun issued 790
under section 2923.125 or 2923.1213 of the Revised Code or a 791
license to carry a concealed handgun issued by another state 792
with which the attorney general has entered into a reciprocity 793
agreement under section 109.69 of the Revised Code. 794

(2) A reference in any provision of the Revised Code to a 795
~~concealed handgun~~ basic competency license issued under section 796
2923.125 of the Revised Code or a license to carry a concealed 797
handgun issued under section 2923.125 of the Revised Code means 798
only a license of the type that is specified in that section. A 799
reference in any provision of the Revised Code to a ~~concealed~~ 800
~~handgun~~ basic competency license issued under section 2923.1213 801
of the Revised Code, a license to carry a concealed handgun 802
issued under section 2923.1213 of the Revised Code, or a license 803
to carry a concealed handgun on a temporary emergency basis 804
means only a license of the type that is specified in section 805
2923.1213 of the Revised Code. A reference in any provision of 806
the Revised Code to a ~~concealed handgun~~ basic competency license 807
issued by another state or a license to carry a concealed 808
handgun issued by another state means only a license issued by 809
another state with which the attorney general has entered into a 810
reciprocity agreement under section 109.69 of the Revised Code. 811

(O) "Valid ~~concealed handgun~~ basic competency license" or 812
"valid license to carry a concealed handgun" means a ~~concealed~~ 813
~~handgun~~ basic competency license that is currently valid, that 814
is not under a suspension under division (A) (1) of section 815
2923.128 of the Revised Code, under section 2923.1213 of the 816
Revised Code, or under a suspension provision of the state other 817
than this state in which the license was issued, and that has 818

not been revoked under division (B) (1) of section 2923.128 of 819
the Revised Code, under section 2923.1213 of the Revised Code, 820
or under a revocation provision of the state other than this 821
state in which the license was issued. 822

(P) "Misdemeanor punishable by imprisonment for a term 823
exceeding one year" does not include any of the following: 824

(1) Any federal or state offense pertaining to antitrust 825
violations, unfair trade practices, restraints of trade, or 826
other similar offenses relating to the regulation of business 827
practices; 828

(2) Any misdemeanor offense punishable by a term of 829
imprisonment of two years or less. 830

(Q) "Alien registration number" means the number issued by 831
the United States citizenship and immigration services agency 832
that is located on the alien's permanent resident card and may 833
also be commonly referred to as the "USCIS number" or the "alien 834
number." 835

(R) "Active duty" has the same meaning as defined in 10 836
U.S.C. 101. 837

Sec. 2923.12. (A) No person shall knowingly carry or have, 838
concealed on the person's person or concealed ready at hand, any 839
of the following: 840

(1) A deadly weapon other than a handgun; 841

(2) A handgun other than a dangerous ordnance; 842

(3) A dangerous ordnance. 843

(B) No person who has been issued a ~~concealed handgun~~ 844
basic competency license shall do any of the following: 845

(1) If the person is stopped for a law enforcement purpose 846
and is carrying a concealed handgun, ~~before or at the time a law~~ 847
~~enforcement officer asks if the person is carrying a concealed~~ 848
~~handgun, knowingly~~ fail to ~~disclose that~~ promptly inform any law 849
enforcement officer who approaches the person after the person 850
has been stopped that the person has been issued a basic 851
competency license and that the person then is carrying a 852
concealed handgun, ~~provided that it is not a violation of this~~ 853
~~division if the person fails to disclose that fact to an officer~~ 854
~~during the stop and the person already has notified another~~ 855
~~officer of that fact during the same stop;~~ 856

(2) If the person is stopped for a law enforcement purpose 857
and is carrying a concealed handgun, knowingly fail to keep the 858
person's hands in plain sight at any time after any law 859
enforcement officer begins approaching the person while stopped 860
and before the law enforcement officer leaves, unless the 861
failure is pursuant to and in accordance with directions given 862
by a law enforcement officer; 863

(3) If the person is stopped for a law enforcement 864
purpose, if the person is carrying a concealed handgun, and if 865
the person is approached by any law enforcement officer while 866
stopped, knowingly remove or attempt to remove the loaded 867
handgun from the holster, pocket, or other place in which the 868
person is carrying it, knowingly grasp or hold the loaded 869
handgun, or knowingly have contact with the loaded handgun by 870
touching it with the person's hands or fingers at any time after 871
the law enforcement officer begins approaching and before the 872
law enforcement officer leaves, unless the person removes, 873
attempts to remove, grasps, holds, or has contact with the 874
loaded handgun pursuant to and in accordance with directions 875
given by the law enforcement officer; 876

(4) If the person is stopped for a law enforcement purpose 877
and is carrying a concealed handgun, knowingly disregard or fail 878
to comply with any lawful order of any law enforcement officer 879
given while the person is stopped, including, but not limited 880
to, a specific order to the person to keep the person's hands in 881
plain sight. 882

(C) (1) This section does not apply to any of the 883
following: 884

(a) An officer, agent, or employee of this or any other 885
state or the United States, or to a law enforcement officer, who 886
is authorized to carry concealed weapons or dangerous ordnance 887
or is authorized to carry handguns and is acting within the 888
scope of the officer's, agent's, or employee's duties; 889

(b) Any person who is employed in this state, who is 890
authorized to carry concealed weapons or dangerous ordnance or 891
is authorized to carry handguns, and who is subject to and in 892
compliance with the requirements of section 109.801 of the 893
Revised Code, unless the appointing authority of the person has 894
expressly specified that the exemption provided in division (C) 895
(1) (b) of this section does not apply to the person; 896

(c) A person's transportation or storage of a firearm, 897
other than a firearm described in divisions (G) to (M) of 898
section 2923.11 of the Revised Code, in a motor vehicle for any 899
lawful purpose if the firearm is not on the actor's person; 900

(d) A person's storage or possession of a firearm, other 901
than a firearm described in divisions (G) to (M) of section 902
2923.11 of the Revised Code, in the actor's own home for any 903
lawful purpose. 904

(2) Division (A) (2) of this section does not apply to any 905

~~person who has been issued a concealed handgun license that is~~ 906
~~valid at the time of the alleged carrying or possession of a~~ 907
~~handgun or~~ who, at the time of the alleged carrying or 908
possession of a handgun, either is carrying a valid basic 909
competency license or is an active duty member of the armed 910
forces of the United States and is carrying a valid military 911
identification card and documentation of successful completion 912
of firearms training that meets or exceeds the training 913
requirements described in division (G)(1) of section 2923.125 of 914
the Revised Code, unless the person knowingly is in a place 915
described in division (B) of section 2923.126 of the Revised 916
Code. 917

(D) It is an affirmative defense to a charge under 918
division (A)(1) of this section of carrying or having control of 919
a weapon other than a handgun and other than a dangerous 920
ordnance that the actor was not otherwise prohibited by law from 921
having the weapon and that any of the following applies: 922

(1) The weapon was carried or kept ready at hand by the 923
actor for defensive purposes while the actor was engaged in or 924
was going to or from the actor's lawful business or occupation, 925
which business or occupation was of a character or was 926
necessarily carried on in a manner or at a time or place as to 927
render the actor particularly susceptible to criminal attack, 928
such as would justify a prudent person in going armed. 929

(2) The weapon was carried or kept ready at hand by the 930
actor for defensive purposes while the actor was engaged in a 931
lawful activity and had reasonable cause to fear a criminal 932
attack upon the actor, a member of the actor's family, or the 933
actor's home, such as would justify a prudent person in going 934
armed. 935

(3) The weapon was carried or kept ready at hand by the 936
actor for any lawful purpose and while in the actor's own home. 937

~~(E)(1)~~ (E) No person who is charged with a violation of 938
this section shall be required to obtain a ~~concealed handgun~~ 939
basic competency license as a condition for the dismissal of the 940
charge. 941

~~(2) If a person is convicted of, was convicted of, pleads~~ 942
~~guilty to, or has pleaded guilty to a violation of division (B)~~ 943
~~(1) of this section as it existed prior to June 13, 2022, the~~ 944
~~person may file an application under section 2953.35 of the~~ 945
~~Revised Code requesting the expungement of the record of~~ 946
~~conviction.~~ 947

(F) (1) Whoever violates this section is guilty of carrying 948
concealed weapons. Except as otherwise provided in this division 949
or divisions (F) (2), (6), and (7) of this section, carrying 950
concealed weapons in violation of division (A) of this section 951
is a misdemeanor of the first degree. Except as otherwise 952
provided in this division or divisions (F) (2), (6), and (7) of 953
this section, if the offender previously has been convicted of a 954
violation of this section or of any offense of violence, if the 955
weapon involved is a firearm that is either loaded or for which 956
the offender has ammunition ready at hand, or if the weapon 957
involved is dangerous ordnance, carrying concealed weapons in 958
violation of division (A) of this section is a felony of the 959
fourth degree. Except as otherwise provided in divisions (F) (2) 960
and (6) of this section, if the offense is committed aboard an 961
aircraft, or with purpose to carry a concealed weapon aboard an 962
aircraft, regardless of the weapon involved, carrying concealed 963
weapons in violation of division (A) of this section is a felony 964
of the third degree. 965

(2) ~~A~~ Except as provided in division (F) (6) of this section, if a person ~~shall not be~~ being arrested for a violation of division (A) (2) of this section ~~solely because the person does not promptly produce~~ produces a valid ~~concealed handgun~~ basic competency license. If a person is arrested for a violation of division (A) (2) of this section and is convicted of or pleads guilty to the violation, and if at the time of the violation the person was not knowingly in a place described in division (B) of section 2923.126 of the Revised Code, the officer shall not arrest the person for a violation of that division. If the person is not able to promptly produce any basic competency license and if the person is not in a place described in that section, the officer may arrest the person for a violation of that division, and the offender shall be punished as follows:

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

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

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

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

(i) The offender previously had been issued a ~~concealed handgun~~ basic competency license, and that license expired

within the two years immediately preceding the arrest. 995

(ii) Within forty-five days after the arrest, the offender 996
presents a ~~concealed handgun~~ basic competency license to the law 997
enforcement agency that employed the arresting officer, and the 998
offender waives in writing the offender's right to a speedy 999
trial on the charge of the violation that is provided in section 1000
2945.71 of the Revised Code. 1001

(iii) At the time of the commission of the offense, the 1002
offender was not knowingly in a place described in division (B) 1003
of section 2923.126 of the Revised Code. 1004

(c) If divisions (F) (2) (a) and (b) and (F) (6) of this 1005
section do not apply, the offender shall be punished under 1006
division (F) (1) or (7) of this section. 1007

(3) ~~Carrying~~ Except as otherwise provided in this 1008
division, carrying concealed weapons in violation of division 1009
(B) (1) of this section is a misdemeanor of the ~~second~~ first 1010
degree, and, in addition to any other penalty or sanction 1011
imposed for a violation of division (B) (1) of this section, the 1012
offender's basic competency license shall be suspended pursuant 1013
to division (A) (2) of section 2923.128 of the Revised Code. If, 1014
at the time of the stop of the offender for a law enforcement 1015
purpose that was the basis of the violation, any law enforcement 1016
officer involved with the stop had actual knowledge that the 1017
offender has been issued a basic competency license, carrying 1018
concealed weapons in violation of division (B) (1) of this 1019
section is a minor misdemeanor, and the offender's basic 1020
competency license shall not be suspended pursuant to division 1021
(A) (2) of section 2923.128 of the Revised Code. 1022

(4) Carrying concealed weapons in violation of division 1023

(B) (2) or (4) of this section is a misdemeanor of the first 1024
degree or, if the offender previously has been convicted of or 1025
pleaded guilty to a violation of division (B) (2) or (4) of this 1026
section, a felony of the fifth degree. In addition to any other 1027
penalty or sanction imposed for a misdemeanor violation of 1028
division (B) (2) or (4) of this section, the offender's ~~concealed~~ 1029
~~handgun~~ basic competency license shall be suspended pursuant to 1030
division (A) (2) of section 2923.128 of the Revised Code. 1031

(5) Carrying concealed weapons in violation of division 1032
(B) (3) of this section is a felony of the fifth degree. 1033

(6) If a person being arrested for a violation of division 1034
(A) (2) of this section is an active duty member of the armed 1035
forces of the United States and is carrying a valid military 1036
identification card and documentation of successful completion 1037
of firearms training that meets or exceeds the training 1038
requirements described in division (G) (1) of section 2923.125 of 1039
the Revised Code, and if at the time of the violation the person 1040
was not knowingly in a place described in division (B) of 1041
section 2923.126 of the Revised Code, the officer shall not 1042
arrest the person for a violation of that division. If the 1043
person is not able to promptly produce a valid military 1044
identification card and documentation of successful completion 1045
of firearms training that meets or exceeds the training 1046
requirements described in division (G) (1) of section 2923.125 of 1047
the Revised Code and if the person is not in a place described 1048
in division (B) of section 2923.126 of the Revised Code, the 1049
officer shall issue a citation and the offender shall be 1050
assessed a civil penalty of not more than five hundred dollars. 1051
The citation shall be automatically dismissed and the civil 1052
penalty shall not be assessed if both of the following apply: 1053

(a) Within ten days after the issuance of the citation, 1054
the offender presents a valid military identification card and 1055
documentation of successful completion of firearms training that 1056
meets or exceeds the training requirements described in division 1057
(G) (1) of section 2923.125 of the Revised Code, which were both 1058
valid at the time of the issuance of the citation to the law 1059
enforcement agency that employs the citing officer. 1060

(b) At the time of the citation, the offender was not 1061
knowingly in a place described in division (B) of section 1062
2923.126 of the Revised Code. 1063

(7) If a person being arrested for a violation of division 1064
(A) (2) of this section is knowingly in a place described in 1065
division (B) (5) of section 2923.126 of the Revised Code and is 1066
not authorized to carry a handgun or have a handgun concealed on 1067
the person's person or concealed ready at hand under that 1068
division, the penalty shall be as follows: 1069

(a) Except as otherwise provided in this division, if the 1070
person produces a valid ~~concealed handgun~~ basic competency 1071
license within ten days after the arrest and has not previously 1072
been convicted or pleaded guilty to a violation of division (A) 1073
(2) of this section, the person is guilty of a minor 1074
misdemeanor; 1075

(b) Except as otherwise provided in this division, if the 1076
person has previously been convicted of or pleaded guilty to a 1077
violation of division (A) (2) of this section, the person is 1078
guilty of a misdemeanor of the fourth degree; 1079

(c) Except as otherwise provided in this division, if the 1080
person has previously been convicted of or pleaded guilty to two 1081
violations of division (A) (2) of this section, the person is 1082

guilty of a misdemeanor of the third degree; 1083

(d) Except as otherwise provided in this division, if the 1084
person has previously been convicted of or pleaded guilty to 1085
three or more violations of division (A)(2) of this section, or 1086
convicted of or pleaded guilty to any offense of violence, if 1087
the weapon involved is a firearm that is either loaded or for 1088
which the offender has ammunition ready at hand, or if the 1089
weapon involved is a dangerous ordnance, the person is guilty of 1090
a misdemeanor of the second degree. 1091

(G) If a law enforcement officer stops a person to 1092
question the person regarding a possible violation of this 1093
section, for a traffic stop, or for any other law enforcement 1094
purpose, if the person surrenders a firearm to the officer, 1095
either voluntarily or pursuant to a request or demand of the 1096
officer, and if the officer does not charge the person with a 1097
violation of this section or arrest the person for any offense, 1098
the person is not otherwise prohibited by law from possessing 1099
the firearm, and the firearm is not contraband, the officer 1100
shall return the firearm to the person at the termination of the 1101
stop. If a court orders a law enforcement officer to return a 1102
firearm to a person pursuant to the requirement set forth in 1103
this division, division (B) of section 2923.163 of the Revised 1104
Code applies. 1105

(H) For purposes of this section, "deadly weapon" or 1106
"weapon" does not include any knife, razor, or cutting 1107
instrument if the instrument was not used as a weapon. 1108

Sec. 2923.121. (A) No person shall possess a firearm in 1109
any room in which any person is consuming beer or intoxicating 1110
liquor in a premises for which a D permit has been issued under 1111
Chapter 4303. of the Revised Code or in an open air arena for 1112

which a permit of that nature has been issued. 1113

(B) (1) This section does not apply to any of the 1114
following: 1115

(a) An officer, agent, or employee of this or any other 1116
state or the United States, or a law enforcement officer, who is 1117
authorized to carry firearms and is acting within the scope of 1118
the officer's, agent's, or employee's duties; 1119

(b) A law enforcement officer or investigator who is 1120
authorized to carry firearms but is not acting within the scope 1121
of the officer's or investigator's duties, as long as all of the 1122
following apply: 1123

(i) The officer or investigator is carrying validating 1124
identification. 1125

(ii) If the firearm the officer or investigator possesses 1126
is a firearm issued or approved by the law enforcement agency 1127
served by the officer or by the bureau of criminal 1128
identification and investigation with respect to an 1129
investigator, the agency or bureau does not have a restrictive 1130
firearms carrying policy. 1131

(iii) The officer or investigator is not consuming beer or 1132
intoxicating liquor and is not under the influence of alcohol or 1133
a drug of abuse. 1134

(c) Any room used for the accommodation of guests of a 1135
hotel, as defined in section 4301.01 of the Revised Code; 1136

(d) The principal holder of a D permit issued for a 1137
premises or an open air arena under Chapter 4303. of the Revised 1138
Code while in the premises or open air arena for which the 1139
permit was issued if the principal holder of the D permit also- 1140

~~has been issued~~ possesses a valid concealed handgun basic 1141
competency license that is valid at the time in question and as 1142
long as the principal holder is not consuming beer or 1143
intoxicating liquor or under the influence of alcohol or a drug 1144
of abuse, or any agent or employee of that holder who also is a 1145
peace officer, as defined in section 2151.3515 of the Revised 1146
Code, who is off duty, and who otherwise is authorized to carry 1147
firearms while in the course of the officer's official duties 1148
and while in the premises or open air arena for which the permit 1149
was issued and as long as the agent or employee of that holder 1150
is not consuming beer or intoxicating liquor or under the 1151
influence of alcohol or a drug of abuse. 1152

(e) Any person who ~~has been issued a concealed handgun~~ 1153
~~license that is valid at the time in question~~ is carrying a 1154
valid basic competency license or any person who is an active 1155
duty member of the armed forces of the United States and is 1156
carrying a valid military identification card and documentation 1157
of successful completion of firearms training that meets or 1158
exceeds the training requirements described in division (G) (1) 1159
of section 2923.125 of the Revised Code, as long as the person 1160
is not consuming beer or intoxicating liquor or under the 1161
influence of alcohol or a drug of abuse. 1162

(2) This section does not prohibit any person who is a 1163
member of a veteran's organization, as defined in section 1164
2915.01 of the Revised Code, from possessing a rifle in any room 1165
in any premises owned, leased, or otherwise under the control of 1166
the veteran's organization, if the rifle is not loaded with live 1167
ammunition and if the person otherwise is not prohibited by law 1168
from having the rifle. 1169

(3) This section does not apply to any person possessing 1170

or displaying firearms in any room used to exhibit unloaded 1171
firearms for sale or trade in a soldiers' memorial established 1172
pursuant to Chapter 345. of the Revised Code, in a convention 1173
center, or in any other public meeting place, if the person is 1174
an exhibitor, trader, purchaser, or seller of firearms and is 1175
not otherwise prohibited by law from possessing, trading, 1176
purchasing, or selling the firearms. 1177

(C) It is an affirmative defense to a charge under this 1178
section of illegal possession of a firearm in a liquor permit 1179
premises that involves the possession of a firearm other than a 1180
handgun, that the actor was not otherwise prohibited by law from 1181
having the firearm, and that any of the following apply: 1182

(1) The firearm was carried or kept ready at hand by the 1183
actor for defensive purposes, while the actor was engaged in or 1184
was going to or from the actor's lawful business or occupation, 1185
which business or occupation was of such character or was 1186
necessarily carried on in such manner or at such a time or place 1187
as to render the actor particularly susceptible to criminal 1188
attack, such as would justify a prudent person in going armed. 1189

(2) The firearm was carried or kept ready at hand by the 1190
actor for defensive purposes, while the actor was engaged in a 1191
lawful activity, and had reasonable cause to fear a criminal 1192
attack upon the actor or a member of the actor's family, or upon 1193
the actor's home, such as would justify a prudent person in 1194
going armed. 1195

(D) No person who is charged with a violation of this 1196
section shall be required to obtain a ~~concealed handgun~~ basic 1197
competency license as a condition for the dismissal of the 1198
charge. 1199

(E) Whoever violates this section is guilty of illegal 1200
possession of a firearm in a liquor permit premises. Except as 1201
otherwise provided in this division, illegal possession of a 1202
firearm in a liquor permit premises is a felony of the fifth 1203
degree. If the offender commits the violation of this section by 1204
knowingly carrying or having the firearm concealed on the 1205
offender's person or concealed ready at hand, illegal possession 1206
of a firearm in a liquor permit premises is a felony of the 1207
third degree. 1208

(F) As used in this section: 1209

(1) "Beer" and "intoxicating liquor" have the same 1210
meanings as in section 4301.01 of the Revised Code. 1211

(2) "Investigator" has the same meaning as in section 1212
109.541 of the Revised Code. 1213

(3) "Restrictive firearms carrying policy" means a 1214
specific policy of a law enforcement agency or the bureau of 1215
criminal identification and investigation that prohibits all 1216
officers of the agency or all investigators of the bureau, while 1217
not acting within the scope of the officer's or investigator's 1218
duties, from doing either of the following: 1219

(a) Carrying a firearm issued or approved by the agency or 1220
bureau in any room, premises, or arena described in division (A) 1221
of this section; 1222

(b) Carrying a firearm issued or approved by the agency or 1223
bureau in premises described in division (A) of section 1224
2923.1214 of the Revised Code. 1225

(4) "Law enforcement officer" has the same meaning as in 1226
section 9.69 of the Revised Code. 1227

(5) "Validating identification" means one of the 1228
following: 1229

(a) Photographic identification issued by the law 1230
enforcement agency for which an individual serves as a law 1231
enforcement officer that identifies the individual as a law 1232
enforcement officer of the agency; 1233

(b) Photographic identification issued by the bureau of 1234
criminal identification and investigation that identifies an 1235
individual as an investigator of the bureau. 1236

Sec. 2923.122. (A) No person shall knowingly convey, or 1237
attempt to convey, a deadly weapon or dangerous ordnance into a 1238
school safety zone. 1239

(B) No person shall knowingly possess a deadly weapon or 1240
dangerous ordnance in a school safety zone. 1241

(C) No person shall knowingly possess an object in a 1242
school safety zone if both of the following apply: 1243

(1) The object is indistinguishable from a firearm, 1244
whether or not the object is capable of being fired. 1245

(2) The person indicates that the person possesses the 1246
object and that it is a firearm, or the person knowingly 1247
displays or brandishes the object and indicates that it is a 1248
firearm. 1249

(D) (1) This section does not apply to any of the 1250
following: 1251

(a) An officer, agent, or employee of this or any other 1252
state or the United States who is authorized to carry deadly 1253
weapons or dangerous ordnance and is acting within the scope of 1254
the officer's, agent's, or employee's duties; 1255

(b) A law enforcement officer who is authorized to carry 1256
deadly weapons or dangerous ordnance; 1257

(c) A security officer employed by a board of education or 1258
governing body of a school during the time that the security 1259
officer is on duty pursuant to that contract of employment; 1260

(d) Any person not described in divisions (D) (1) (a) to (c) 1261
of this section who has written authorization from the board of 1262
education or governing body of a school to convey deadly weapons 1263
or dangerous ordnance into a school safety zone or to possess a 1264
deadly weapon or dangerous ordnance in a school safety zone and 1265
who conveys or possesses the deadly weapon or dangerous ordnance 1266
in accordance with that authorization, provided both of the 1267
following apply: 1268

(i) Either the person has successfully completed the 1269
curriculum, instruction, and training established under section 1270
5502.703 of the Revised Code, or the person has received a 1271
certificate of having satisfactorily completed an approved basic 1272
peace officer training program or is a law enforcement officer; 1273

(ii) The board or governing body has notified the public, 1274
by whatever means the affected school regularly communicates 1275
with the public, that the board or governing body has authorized 1276
one or more persons to go armed within a school operated by the 1277
board or governing authority. 1278

A district board or school governing body that authorizes 1279
a person under division (D) (1) (d) of this section shall require 1280
that person to submit to an annual criminal records check 1281
conducted in the same manner as section 3319.39 or 3319.391 of 1282
the Revised Code. 1283

(e) Any person who is employed in this state, who is 1284

authorized to carry deadly weapons or dangerous ordnance, and 1285
who is subject to and in compliance with the requirements of 1286
section 109.801 of the Revised Code, unless the appointing 1287
authority of the person has expressly specified that the 1288
exemption provided in division (D)(1)(e) of this section does 1289
not apply to the person. 1290

(2) Division (C) of this section does not apply to 1291
premises upon which home schooling is conducted. Division (C) of 1292
this section also does not apply to a school administrator, 1293
teacher, or employee who possesses an object that is 1294
indistinguishable from a firearm for legitimate school purposes 1295
during the course of employment, a student who uses an object 1296
that is indistinguishable from a firearm under the direction of 1297
a school administrator, teacher, or employee, or any other 1298
person who with the express prior approval of a school 1299
administrator possesses an object that is indistinguishable from 1300
a firearm for a legitimate purpose, including the use of the 1301
object in a ceremonial activity, a play, reenactment, or other 1302
dramatic presentation, school safety training, or a ROTC 1303
activity or another similar use of the object. 1304

(3) This section does not apply to a person who conveys or 1305
attempts to convey a handgun into, or possesses a handgun in, a 1306
school safety zone if, at the time of that conveyance, attempted 1307
conveyance, or possession of the handgun, all of the following 1308
apply: 1309

(a) The person does not enter into a school building or 1310
onto school premises and is not at a school activity. 1311

(b) The person ~~has been issued~~ is carrying a valid 1312
~~concealed handgun basic competency license that is valid at the~~ 1313
~~time of the conveyance, attempted conveyance, or possession or~~ 1314

the person is an active duty member of the armed forces of the 1315
United States and is carrying a valid military identification 1316
card and documentation of successful completion of firearms 1317
training that meets or exceeds the training requirements 1318
described in division (G) (1) of section 2923.125 of the Revised 1319
Code. 1320

(c) The person is in the school safety zone in accordance 1321
with 18 U.S.C. 922(q) (2) (B). 1322

(d) The person is not knowingly in a place described in 1323
division (B) (1) or (B) (3) to (8) of section 2923.126 of the 1324
Revised Code. 1325

(4) This section does not apply to a person who conveys or 1326
attempts to convey a handgun into, or possesses a handgun in, a 1327
school safety zone if at the time of that conveyance, attempted 1328
conveyance, or possession of the handgun all of the following 1329
apply: 1330

(a) The person ~~has been issued~~ is carrying a valid 1331
~~concealed handgun basic competency license that is valid at the~~ 1332
~~time of the conveyance, attempted conveyance, or possession~~ or 1333
the person is an active duty member of the armed forces of the 1334
United States and is carrying a valid military identification 1335
card and documentation of successful completion of firearms 1336
training that meets or exceeds the training requirements 1337
described in division (G) (1) of section 2923.125 of the Revised 1338
Code. 1339

(b) The person leaves the handgun in a motor vehicle. 1340

(c) The handgun does not leave the motor vehicle. 1341

(d) If the person exits the motor vehicle, the person 1342
locks the motor vehicle. 1343

(E) (1) Whoever violates division (A) or (B) of this 1344
section is guilty of illegal conveyance or possession of a 1345
deadly weapon or dangerous ordnance in a school safety zone. 1346
Except as otherwise provided in this division, illegal 1347
conveyance or possession of a deadly weapon or dangerous 1348
ordnance in a school safety zone is a felony of the fifth 1349
degree. If the offender previously has been convicted of a 1350
violation of this section, illegal conveyance or possession of a 1351
deadly weapon or dangerous ordnance in a school safety zone is a 1352
felony of the fourth degree. 1353

(2) Whoever violates division (C) of this section is 1354
guilty of illegal possession of an object indistinguishable from 1355
a firearm in a school safety zone. Except as otherwise provided 1356
in this division, illegal possession of an object 1357
indistinguishable from a firearm in a school safety zone is a 1358
misdemeanor of the first degree. If the offender previously has 1359
been convicted of a violation of this section, illegal 1360
possession of an object indistinguishable from a firearm in a 1361
school safety zone is a felony of the fifth degree. 1362

(F) (1) In addition to any other penalty imposed upon a 1363
person who is convicted of or pleads guilty to a violation of 1364
this section and subject to division (F) (2) of this section, if 1365
the offender has not attained nineteen years of age, regardless 1366
of whether the offender is attending or is enrolled in a school 1367
operated by a board of education or for which the director of 1368
education and workforce prescribes minimum standards under 1369
section 3301.07 of the Revised Code, the court shall impose upon 1370
the offender a class four suspension of the offender's 1371
probationary driver's license, restricted license, driver's 1372
license, commercial driver's license, temporary instruction 1373
permit, or probationary commercial driver's license that then is 1374

in effect from the range specified in division (A) (4) of section 1375
4510.02 of the Revised Code and shall deny the offender the 1376
issuance of any permit or license of that type during the period 1377
of the suspension. 1378

If the offender is not a resident of this state, the court 1379
shall impose a class four suspension of the nonresident 1380
operating privilege of the offender from the range specified in 1381
division (A) (4) of section 4510.02 of the Revised Code. 1382

(2) If the offender shows good cause why the court should 1383
not suspend one of the types of licenses, permits, or privileges 1384
specified in division (F) (1) of this section or deny the 1385
issuance of one of the temporary instruction permits specified 1386
in that division, the court in its discretion may choose not to 1387
impose the suspension, revocation, or denial required in that 1388
division, but the court, in its discretion, instead may require 1389
the offender to perform community service for a number of hours 1390
determined by the court. 1391

(G) As used in this section, "object that is 1392
indistinguishable from a firearm" means an object made, 1393
constructed, or altered so that, to a reasonable person without 1394
specialized training in firearms, the object appears to be a 1395
firearm. 1396

Sec. 2923.123. (A) No person shall knowingly convey or 1397
attempt to convey a deadly weapon or dangerous ordnance into a 1398
courthouse or into another building or structure in which a 1399
courtroom is located. 1400

(B) No person shall knowingly possess or have under the 1401
person's control a deadly weapon or dangerous ordnance in a 1402
courthouse or in another building or structure in which a 1403

courtroom is located. 1404

(C) This section does not apply to any of the following: 1405

(1) Except as provided in division (E) of this section, a 1406
judge of a court of record of this state or a magistrate; 1407

(2) A peace officer, officer of a law enforcement agency, 1408
or person who is in either of the following categories: 1409

(a) Except as provided in division (E) of this section, a 1410
peace officer, or an officer of a law enforcement agency of 1411
another state, a political subdivision of another state, or the 1412
United States, who is authorized to carry a deadly weapon or 1413
dangerous ordnance, who possesses or has under that individual's 1414
control a deadly weapon or dangerous ordnance as a requirement 1415
of that individual's duties, and who is acting within the scope 1416
of that individual's duties at the time of that possession or 1417
control; 1418

(b) Except as provided in division (E) of this section, a 1419
person who is employed in this state, who is authorized to carry 1420
a deadly weapon or dangerous ordnance, who possesses or has 1421
under that individual's control a deadly weapon or dangerous 1422
ordnance as a requirement of that person's duties, and who is 1423
subject to and in compliance with the requirements of section 1424
109.801 of the Revised Code, unless the appointing authority of 1425
the person has expressly specified that the exemption provided 1426
in division (C) (2) (b) of this section does not apply to the 1427
person. 1428

(3) A person who conveys, attempts to convey, possesses, 1429
or has under the person's control a deadly weapon or dangerous 1430
ordnance that is to be used as evidence in a pending criminal or 1431
civil action or proceeding; 1432

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

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

(6) Except as provided in division (E) of this section, a
person who conveys or attempts to convey a handgun into a
courthouse or into another building or structure in which a
courtroom is located, ~~if the person has been issued a concealed~~
~~handgun license that is valid at the time of the conveyance or~~
~~attempt or who~~, at the time of the conveyance or attempt, ~~the~~
person either is carrying a valid basic competency license or is
an active duty member of the armed forces of the United States
and is carrying a valid military identification card and
documentation of successful completion of firearms training that
meets or exceeds the training requirements described in division
(G) (1) of section 2923.125 of the Revised Code, and ~~if in either~~
~~case the person who~~ transfers possession of the handgun to the
officer or officer's designee who has charge of the courthouse
or building. The officer shall secure the handgun until the
licensee is prepared to leave the premises. The exemption

described in this division applies only if the officer who has 1464
charge of the courthouse or building provides services of the 1465
nature described in this division. An officer who has charge of 1466
the courthouse or building is not required to offer services of 1467
the nature described in this division. 1468

(D) (1) Whoever violates division (A) of this section is 1469
guilty of illegal conveyance of a deadly weapon or dangerous 1470
ordnance into a courthouse. Except as otherwise provided in this 1471
division, illegal conveyance of a deadly weapon or dangerous 1472
ordnance into a courthouse is a felony of the fifth degree. If 1473
the offender previously has been convicted of a violation of 1474
division (A) or (B) of this section, illegal conveyance of a 1475
deadly weapon or dangerous ordnance into a courthouse is a 1476
felony of the fourth degree. 1477

(2) Whoever violates division (B) of this section is 1478
guilty of illegal possession or control of a deadly weapon or 1479
dangerous ordnance in a courthouse. Except as otherwise provided 1480
in this division, illegal possession or control of a deadly 1481
weapon or dangerous ordnance in a courthouse is a felony of the 1482
fifth degree. If the offender previously has been convicted of a 1483
violation of division (A) or (B) of this section, illegal 1484
possession or control of a deadly weapon or dangerous ordnance 1485
in a courthouse is a felony of the fourth degree. 1486

(E) The exemptions described in divisions (C) (1), (2) (a), 1487
(2) (b), (4), (5), and (6) of this section do not apply to any 1488
judge, magistrate, peace officer, officer of a law enforcement 1489
agency, bailiff, deputy bailiff, prosecutor, secret service 1490
officer, or other person described in any of those divisions if 1491
a rule of superintendence or another type of rule adopted by the 1492
supreme court pursuant to Article IV, Ohio Constitution, or an 1493

applicable local rule of court prohibits all persons from 1494
conveying or attempting to convey a deadly weapon or dangerous 1495
ordnance into a courthouse or into another building or structure 1496
in which a courtroom is located or from possessing or having 1497
under one's control a deadly weapon or dangerous ordnance in a 1498
courthouse or in another building or structure in which a 1499
courtroom is located. 1500

(F) As used in this section: 1501

(1) "Magistrate" means an individual who is appointed by a 1502
court of record of this state and who has the powers and may 1503
perform the functions specified in Civil Rule 53, Criminal Rule 1504
19, or Juvenile Rule 40. 1505

(2) "Peace officer" and "prosecutor" have the same 1506
meanings as in section 2935.01 of the Revised Code. 1507

Sec. 2923.124. As used in sections 2923.124 to 2923.1213 1508
of the Revised Code: 1509

(A) "Application form" means the application form 1510
prescribed pursuant to division (A)(1) of section 109.731 of the 1511
Revised Code and includes a copy of that form. 1512

(B) "Competency certification" and "competency 1513
certificate" mean a document of the type described in division 1514
(B)(3) of section 2923.125 of the Revised Code. 1515

(C) "Detention facility" has the same meaning as in 1516
section 2921.01 of the Revised Code. 1517

(D) "Licensee" means a person to whom a ~~concealed handgun~~ 1518
basic competency license has been issued under section 2923.125 1519
of the Revised Code and, except when the context clearly 1520
indicates otherwise, includes a person to whom a ~~concealed~~ 1521

~~handgun~~-basic competency license on a temporary emergency basis 1522
has been issued under section 2923.1213 of the Revised Code and 1523
a person to whom a ~~concealed handgun~~-basic competency license 1524
has been issued by another state. 1525

(E) "License fee" or "license renewal fee" means the fee 1526
for a ~~concealed handgun~~-basic competency license or the fee to 1527
renew that license that is to be paid by an applicant for a 1528
license of that type. 1529

(F) "Peace officer" has the same meaning as in section 1530
2935.01 of the Revised Code. 1531

(G) "State correctional institution" has the same meaning 1532
as in section 2967.01 of the Revised Code. 1533

(H) "Civil protection order" means a protection order 1534
issued, or consent agreement approved, under section 2903.214 or 1535
3113.31 of the Revised Code. 1536

(I) "Temporary protection order" means a protection order 1537
issued under section 2903.213 or 2919.26 of the Revised Code. 1538

(J) "Protection order issued by a court of another state" 1539
has the same meaning as in section 2919.27 of the Revised Code. 1540

(K) "Child care center," "type A family child care home" 1541
and "type B family child care home" have the same meanings as in 1542
section 5104.01 of the Revised Code. 1543

(L) "Foreign air transportation," "interstate air 1544
transportation," and "intrastate air transportation" have the 1545
same meanings as in 49 U.S.C. 40102, as now or hereafter 1546
amended. 1547

(M) "Commercial motor vehicle" has the same meaning as in 1548
division (A) of section 4506.25 of the Revised Code. 1549

(N) "Motor carrier enforcement unit" has the same meaning 1550
as in section 2923.16 of the Revised Code. 1551

Sec. 2923.125. It is the intent of the general assembly 1552
that Ohio ~~concealed handgun-basic competency~~ license law be 1553
compliant with the national instant criminal background check 1554
system, that the bureau of alcohol, tobacco, firearms, and 1555
explosives is able to determine that Ohio law is compliant with 1556
the national instant criminal background check system, and that 1557
no person shall be eligible to receive a ~~concealed handgun-basic~~ 1558
competency license permit under section 2923.125 or 2923.1213 of 1559
the Revised Code unless the person is eligible lawfully to 1560
receive or possess a firearm in the United States. 1561

(A) This section applies with respect to the application 1562
for and issuance by this state of ~~concealed handgun-basic~~ 1563
competency licenses other than ~~concealed handgun-basic~~ 1564
competency licenses on a temporary emergency basis that are 1565
issued under section 2923.1213 of the Revised Code. Upon the 1566
request of a person who wishes to obtain a ~~concealed handgun-~~ 1567
basic competency license with respect to which this section 1568
applies or to renew a ~~concealed handgun-basic competency~~ license 1569
with respect to which this section applies, a sheriff, as 1570
provided in division (I) of this section, shall provide to the 1571
person free of charge an application form and the web site 1572
address at which a printable version of the application form 1573
that can be downloaded and the pamphlet described in division 1574
(B) of section 109.731 of the Revised Code may be found. A 1575
sheriff shall accept a completed application form and the fee, 1576
items, materials, and information specified in divisions (B)(1) 1577
to (5) of this section at the times and in the manners described 1578
in division (I) of this section. 1579

(B) An applicant for a ~~concealed handgun~~ basic competency license who is a resident of this state shall submit a completed application form and all of the material and information described in divisions (B) (1) to (6) of this section to the sheriff of the county in which the applicant resides or to the sheriff of any county adjacent to the county in which the applicant resides. An applicant for a license who resides in another state shall submit a completed application form and all of the material and information described in divisions (B) (1) to (7) of this section to the sheriff of the county in which the applicant is employed or to the sheriff of any county adjacent to the county in which the applicant is employed:

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

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

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

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

(c) A sheriff shall waive the payment of the license fee described in division (B) (1) (a) of this section in connection with an initial or renewal application for a license that is submitted by an applicant who is an active or reserve member of the armed forces of the United States or has retired from or was

honorably discharged from military service in the active or 1609
reserve armed forces of the United States, a retired peace 1610
officer, a retired person described in division (B) (1) (b) of 1611
section 109.77 of the Revised Code, or a retired federal law 1612
enforcement officer who, prior to retirement, was authorized 1613
under federal law to carry a firearm in the course of duty, 1614
unless the retired peace officer, person, or federal law 1615
enforcement officer retired as the result of a mental 1616
disability. 1617

(d) The sheriff shall deposit all fees paid by an 1618
applicant under division (B) (1) (a) of this section into the 1619
sheriff's ~~concealed handgun~~ basic competency license issuance 1620
fund established pursuant to section 311.42 of the Revised Code. 1621
The county shall distribute the fees in accordance with section 1622
311.42 of the Revised Code. 1623

(2) A color photograph of the applicant that was taken 1624
within thirty days prior to the date of the application; 1625

(3) One or more of the following competency 1626
certifications, each of which shall reflect that, regarding a 1627
certification described in division (B) (3) (a), (b), (c), (e), or 1628
(f) of this section, within the three years immediately 1629
preceding the application the applicant has performed that to 1630
which the competency certification relates and that, regarding a 1631
certification described in division (B) (3) (d) of this section, 1632
the applicant currently is an active or reserve member of the 1633
armed forces of the United States, the applicant has retired 1634
from or was honorably discharged from military service in the 1635
active or reserve armed forces of the United States, or within 1636
the ten years immediately preceding the application the 1637
retirement of the peace officer, person described in division 1638

(B) (1) (b) of section 109.77 of the Revised Code, or federal law 1639
enforcement officer to which the competency certification 1640
relates occurred: 1641

(a) An original or photocopy of a certificate of 1642
completion of a firearms safety, training, or requalification or 1643
firearms safety instructor course, class, or program that was 1644
offered by or under the auspices of a national gun advocacy 1645
organization and that complies with the requirements set forth 1646
in division (G) of this section; 1647

(b) An original or photocopy of a certificate of 1648
completion of a firearms safety, training, or requalification or 1649
firearms safety instructor course, class, or program that 1650
satisfies all of the following criteria: 1651

(i) It was open to members of the general public. 1652

(ii) It utilized qualified instructors who were certified 1653
by a national gun advocacy organization, the executive director 1654
of the Ohio peace officer training commission pursuant to 1655
section 109.75 or 109.78 of the Revised Code, or a governmental 1656
official or entity of another state. 1657

(iii) It was offered by or under the auspices of a law 1658
enforcement agency of this or another state or the United 1659
States, a public or private college, university, or other 1660
similar postsecondary educational institution located in this or 1661
another state, a firearms training school located in this or 1662
another state, or another type of public or private entity or 1663
organization located in this or another state. 1664

(iv) It complies with the requirements set forth in 1665
division (G) of this section. 1666

(c) An original or photocopy of a certificate of 1667

completion of a state, county, municipal, or department of 1668
natural resources peace officer training school that is approved 1669
by the executive director of the Ohio peace officer training 1670
commission pursuant to section 109.75 of the Revised Code and 1671
that complies with the requirements set forth in division (G) of 1672
this section, or the applicant has satisfactorily completed and 1673
been issued a certificate of completion of a basic firearms 1674
training program, a firearms requalification training program, 1675
or another basic training program described in section 109.78 or 1676
109.801 of the Revised Code that complies with the requirements 1677
set forth in division (G) of this section; 1678

(d) A document that evidences both of the following: 1679

(i) That the applicant is an active or reserve member of 1680
the armed forces of the United States, has retired from or was 1681
honorably discharged from military service in the active or 1682
reserve armed forces of the United States, is a retired trooper 1683
of the state highway patrol, or is a retired peace officer or 1684
federal law enforcement officer described in division (B) (1) of 1685
this section or a retired person described in division (B) (1) (b) 1686
of section 109.77 of the Revised Code and division (B) (1) of 1687
this section; 1688

(ii) That, through participation in the military service 1689
or through the former employment described in division (B) (3) (d) 1690
(i) of this section, the applicant acquired experience with 1691
handling handguns or other firearms, and the experience so 1692
acquired was equivalent to training that the applicant could 1693
have acquired in a course, class, or program described in 1694
division (B) (3) (a), (b), or (c) of this section. 1695

(e) A certificate or another similar document that 1696
evidences satisfactory completion of a firearms training, 1697

safety, or requalification or firearms safety instructor course, 1698
class, or program that is not otherwise described in division 1699
(B) (3) (a), (b), (c), or (d) of this section, that was conducted 1700
by an instructor who was certified by an official or entity of 1701
the government of this or another state or the United States or 1702
by a national gun advocacy organization, and that complies with 1703
the requirements set forth in division (G) of this section; 1704

(f) An affidavit that attests to the applicant's 1705
satisfactory completion of a course, class, or program described 1706
in division (B) (3) (a), (b), (c), or (e) of this section and that 1707
is subscribed by the applicant's instructor or an authorized 1708
representative of the entity that offered the course, class, or 1709
program or under whose auspices the course, class, or program 1710
was offered; 1711

(g) A document that evidences that the applicant has 1712
successfully completed the Ohio peace officer training program 1713
described in section 109.79 of the Revised Code. 1714

(4) A certification by the applicant that the applicant 1715
has read the pamphlet prepared by the Ohio peace officer 1716
training commission pursuant to section 109.731 of the Revised 1717
Code that reviews firearms, dispute resolution, and use of 1718
deadly force matters. 1719

(5) A set of fingerprints of the applicant provided as 1720
described in section 311.41 of the Revised Code through use of 1721
an electronic fingerprint reading device or, if the sheriff to 1722
whom the application is submitted does not possess and does not 1723
have ready access to the use of such a reading device, on a 1724
standard impression sheet prescribed pursuant to division (C) (2) 1725
of section 109.572 of the Revised Code. 1726

(6) If the applicant is not a citizen or national of the 1727
United States, the name of the applicant's country of 1728
citizenship and the applicant's alien registration number issued 1729
by the United States citizenship and immigration services 1730
agency. 1731

(7) If the applicant resides in another state, adequate 1732
proof of employment in Ohio. 1733

(C) Upon receipt of the completed application form, 1734
supporting documentation, and, if not waived, license fee of an 1735
applicant under this section, a sheriff, in the manner specified 1736
in section 311.41 of the Revised Code, shall conduct or cause to 1737
be conducted the criminal records check and the incompetency 1738
records check described in section 311.41 of the Revised Code. 1739

(D) (1) Except as provided in division (D) (3) of this 1740
section, within forty-five days after a sheriff's receipt of an 1741
applicant's completed application form for a ~~concealed handgun~~ 1742
basic competency license under this section, the supporting 1743
documentation, and, if not waived, the license fee, the sheriff 1744
shall make available through the law enforcement automated data 1745
system in accordance with division (H) of this section the 1746
information described in that division and, upon making the 1747
information available through the system, shall issue to the 1748
applicant a ~~concealed handgun~~ basic competency license that 1749
shall expire as described in division (D) (2) (a) of this section 1750
if all of the following apply: 1751

(a) The applicant is legally living in the United States. 1752
For purposes of division (D) (1) (a) of this section, if a person 1753
is absent from the United States in compliance with military or 1754
naval orders as an active or reserve member of the armed forces 1755
of the United States and if prior to leaving the United States 1756

the person was legally living in the United States, the person, 1757
solely by reason of that absence, shall not be considered to 1758
have lost the person's status as living in the United States. 1759

(b) The applicant is at least twenty-one years of age. 1760

(c) The applicant is not a fugitive from justice. 1761

(d) The applicant is not under indictment for or otherwise 1762
charged with a felony; an offense under Chapter 2925., 3719., or 1763
4729. of the Revised Code that involves the illegal possession, 1764
use, sale, administration, or distribution of or trafficking in 1765
a drug of abuse; a misdemeanor offense of violence; or a 1766
violation of section 2903.14 or 2923.1211 of the Revised Code. 1767

(e) Except as otherwise provided in division (D) (4) or (5) 1768
of this section, the applicant has not been convicted of or 1769
pleaded guilty to a felony or an offense under Chapter 2925., 1770
3719., or 4729. of the Revised Code that involves the illegal 1771
possession, use, sale, administration, or distribution of or 1772
trafficking in a drug of abuse; has not been adjudicated a 1773
delinquent child for committing an act that if committed by an 1774
adult would be a felony or would be an offense under Chapter 1775
2925., 3719., or 4729. of the Revised Code that involves the 1776
illegal possession, use, sale, administration, or distribution 1777
of or trafficking in a drug of abuse; has not been convicted of, 1778
pleaded guilty to, or adjudicated a delinquent child for 1779
committing a violation of section 2903.13 of the Revised Code 1780
when the victim of the violation is a peace officer, regardless 1781
of whether the applicant was sentenced under division ~~(C) (4)~~ (C) 1782
(6) of that section; and has not been convicted of, pleaded 1783
guilty to, or adjudicated a delinquent child for committing any 1784
other offense that is not previously described in this division 1785
that is a misdemeanor punishable by imprisonment for a term 1786

exceeding one year. 1787

(f) Except as otherwise provided in division (D) (4) or (5) 1788
of this section, the applicant, within three years of the date 1789
of the application, has not been convicted of or pleaded guilty 1790
to a misdemeanor offense of violence other than a misdemeanor 1791
violation of section 2921.33 of the Revised Code or a violation 1792
of section 2903.13 of the Revised Code when the victim of the 1793
violation is a peace officer, or a misdemeanor violation of 1794
section 2923.1211 of the Revised Code; and has not been 1795
adjudicated a delinquent child for committing an act that if 1796
committed by an adult would be a misdemeanor offense of violence 1797
other than a misdemeanor violation of section 2921.33 of the 1798
Revised Code or a violation of section 2903.13 of the Revised 1799
Code when the victim of the violation is a peace officer or for 1800
committing an act that if committed by an adult would be a 1801
misdemeanor violation of section 2923.1211 of the Revised Code. 1802

(g) Except as otherwise provided in division (D) (1) (e) of 1803
this section, the applicant, within five years of the date of 1804
the application, has not been convicted of, pleaded guilty to, 1805
or adjudicated a delinquent child for committing two or more 1806
violations of section 2903.13 or 2903.14 of the Revised Code. 1807

(h) Except as otherwise provided in division (D) (4) or (5) 1808
of this section, the applicant, within ten years of the date of 1809
the application, has not been convicted of, pleaded guilty to, 1810
or adjudicated a delinquent child for committing a violation of 1811
section 2921.33 of the Revised Code. 1812

(i) The applicant has not been committed to any mental 1813
institution, is not under adjudication of mental incompetence, 1814
has not been found by a court to be a person with a mental 1815
illness subject to court order, and is not an involuntary 1816

patient other than one who is a patient only for purposes of 1817
observation. As used in this division, "person with a mental 1818
illness subject to court order" and "patient" have the same 1819
meanings as in section 5122.01 of the Revised Code. 1820

(j) The applicant is not currently subject to a civil 1821
protection order, a temporary protection order, or a protection 1822
order issued by a court of another state. 1823

(k) The applicant certifies that the applicant desires a 1824
legal means to carry a concealed handgun for defense of the 1825
applicant or a member of the applicant's family while engaged in 1826
lawful activity. 1827

(l) The applicant submits a competency certification of 1828
the type described in division (B) (3) of this section and 1829
submits a certification of the type described in division (B) (4) 1830
of this section regarding the applicant's reading of the 1831
pamphlet prepared by the Ohio peace officer training commission 1832
pursuant to section 109.731 of the Revised Code. 1833

(m) The applicant currently is not subject to a suspension 1834
imposed under division (A) (2) of section 2923.128 of the Revised 1835
Code of a ~~concealed handgun~~ basic competency license that 1836
previously was issued to the applicant under this section or 1837
section 2923.1213 of the Revised Code or a similar suspension 1838
imposed by another state regarding a ~~concealed handgun~~ basic 1839
competency license issued by that state. 1840

(n) If the applicant resides in another state, the 1841
applicant is employed in this state. 1842

(o) The applicant certifies that the applicant is not an 1843
unlawful user of or addicted to any controlled substance as 1844
defined in 21 U.S.C. 802. 1845

(p) If the applicant is not a United States citizen, the 1846
applicant is an alien and has not been admitted to the United 1847
States under a nonimmigrant visa, as defined in the "Immigration 1848
and Nationality Act," 8 U.S.C. 1101(a) (26). 1849

(q) The applicant has not been discharged from the armed 1850
forces of the United States under dishonorable conditions. 1851

(r) The applicant certifies that the applicant has not 1852
renounced the applicant's United States citizenship, if 1853
applicable. 1854

(s) The applicant has not been convicted of, pleaded 1855
guilty to, or adjudicated a delinquent child for committing a 1856
violation of section 2919.25 of the Revised Code or a similar 1857
violation in another state. 1858

(2) (a) A ~~concealed handgun~~ basic competency license that a 1859
sheriff issues under division (D) (1) of this section shall 1860
expire five years after the date of issuance. 1861

If a sheriff issues a license under this section, the 1862
sheriff shall place on the license a unique combination of 1863
letters and numbers identifying the license in accordance with 1864
the procedure prescribed by the Ohio peace officer training 1865
commission pursuant to section 109.731 of the Revised Code. 1866

(b) If a sheriff denies an application under this section 1867
because the applicant does not satisfy the criteria described in 1868
division (D) (1) of this section, the sheriff shall specify the 1869
grounds for the denial in a written notice to the applicant. The 1870
applicant may appeal the denial pursuant to section 119.12 of 1871
the Revised Code in the county served by the sheriff who denied 1872
the application. If the denial was as a result of the criminal 1873
records check conducted pursuant to section 311.41 of the 1874

Revised Code and if, pursuant to section 2923.127 of the Revised
Code, the applicant challenges the criminal records check
results using the appropriate challenge and review procedure
specified in that section, the time for filing the appeal
pursuant to section 119.12 of the Revised Code and this division
is tolled during the pendency of the request or the challenge
and review.

(c) If the court in an appeal under section 119.12 of the
Revised Code and division (D) (2) (b) of this section enters a
judgment sustaining the sheriff's refusal to grant to the
applicant a ~~concealed handgun~~ basic competency license, the
applicant may file a new application beginning one year after
the judgment is entered. If the court enters a judgment in favor
of the applicant, that judgment shall not restrict the authority
of a sheriff to suspend or revoke the license pursuant to
section 2923.128 or 2923.1213 of the Revised Code or to refuse
to renew the license for any proper cause that may occur after
the date the judgment is entered. In the appeal, the court shall
have full power to dispose of all costs.

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

(4) If an applicant has been convicted of or pleaded
guilty to an offense identified in division (D) (1) (e), (f), or
(h) of this section or has been adjudicated a delinquent child
for committing an act or violation identified in any of those

divisions, and if a court has ordered the sealing or expungement 1905
of the records of that conviction, guilty plea, or adjudication 1906
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 1907
2953.35, or section 2953.39 of the Revised Code or the applicant 1908
has been relieved under operation of law or legal process from 1909
the disability imposed pursuant to section 2923.13 of the 1910
Revised Code relative to that conviction, guilty plea, or 1911
adjudication, the sheriff with whom the application was 1912
submitted shall not consider the conviction, guilty plea, or 1913
adjudication in making a determination under division (D)(1) or 1914
(F) of this section or, in relation to an application for a 1915
~~concealed handgun~~ basic competency license on a temporary 1916
emergency basis submitted under section 2923.1213 of the Revised 1917
Code, in making a determination under division (B)(2) of that 1918
section. 1919

(5) If an applicant has been convicted of or pleaded 1920
guilty to a minor misdemeanor offense or has been adjudicated a 1921
delinquent child for committing an act or violation that is a 1922
minor misdemeanor offense, the sheriff with whom the application 1923
was submitted shall not consider the conviction, guilty plea, or 1924
adjudication in making a determination under division (D)(1) or 1925
(F) of this section or, in relation to an application for a 1926
~~concealed handgun~~ basic competency license on a temporary basis 1927
submitted under section 2923.1213 of the Revised Code, in making 1928
a determination under division (B)(2) of that section. 1929

(E) If a ~~concealed handgun~~ basic competency license issued 1930
under this section is lost or is destroyed, the licensee may 1931
obtain from the sheriff who issued that license a duplicate 1932
license upon the payment of a fee of fifteen dollars and the 1933
submission of an affidavit attesting to the loss or destruction 1934
of the license. The sheriff, in accordance with the procedures 1935

prescribed in section 109.731 of the Revised Code, shall place 1936
on the replacement license a combination of identifying numbers 1937
different from the combination on the license that is being 1938
replaced. 1939

(F) (1) (a) Except as provided in division (F) (1) (b) of this 1940
section, a licensee who wishes to renew a ~~concealed handgun~~ 1941
basic competency license issued under this section may do so at 1942
any time before the expiration date of the license or at any 1943
time after the expiration date of the license by filing with the 1944
sheriff of the county in which the applicant resides or with the 1945
sheriff of an adjacent county, or in the case of an applicant 1946
who resides in another state with the sheriff of the county that 1947
issued the applicant's previous ~~concealed handgun~~ basic 1948
competency license an application for renewal of the license 1949
obtained pursuant to division (D) of this section, a 1950
certification by the applicant that, subsequent to the issuance 1951
of the license, the applicant has reread the pamphlet prepared 1952
by the Ohio peace officer training commission pursuant to 1953
section 109.731 of the Revised Code that reviews firearms, 1954
dispute resolution, and use of deadly force matters, and a 1955
nonrefundable license renewal fee in an amount determined 1956
pursuant to division (F) (4) of this section unless the fee is 1957
waived. 1958

(b) A person on active duty in the armed forces of the 1959
United States or in service with the peace corps, volunteers in 1960
service to America, or the foreign service of the United States 1961
is exempt from the license requirements of this section for the 1962
period of the person's active duty or service and for six months 1963
thereafter, provided the person was a licensee under this 1964
section at the time the person commenced the person's active 1965
duty or service or had obtained a license while on active duty 1966

or service. The spouse or a dependent of any such person on 1967
active duty or in service also is exempt from the license 1968
requirements of this section for the period of the person's 1969
active duty or service and for six months thereafter, provided 1970
the spouse or dependent was a licensee under this section at the 1971
time the person commenced the active duty or service or had 1972
obtained a license while the person was on active duty or 1973
service, and provided further that the person's active duty or 1974
service resulted in the spouse or dependent relocating outside 1975
of this state during the period of the active duty or service. 1976
This division does not prevent such a person or the person's 1977
spouse or dependent from making an application for the renewal 1978
of a ~~concealed handgun~~ basic competency license during the 1979
period of the person's active duty or service. 1980

(2) A sheriff shall accept a completed renewal 1981
application, the license renewal fee, and the information 1982
specified in division (F)(1) of this section at the times and in 1983
the manners described in division (I) of this section. Upon 1984
receipt of a completed renewal application, of certification 1985
that the applicant has reread the specified pamphlet prepared by 1986
the Ohio peace officer training commission, and of a license 1987
renewal fee unless the fee is waived, a sheriff, in the manner 1988
specified in section 311.41 of the Revised Code shall conduct or 1989
cause to be conducted the criminal records check and the 1990
incompetency records check described in section 311.41 of the 1991
Revised Code. The sheriff shall renew the license if the sheriff 1992
determines that the applicant continues to satisfy the 1993
requirements described in division (D)(1) of this section, 1994
except that the applicant is not required to meet the 1995
requirements of division (D)(1)(1) of this section. A renewed 1996
license shall expire five years after the date of issuance. A 1997

renewed license is subject to division (E) of this section and 1998
sections 2923.126 and 2923.128 of the Revised Code. A sheriff 1999
shall comply with divisions (D) (2) and (3) of this section when 2000
the circumstances described in those divisions apply to a 2001
requested license renewal. If a sheriff denies the renewal of a 2002
~~concealed handgun~~ basic competency license, the applicant may 2003
appeal the denial, or challenge the criminal record check 2004
results that were the basis of the denial if applicable, in the 2005
same manner as specified in division (D) (2) (b) of this section 2006
and in section 2923.127 of the Revised Code, regarding the 2007
denial of a license under this section. 2008

(3) A renewal application submitted pursuant to division 2009
(F) of this section shall only require the licensee to list on 2010
the application form information and matters occurring since the 2011
date of the licensee's last application for a license pursuant 2012
to division (B) or (F) of this section. A sheriff conducting the 2013
criminal records check and the incompetency records check 2014
described in section 311.41 of the Revised Code shall conduct 2015
the check only from the date of the licensee's last application 2016
for a license pursuant to division (B) or (F) of this section 2017
through the date of the renewal application submitted pursuant 2018
to division (F) of this section. 2019

(4) An applicant for a renewal ~~concealed handgun~~ basic 2020
competency license under this section shall submit to the 2021
sheriff of the county in which the applicant resides or to the 2022
sheriff of any county adjacent to the county in which the 2023
applicant resides, or in the case of an applicant who resides in 2024
another state to the sheriff of the county that issued the 2025
applicant's previous ~~concealed handgun~~ basic competency license, 2026
a nonrefundable license fee as described in either of the 2027
following: 2028

(a) For an applicant who has been a resident of this state 2029
for five or more years, a fee of fifty dollars; 2030

(b) For an applicant who has been a resident of this state 2031
for less than five years or who is not a resident of this state 2032
but who is employed in this state, a fee of fifty dollars plus 2033
the actual cost of having a background check performed by the 2034
federal bureau of investigation. 2035

(5) The ~~concealed handgun~~ basic competency license of a 2036
licensee who is no longer a resident of this state or no longer 2037
employed in this state, as applicable, is valid until the date 2038
of expiration on the license, and the licensee is prohibited 2039
from renewing the ~~concealed handgun~~ basic competency license. 2040

(G) (1) Each course, class, or program described in 2041
division (B) (3) (a), (b), (c), or (e) of this section shall 2042
provide to each person who takes the course, class, or program 2043
the web site address at which the pamphlet prepared by the Ohio 2044
peace officer training commission pursuant to section 109.731 of 2045
the Revised Code that reviews firearms, dispute resolution, and 2046
use of deadly force matters may be found. Each such course, 2047
class, or program described in one of those divisions shall 2048
include at least eight hours of training in the safe handling 2049
and use of a firearm that shall include training, provided as 2050
described in division (G) (3) of this section, on all of the 2051
following: 2052

(a) The ability to name, explain, and demonstrate the 2053
rules for safe handling of a handgun and proper storage 2054
practices for handguns and ammunition; 2055

(b) The ability to demonstrate and explain how to handle 2056
ammunition in a safe manner; 2057

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

(d) Gun handling training;

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

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

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

(b) An in-person physical demonstration of competence in the use of a handgun and in the rules for safe handling and storage of a handgun and a physical demonstration of the attitude necessary to shoot a handgun in a safe manner.

(3) (a) Except as otherwise provided in this division, the training specified in division (G) (1) (a) of this section shall be provided to the person receiving the training in person by an instructor. If the training specified in division (G) (1) (a) of this section is provided by a course, class, or program described in division (B) (3) (a) of this section, or it is provided by a course, class, or program described in division (B) (3) (b), (c), or (e) of this section and the instructor is a qualified instructor certified by a national gun advocacy organization, the training so specified, other than the training that requires the person receiving the training to demonstrate handling abilities, may be provided online or as a combination

of in-person and online training, as long as the online training 2087
includes an interactive component that regularly engages the 2088
person. 2089

(b) Except as otherwise provided in this division, the 2090
written section of the competency examination specified in 2091
division (G)(2)(a) of this section shall be administered to the 2092
person taking the competency examination in person by an 2093
instructor. If the training specified in division (G)(1)(a) of 2094
this section is provided to the person receiving the training by 2095
a course, class, or program described in division (B)(3)(a) of 2096
this section, or it is provided by a course, class, or program 2097
described in division (B)(3)(b), (c), or (e) of this section and 2098
the instructor is a qualified instructor certified by a national 2099
gun advocacy organization, the written section of the competency 2100
examination specified in division (G)(2)(a) of this section may 2101
be administered online, as long as the online training includes 2102
an interactive component that regularly engages the person. 2103

(4) The competency certification described in division (B) 2104
(3)(a), (b), (c), or (e) of this section shall be dated and 2105
shall attest that the course, class, or program the applicant 2106
successfully completed met the requirements described in 2107
division (G)(1) of this section and that the applicant passed 2108
the competency examination described in division (G)(2) of this 2109
section. 2110

(H) Upon deciding to issue a ~~concealed handgun basic~~ 2111
competency license, deciding to issue a replacement ~~concealed~~ 2112
~~handgun basic competency license~~, or deciding to renew a 2113
~~concealed handgun basic competency license~~ pursuant to this 2114
section, and before actually issuing or renewing the license, 2115
the sheriff shall make available through the law enforcement 2116

automated data system all information contained on the license. 2117
If the license subsequently is suspended under division (A) (1) 2118
or (2) of section 2923.128 of the Revised Code, revoked pursuant 2119
to division (B) (1) of section 2923.128 of the Revised Code, or 2120
lost or destroyed, the sheriff also shall make available through 2121
the law enforcement automated data system a notation of that 2122
fact. The superintendent of the state highway patrol shall 2123
ensure that the law enforcement automated data system is so 2124
configured as to permit the transmission through the system of 2125
the information specified in this division. 2126

(I) (1) A sheriff shall accept a completed application form 2127
or renewal application, and the fee, items, materials, and 2128
information specified in divisions (B) (1) to (5) or division (F) 2129
of this section, whichever is applicable, and shall provide an 2130
application form or renewal application to any person during at 2131
least fifteen hours a week and shall provide the web site 2132
address at which a printable version of the application form 2133
that can be downloaded and the pamphlet described in division 2134
(B) of section 109.731 of the Revised Code may be found at any 2135
time, upon request. The sheriff shall post notice of the hours 2136
during which the sheriff is available to accept or provide the 2137
information described in this division. 2138

(2) A sheriff shall transmit a notice to the attorney 2139
general, in a manner determined by the attorney general, every 2140
time a license is issued that waived payment under division (B) 2141
(1) (c) of this section for an applicant who is an active or 2142
reserve member of the armed forces of the United States or has 2143
retired from or was honorably discharged from military service 2144
in the active or reserve armed forces of the United States. The 2145
attorney general shall monitor and inform sheriffs issuing 2146
licenses under this section when the amount of license fee 2147

payments waived and transmitted to the attorney general reach 2148
one million five hundred thousand dollars each year. Once a 2149
sheriff is informed that the payments waived reached one million 2150
five hundred thousand dollars in any year, a sheriff shall no 2151
longer waive payment of a license fee for an applicant who is an 2152
active or reserve member of the armed forces of the United 2153
States or has retired from or was honorably discharged from 2154
military service in the active or reserve armed forces of the 2155
United States for the remainder of that year. 2156

Sec. 2923.126. (A) A ~~concealed handgun~~ basic competency 2157
license that is issued under section 2923.125 of the Revised 2158
Code shall expire five years after the date of issuance. A 2159
licensee who has been issued a license under that section shall 2160
be granted a grace period of thirty days after the licensee's 2161
license expires during which the licensee's license remains 2162
valid. Except as provided in divisions (B) and (C) of this 2163
section, a licensee who has been issued a ~~concealed handgun~~ 2164
basic competency license under section 2923.125 or 2923.1213 of 2165
the Revised Code may carry a concealed handgun anywhere in this 2166
state if the ~~license is~~ licensee also carries a valid license 2167
when the licensee is in actual possession of a concealed 2168
handgun. The licensee shall give notice of any change in the 2169
licensee's residence address to the sheriff who issued the 2170
license within forty-five days after that change. 2171

If a licensee is the driver or an occupant of a motor 2172
vehicle that is stopped as the result of a traffic stop or a 2173
stop for another law enforcement purpose and if the licensee is 2174
transporting or has a loaded handgun in the motor vehicle at 2175
that time, the licensee shall promptly inform any law 2176
enforcement officer who approaches the vehicle while stopped 2177
that the licensee has been issued a basic competency license and 2178

that the licensee currently possesses or has a loaded handgun; 2179
the licensee shall not knowingly disregard or fail to comply 2180
with lawful orders of a law enforcement officer given while the 2181
motor vehicle is stopped, knowingly fail to remain in the motor 2182
vehicle while stopped, or knowingly fail to keep the licensee's 2183
hands in plain sight after any law enforcement officer begins 2184
approaching the licensee while stopped and before the officer 2185
leaves, unless directed otherwise by a law enforcement officer; 2186
and the licensee shall not knowingly have contact with the 2187
loaded handgun by touching it with the licensee's hands or 2188
fingers, in any manner in violation of division (E) of section 2189
2923.16 of the Revised Code, after any law enforcement officer 2190
begins approaching the licensee while stopped and before the 2191
officer leaves. Additionally, if a licensee is the driver or an 2192
occupant of a commercial motor vehicle that is stopped by an 2193
employee of the motor carrier enforcement unit for the purposes 2194
defined in section 5503.34 of the Revised Code and the licensee 2195
is transporting or has a loaded handgun in the commercial motor 2196
vehicle at that time, the licensee shall promptly inform the 2197
employee of the unit who approaches the vehicle while stopped 2198
that the licensee has been issued a basic competency license and 2199
that the licensee currently possesses or has a loaded handgun. 2200

If a licensee is stopped for a law enforcement purpose and 2201
if the licensee is carrying a concealed handgun at the time the 2202
officer approaches, the licensee shall promptly inform any law 2203
enforcement officer who approaches the licensee while stopped 2204
that the licensee has been issued a basic competency license and 2205
that the licensee currently is carrying a concealed handgun; the 2206
licensee shall not knowingly disregard or fail to comply with 2207
lawful orders of a law enforcement officer given while the 2208
licensee is stopped, or knowingly fail to keep the licensee's 2209

hands in plain sight after any law enforcement officer begins 2210
approaching the licensee while stopped and before the officer 2211
leaves, unless directed otherwise by a law enforcement officer; 2212
and the licensee shall not knowingly remove, attempt to remove, 2213
grasp, or hold the loaded handgun or knowingly have contact with 2214
the loaded handgun by touching it with the licensee's hands or 2215
fingers, in any manner in violation of division (B) of section 2216
2923.12 of the Revised Code, after any law enforcement officer 2217
begins approaching the licensee while stopped and before the 2218
officer leaves. 2219

(B) A valid ~~concealed handgun~~ basic competency license 2220
does not authorize the licensee to carry a concealed handgun in 2221
any manner prohibited under division (B) of section 2923.12 of 2222
the Revised Code or in any manner prohibited under section 2223
2923.16 of the Revised Code. A valid license does not authorize 2224
the licensee to carry a concealed handgun into any of the 2225
following places: 2226

(1) A police station, sheriff's office, or state highway 2227
patrol station, premises controlled by the bureau of criminal 2228
identification and investigation; a state correctional 2229
institution, jail, workhouse, or other detention facility; any 2230
area of an airport passenger terminal that is beyond a passenger 2231
or property screening checkpoint or to which access is 2232
restricted through security measures by the airport authority or 2233
a public agency; or an institution that is maintained, operated, 2234
managed, and governed pursuant to division (A) of section 2235
5119.14 of the Revised Code or division (A) (1) of section 2236
5123.03 of the Revised Code; 2237

(2) A school safety zone if the licensee's carrying the 2238
concealed handgun is in violation of section 2923.122 of the 2239

Revised Code; 2240

(3) A courthouse or another building or structure in which 2241
a courtroom is located if the licensee's carrying the concealed 2242
handgun is in violation of section 2923.123 of the Revised Code; 2243

(4) Any premises or open air arena for which a D permit 2244
has been issued under Chapter 4303. of the Revised Code if the 2245
licensee's carrying the concealed handgun is in violation of 2246
section 2923.121 of the Revised Code; 2247

(5) Any premises owned or leased by any public or private 2248
college, university, or other institution of higher education, 2249
unless the handgun is in a locked motor vehicle or the licensee 2250
is in the immediate process of placing the handgun in a locked 2251
motor vehicle or unless the licensee is carrying the concealed 2252
handgun pursuant to a written policy, rule, or other 2253
authorization that is adopted by the institution's board of 2254
trustees or other governing body and that authorizes specific 2255
individuals or classes of individuals to carry a concealed 2256
handgun on the premises; 2257

(6) Any church, synagogue, mosque, or other place of 2258
worship, unless the church, synagogue, mosque, or other place of 2259
worship posts or permits otherwise; 2260

(7) Any building that is a government facility of this 2261
state or a political subdivision of this state and that is not a 2262
building that is used primarily as a shelter, restroom, parking 2263
facility for motor vehicles, or rest facility and is not a 2264
courthouse or other building or structure in which a courtroom 2265
is located that is subject to division (B)(3) of this section, 2266
unless the governing body with authority over the building has 2267
enacted a statute, ordinance, or policy that permits a licensee 2268

to carry a concealed handgun into the building; 2269

(8) A place in which federal law prohibits the carrying of 2270
handguns. 2271

(C) (1) Nothing in this section shall negate or restrict a 2272
rule, policy, or practice of a private employer that is not a 2273
private college, university, or other institution of higher 2274
education concerning or prohibiting the presence of firearms on 2275
the private employer's premises or property, including motor 2276
vehicles owned by the private employer. Nothing in this section 2277
shall require a private employer of that nature to adopt a rule, 2278
policy, or practice concerning or prohibiting the presence of 2279
firearms on the private employer's premises or property, 2280
including motor vehicles owned by the private employer. 2281

(2) (a) A private employer shall be immune from liability 2282
in a civil action for any injury, death, or loss to person or 2283
property that allegedly was caused by or related to a licensee 2284
bringing a handgun onto the premises or property of the private 2285
employer, including motor vehicles owned by the private 2286
employer, unless the private employer acted with malicious 2287
purpose. A private employer is immune from liability in a civil 2288
action for any injury, death, or loss to person or property that 2289
allegedly was caused by or related to the private employer's 2290
decision to permit a licensee to bring, or prohibit a licensee 2291
from bringing, a handgun onto the premises or property of the 2292
private employer. 2293

(b) A political subdivision shall be immune from liability 2294
in a civil action, to the extent and in the manner provided in 2295
Chapter 2744. of the Revised Code, for any injury, death, or 2296
loss to person or property that allegedly was caused by or 2297
related to a licensee bringing a handgun onto any premises or 2298

property owned, leased, or otherwise under the control of the 2299
political subdivision. As used in this division, "political 2300
subdivision" has the same meaning as in section 2744.01 of the 2301
Revised Code. 2302

(c) An institution of higher education shall be immune 2303
from liability in a civil action for any injury, death, or loss 2304
to person or property that allegedly was caused by or related to 2305
a licensee bringing a handgun onto the premises of the 2306
institution, including motor vehicles owned by the institution, 2307
unless the institution acted with malicious purpose. An 2308
institution of higher education is immune from liability in a 2309
civil action for any injury, death, or loss to person or 2310
property that allegedly was caused by or related to the 2311
institution's decision to permit a licensee or class of 2312
licensees to bring a handgun onto the premises of the 2313
institution. 2314

(d) A nonprofit corporation shall be immune from liability 2315
in a civil action for any injury, death, or loss to person or 2316
property that allegedly was caused by or related to a licensee 2317
bringing a handgun onto the premises of the nonprofit 2318
corporation, including any motor vehicle owned by the nonprofit 2319
corporation, or to any event organized by the nonprofit 2320
corporation, unless the nonprofit corporation acted with 2321
malicious purpose. A nonprofit corporation is immune from 2322
liability in a civil action for any injury, death, or loss to 2323
person or property that allegedly was caused by or related to 2324
the nonprofit corporation's decision to permit a licensee to 2325
bring a handgun onto the premises of the nonprofit corporation 2326
or to any event organized by the nonprofit corporation. The 2327
immunities described in this division apply to an entity that 2328
leases its property to the nonprofit corporation or permits its 2329

property to be used by the nonprofit corporation for any 2330
purpose. 2331

(3) (a) Except as provided in division (C) (3) (b) of this 2332
section and section 2923.1214 of the Revised Code, the owner or 2333
person in control of private land or premises, and a private 2334
person or entity leasing land or premises owned by the state, 2335
the United States, or a political subdivision of the state or 2336
the United States, may post a sign in a conspicuous location on 2337
that land or on those premises prohibiting persons from carrying 2338
firearms or concealed firearms on or onto that land or those 2339
premises. Except as otherwise provided in this division, a 2340
person who knowingly violates a posted prohibition of that 2341
nature is guilty of criminal trespass in violation of division 2342
(A) (4) of section 2911.21 of the Revised Code and is guilty of a 2343
misdemeanor of the fourth degree. If a person knowingly violates 2344
a posted prohibition of that nature and the posted land or 2345
premises primarily was a parking lot or other parking facility, 2346
the person is not guilty of criminal trespass under section 2347
2911.21 of the Revised Code or under any other criminal law of 2348
this state or criminal law, ordinance, or resolution of a 2349
political subdivision of this state, and instead is subject only 2350
to a civil cause of action for trespass based on the violation. 2351

If a person knowingly violates a posted prohibition of the 2352
nature described in this division and the posted land or 2353
premises is a child care center, type A family child care home, 2354
or type B family child care home, unless the person is a 2355
licensee who resides in a type A family child care home or type 2356
B family child care home, the person is guilty of aggravated 2357
trespass in violation of section 2911.211 of the Revised Code. 2358
Except as otherwise provided in this division, the offender is 2359
guilty of a misdemeanor of the first degree. If the person 2360

previously has been convicted of a violation of this division or 2361
of any offense of violence, if the weapon involved is a firearm 2362
that is either loaded or for which the offender has ammunition 2363
ready at hand, or if the weapon involved is dangerous ordnance, 2364
the offender is guilty of a felony of the fourth degree. 2365

(b) A landlord may not prohibit or restrict a tenant who 2366
is a licensee and who on or after September 9, 2008, enters into 2367
a rental agreement with the landlord for the use of residential 2368
premises, and the tenant's guest while the tenant is present, 2369
from lawfully carrying or possessing a handgun on those 2370
residential premises. 2371

(c) As used in division (C) (3) of this section: 2372

(i) "Residential premises" has the same meaning as in 2373
section 5321.01 of the Revised Code, except "residential 2374
premises" does not include a dwelling unit that is owned or 2375
operated by a college or university. 2376

(ii) "Landlord," "tenant," and "rental agreement" have the 2377
same meanings as in section 5321.01 of the Revised Code. 2378

(D) A person who holds a valid ~~concealed handgun~~ basic 2379
competency license issued by another state that is recognized by 2380
the attorney general pursuant to a reciprocity agreement entered 2381
into pursuant to section 109.69 of the Revised Code or a person 2382
who holds a valid ~~concealed handgun~~ basic competency license 2383
under the circumstances described in division (B) of section 2384
109.69 of the Revised Code has the same right to carry a 2385
concealed handgun in this state as a person who was issued a 2386
~~concealed handgun~~ basic competency license under section 2387
2923.125 of the Revised Code and is subject to the same 2388
restrictions that apply to a person who ~~has been issued~~ carries 2389

a license issued under that section ~~that is valid at the time in~~ 2390
~~question.~~ 2391

(E) (1) A peace officer has the same right to carry a 2392
concealed handgun in this state as a person who was issued a 2393
~~concealed handgun~~ basic competency license under section 2394
2923.125 of the Revised Code, provided that the officer when 2395
carrying a concealed handgun under authority of this division is 2396
carrying validating identification. For purposes of reciprocity 2397
with other states, a peace officer shall be considered to be a 2398
licensee in this state. 2399

(2) An active duty member of the armed forces of the 2400
United States who is carrying a valid military identification 2401
card and documentation of successful completion of firearms 2402
training that meets or exceeds the training requirements 2403
described in division (G) (1) of section 2923.125 of the Revised 2404
Code has the same right to carry a concealed handgun in this 2405
state as a person who was issued a ~~concealed handgun~~ basic 2406
competency license under section 2923.125 of the Revised Code 2407
and is subject to the same restrictions as specified in this 2408
section. 2409

(3) A tactical medical professional who is qualified to 2410
carry firearms while on duty under section 109.771 of the 2411
Revised Code has the same right to carry a concealed handgun in 2412
this state as a person who was issued a ~~concealed handgun~~ basic 2413
competency license under section 2923.125 of the Revised Code. 2414

(4) A fire investigator who is qualified to carry firearms 2415
while on duty under section 109.774 of the Revised Code has the 2416
same right to carry a concealed handgun in this state as a 2417
person who was issued a ~~concealed handgun~~ basic competency 2418
license under section 2923.125 of the Revised Code. 2419

(F) (1) A qualified retired peace officer who possesses a 2420
retired peace officer identification card issued pursuant to 2421
division (F) (2) of this section and a valid firearms 2422
requalification certification issued pursuant to division (F) (3) 2423
of this section has the same right to carry a concealed handgun 2424
in this state as a person who was issued a ~~concealed handgun~~ 2425
basic competency license under section 2923.125 of the Revised 2426
Code and is subject to the same restrictions that apply to a 2427
person who ~~has been issued~~ carries a license issued under that 2428
~~section that is valid at the time in question~~. For purposes of 2429
reciprocity with other states, a qualified retired peace officer 2430
who possesses a retired peace officer identification card issued 2431
pursuant to division (F) (2) of this section and a valid firearms 2432
requalification certification issued pursuant to division (F) (3) 2433
of this section shall be considered to be a licensee in this 2434
state. 2435

(2) (a) Each public agency of this state or of a political 2436
subdivision of this state that is served by one or more peace 2437
officers shall issue a retired peace officer identification card 2438
to any person who retired from service as a peace officer with 2439
that agency, if the issuance is in accordance with the agency's 2440
policies and procedures and if the person, with respect to the 2441
person's service with that agency, satisfies all of the 2442
following: 2443

(i) The person retired in good standing from service as a 2444
peace officer with the public agency, and the retirement was not 2445
for reasons of mental instability. 2446

(ii) Before retiring from service as a peace officer with 2447
that agency, the person was authorized to engage in or supervise 2448
the prevention, detection, investigation, or prosecution of, or 2449

the incarceration of any person for, any violation of law and 2450
the person had statutory powers of arrest. 2451

(iii) At the time of the person's retirement as a peace 2452
officer with that agency, the person was trained and qualified 2453
to carry firearms in the performance of the peace officer's 2454
duties. 2455

(iv) Before retiring from service as a peace officer with 2456
that agency, the person was regularly employed as a peace 2457
officer for an aggregate of fifteen years or more, or, in the 2458
alternative, the person retired from service as a peace officer 2459
with that agency, after completing any applicable probationary 2460
period of that service, due to a service-connected disability, 2461
as determined by the agency. 2462

(b) A retired peace officer identification card issued to 2463
a person under division (F)(2)(a) of this section shall identify 2464
the person by name, contain a photograph of the person, identify 2465
the public agency of this state or of the political subdivision 2466
of this state from which the person retired as a peace officer 2467
and that is issuing the identification card, and specify that 2468
the person retired in good standing from service as a peace 2469
officer with the issuing public agency and satisfies the 2470
criteria set forth in divisions (F)(2)(a)(i) to (iv) of this 2471
section. In addition to the required content specified in this 2472
division, a retired peace officer identification card issued to 2473
a person under division (F)(2)(a) of this section may include 2474
the firearms requalification certification described in division 2475
(F)(3) of this section, and if the identification card includes 2476
that certification, the identification card shall serve as the 2477
firearms requalification certification for the retired peace 2478
officer. If the issuing public agency issues credentials to 2479

active law enforcement officers who serve the agency, the agency 2480
may comply with division (F) (2) (a) of this section by issuing 2481
the same credentials to persons who retired from service as a 2482
peace officer with the agency and who satisfy the criteria set 2483
forth in divisions (F) (2) (a) (i) to (iv) of this section, 2484
provided that the credentials so issued to retired peace 2485
officers are stamped with the word "RETIRED." 2486

(c) A public agency of this state or of a political 2487
subdivision of this state may charge persons who retired from 2488
service as a peace officer with the agency a reasonable fee for 2489
issuing to the person a retired peace officer identification 2490
card pursuant to division (F) (2) (a) of this section. 2491

(3) If a person retired from service as a peace officer 2492
with a public agency of this state or of a political subdivision 2493
of this state and the person satisfies the criteria set forth in 2494
divisions (F) (2) (a) (i) to (iv) of this section, the public 2495
agency may provide the retired peace officer with the 2496
opportunity to attend a firearms requalification program that is 2497
approved for purposes of firearms requalification required under 2498
section 109.801 of the Revised Code. The retired peace officer 2499
may be required to pay the cost of the course. 2500

If a retired peace officer who satisfies the criteria set 2501
forth in divisions (F) (2) (a) (i) to (iv) of this section attends 2502
a firearms requalification program that is approved for purposes 2503
of firearms requalification required under section 109.801 of 2504
the Revised Code, the retired peace officer's successful 2505
completion of the firearms requalification program requalifies 2506
the retired peace officer for purposes of division (F) of this 2507
section for five years from the date on which the program was 2508
successfully completed, and the requalification is valid during 2509

that five-year period. If a retired peace officer who satisfies 2510
the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 2511
section satisfactorily completes such a firearms requalification 2512
program, the retired peace officer shall be issued a firearms 2513
requalification certification that identifies the retired peace 2514
officer by name, identifies the entity that taught the program, 2515
specifies that the retired peace officer successfully completed 2516
the program, specifies the date on which the course was 2517
successfully completed, and specifies that the requalification 2518
is valid for five years from that date of successful completion. 2519
The firearms requalification certification for a retired peace 2520
officer may be included in the retired peace officer 2521
identification card issued to the retired peace officer under 2522
division (F) (2) of this section. 2523

A retired peace officer who attends a firearms 2524
requalification program that is approved for purposes of 2525
firearms requalification required under section 109.801 of the 2526
Revised Code may be required to pay the cost of the program. 2527

(G) As used in this section: 2528

(1) "Qualified retired peace officer" means a person who 2529
satisfies all of the following: 2530

(a) The person satisfies the criteria set forth in 2531
divisions (F) (2) (a) (i) to (v) of this section. 2532

(b) The person is not under the influence of alcohol or 2533
another intoxicating or hallucinatory drug or substance. 2534

(c) The person is not prohibited by federal law from 2535
receiving firearms. 2536

(2) "Retired peace officer identification card" means an 2537
identification card that is issued pursuant to division (F) (2) 2538

of this section to a person who is a retired peace officer. 2539

(3) "Government facility of this state or a political 2540
subdivision of this state" means any of the following: 2541

(a) A building or part of a building that is owned or 2542
leased by the government of this state or a political 2543
subdivision of this state and where employees of the government 2544
of this state or the political subdivision regularly are present 2545
for the purpose of performing their official duties as employees 2546
of the state or political subdivision; 2547

(b) The office of a deputy registrar serving pursuant to 2548
Chapter 4503. of the Revised Code that is used to perform deputy 2549
registrar functions. 2550

(4) "Governing body" has the same meaning as in section 2551
154.01 of the Revised Code. 2552

(5) "Tactical medical professional" has the same meaning 2553
as in section 109.71 of the Revised Code. 2554

(6) "Validating identification" means photographic 2555
identification issued by the agency for which an individual 2556
serves as a peace officer that identifies the individual as a 2557
peace officer of the agency. 2558

(7) "Nonprofit corporation" means any private organization 2559
that is exempt from federal income taxation pursuant to 2560
subsection 501(a) and described in subsection 501(c) of the 2561
Internal Revenue Code. 2562

(8) "Fire investigator" has the same meaning as in section 2563
109.71 of the Revised Code. 2564

Sec. 2923.127. (A) If a sheriff denies an application for 2565
a ~~concealed handgun~~ basic competency license under section 2566

2923.125 of the Revised Code, denies the renewal of a ~~concealed-~~ 2567
~~handgun~~-basic competency license under that section, or denies 2568
an application for a ~~concealed handgun~~-basic competency license 2569
on a temporary emergency basis under section 2923.1213 of the 2570
Revised Code as a result of the criminal records check conducted 2571
pursuant to section 311.41 of the Revised Code and if the 2572
applicant believes the denial was based on incorrect information 2573
reported by the source the sheriff used in conducting the 2574
criminal records check, the applicant may challenge the criminal 2575
records check results using whichever of the following is 2576
applicable: 2577

(1) If the bureau of criminal identification and 2578
investigation performed the criminal records check, by using the 2579
bureau's existing challenge and review procedures; 2580

(2) If division (A) (1) of this section does not apply, by 2581
using the existing challenge and review procedure of the sheriff 2582
who denied the application or, if the sheriff does not have a 2583
challenge and review procedure, by using the challenge and 2584
review procedure prescribed by the bureau of criminal 2585
identification and investigation pursuant to division (B) of 2586
this section. 2587

(B) The bureau of criminal identification and 2588
investigation shall prescribe a challenge and review procedure 2589
for applicants to use to challenge criminal records checks under 2590
division (A) (2) of this section in counties in which the sheriff 2591
with whom an application of a type described in division (A) of 2592
this section was filed or submitted does not have an existing 2593
challenge and review procedure. 2594

Sec. 2923.128. (A) (1) (a) If a licensee holding a valid 2595
~~concealed handgun~~-basic competency license is arrested for or 2596

otherwise charged with an offense described in division (D) (1) 2597
(d) of section 2923.125 of the Revised Code or with a violation 2598
of section 2923.15 of the Revised Code or becomes subject to a 2599
temporary protection order or to a protection order issued by a 2600
court of another state that is substantially equivalent to a 2601
temporary protection order, the sheriff who issued the license 2602
shall suspend it and shall comply with division (A) (3) of this 2603
section upon becoming aware of the arrest, charge, or protection 2604
order. Upon suspending the license, the sheriff also shall 2605
comply with division (H) of section 2923.125 of the Revised 2606
Code. 2607

(b) A suspension under division (A) (1) (a) of this section 2608
shall be considered as beginning on the date that the licensee 2609
is arrested for or otherwise charged with an offense described 2610
in that division or on the date the appropriate court issued the 2611
protection order described in that division, irrespective of 2612
when the sheriff notifies the licensee under division (A) (3) of 2613
this section. The suspension shall end on the date on which the 2614
charges are dismissed or the licensee is found not guilty of the 2615
offense described in division (A) (1) (a) of this section or, 2616
subject to division (B) of this section, on the date the 2617
appropriate court terminates the protection order described in 2618
that division. If the suspension so ends, the sheriff shall 2619
return the license or temporary emergency license to the 2620
licensee. 2621

(2) (a) If a licensee holding a valid ~~concealed handgun~~ 2622
basic competency license is convicted of or pleads guilty to a 2623
misdemeanor violation of division ~~(B) (2)~~ (B) (1), (2), or (4) of 2624
section 2923.12 of the Revised Code or of division ~~(E) (3)~~ (E) (1), 2625
(2), (3), or (5) of section 2923.16 of the Revised Code, except 2626
as provided in division (A) (2) (c) of this section and subject to 2627

division (C) of this section, the sheriff who issued the license 2628
shall suspend it and shall comply with division (A) (3) of this 2629
section upon becoming aware of the conviction or guilty plea. 2630
Upon suspending the license, the sheriff also shall comply with 2631
division (H) of section 2923.125 of the Revised Code. 2632

(b) A suspension under division (A) (2) (a) of this section 2633
shall be considered as beginning on the date that the licensee 2634
is convicted of or pleads guilty to the offense described in 2635
that division, irrespective of when the sheriff notifies the 2636
licensee under division (A) (3) of this section. If the 2637
suspension is imposed for a misdemeanor violation of division 2638
~~(B) (2)~~ (B) (1) or (2) of section 2923.12 of the Revised Code or of 2639
division ~~(E) (3)~~ (E) (1), (2), or (3) of section 2923.16 of the 2640
Revised Code, it shall end on the date that is one year after 2641
the date that the licensee is convicted of or pleads guilty to 2642
that violation. If the suspension is imposed for a misdemeanor 2643
violation of division (B) (4) of section 2923.12 of the Revised 2644
Code or of division (E) (5) of section 2923.16 of the Revised 2645
Code, it shall end on the date that is two years after the date 2646
that the licensee is convicted of or pleads guilty to that 2647
violation. If the licensee's license was issued under section 2648
2923.125 of the Revised Code and the license remains valid after 2649
the suspension ends as described in this division, when the 2650
suspension ends, the sheriff shall return the license to the 2651
licensee. If the licensee's license was issued under section 2652
2923.125 of the Revised Code and the license expires before the 2653
suspension ends as described in this division, or if the 2654
licensee's license was issued under section 2923.1213 of the 2655
Revised Code, the licensee is not eligible to apply for a new 2656
license under section 2923.125 or 2923.1213 of the Revised Code 2657
or to renew the license under section 2923.125 of the Revised 2658

Code until after the suspension ends as described in this 2659
division. 2660

(c) The license of a licensee who is convicted of or 2661
pleads guilty to a violation of division (B)(1) of section 2662
2923.12 or division (E)(1) or (2) of section 2923.16 of the 2663
Revised Code shall not be suspended pursuant to division (A)(2) 2664
(a) of this section if, at the time of the stop of the licensee 2665
for a law enforcement purpose, for a traffic stop, or for a 2666
purpose defined in section 5503.34 of the Revised Code that was 2667
the basis of the violation, any law enforcement officer involved 2668
with the stop or the employee of the motor carrier enforcement 2669
unit who made the stop had actual knowledge of the licensee's 2670
status as a licensee. 2671

(3) Upon becoming aware of an arrest, charge, or 2672
protection order described in division (A)(1)(a) of this section 2673
with respect to a licensee who was issued a ~~concealed handgun~~ 2674
basic competency license, or a conviction of or plea of guilty 2675
to a misdemeanor offense described in division (A)(2)(a) of this 2676
section with respect to a licensee who was issued a ~~concealed~~ 2677
~~handgun~~ basic competency license and with respect to which 2678
division (A)(2)(c) of this section does not apply, subject to 2679
division (C) of this section, the sheriff who issued the 2680
licensee's license shall notify the licensee, by certified mail, 2681
return receipt requested, at the licensee's last known residence 2682
address that the license has been suspended and that the 2683
licensee is required to surrender the license at the sheriff's 2684
office within ten days of the date on which the notice was 2685
mailed. If the suspension is pursuant to division (A)(2) of this 2686
section, the notice shall identify the date on which the 2687
suspension ends. 2688

(B) (1) A sheriff who issues a ~~concealed handgun~~ basic competency license to a licensee shall revoke the 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, 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 was issued, the licensee is convicted of or pleads guilty to a violation of section 2923.15 of the Revised Code or an offense described in division (D) (1) (e), (f), (g), or (h) of section 2923.125 of the Revised Code.

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

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

(f) On or after the date on which the license was issued, the licensee is under adjudication of mental incompetence or is committed to a mental institution.

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

that division. 2718

(h) Regarding a license issued under section 2923.125 of 2719
the Revised Code, the competency certificate the licensee 2720
submitted was forged or otherwise was fraudulent. 2721

(2) Upon becoming aware of any circumstance listed in 2722
division (B)(1) of this section that applies to a particular 2723
licensee who was issued a ~~concealed handgun~~ basic competency 2724
license, subject to division (C) of this section, the sheriff 2725
who issued the license to the licensee shall notify the 2726
licensee, by certified mail, return receipt requested, at the 2727
licensee's last known residence address that the license is 2728
subject to revocation and that the licensee may come to the 2729
sheriff's office and contest the sheriff's proposed revocation 2730
within fourteen days of the date on which the notice was mailed. 2731
After the fourteen-day period and after consideration of any 2732
information that the licensee provides during that period, if 2733
the sheriff determines on the basis of the information of which 2734
the sheriff is aware that the licensee is described in division 2735
(B)(1) of this section and no longer satisfies the requirements 2736
described in division (D)(1) of section 2923.125 of the Revised 2737
Code that are applicable to the licensee's type of license, the 2738
sheriff shall revoke the license, notify the licensee of that 2739
fact, and require the licensee to surrender the license. Upon 2740
revoking the license, the sheriff also shall comply with 2741
division (H) of section 2923.125 of the Revised Code. 2742

(C) If a sheriff who issues a ~~concealed handgun~~ basic 2743
competency license to a licensee becomes aware that at the time 2744
of the issuance of the license the licensee had been convicted 2745
of or pleaded guilty to an offense identified in division (D)(1) 2746
(e), (f), or (h) of section 2923.125 of the Revised Code or had 2747

been adjudicated a delinquent child for committing an act or 2748
violation identified in any of those divisions or becomes aware 2749
that on or after the date on which the license was issued the 2750
licensee has been convicted of or pleaded guilty to an offense 2751
identified in division (A)(2)(a) or (B)(1)(c) of this section, 2752
the sheriff shall not consider that conviction, guilty plea, or 2753
adjudication as having occurred for purposes of divisions (A) 2754
(2), (A)(3), (B)(1), and (B)(2) of this section if a court has 2755
ordered the sealing or expungement of the records of that 2756
conviction, guilty plea, or adjudication pursuant to sections 2757
2151.355 to 2151.358, sections 2953.31 to 2953.35, or section 2758
2953.39 of the Revised Code or the licensee has been relieved 2759
under operation of law or legal process from the disability 2760
imposed pursuant to section 2923.13 of the Revised Code relative 2761
to that conviction, guilty plea, or adjudication. 2762

(D) As used in this section, "motor carrier enforcement 2763
unit" has the same meaning as in section 2923.16 of the Revised 2764
Code. 2765

Sec. 2923.129. (A)(1) If a sheriff, the superintendent of 2766
the bureau of criminal identification and investigation, the 2767
employees of the bureau, the Ohio peace officer training 2768
commission, or the employees of the commission make a good faith 2769
effort in performing the duties imposed upon the sheriff, the 2770
superintendent, the bureau's employees, the commission, or the 2771
commission's employees by sections 109.731, 311.41, and 2923.124 2772
to 2923.1213 of the Revised Code, in addition to the personal 2773
immunity provided by section 9.86 of the Revised Code or 2774
division (A)(6) of section 2744.03 of the Revised Code and the 2775
governmental immunity of sections 2744.02 and 2744.03 of the 2776
Revised Code and in addition to any other immunity possessed by 2777
the bureau, the commission, and their employees, the sheriff, 2778

the sheriff's office, the county in which the sheriff has 2779
jurisdiction, the bureau, the superintendent of the bureau, the 2780
bureau's employees, the commission, and the commission's 2781
employees are immune from liability in a civil action for 2782
injury, death, or loss to person or property that allegedly was 2783
caused by or related to any of the following: 2784

(a) The issuance, renewal, suspension, or revocation of a 2785
~~concealed handgun~~ basic competency license; 2786

(b) The failure to issue, renew, suspend, or revoke a 2787
~~concealed handgun~~ basic competency license; 2788

(c) Any action or misconduct with a handgun committed by a 2789
licensee. 2790

(2) Any action of a sheriff relating to the issuance, 2791
renewal, suspension, or revocation of a ~~concealed handgun~~ basic 2792
competency license shall be considered to be a governmental 2793
function for purposes of Chapter 2744. of the Revised Code. 2794

(3) An entity that or instructor who provides a competency 2795
certification of a type described in division (B)(3) of section 2796
2923.125 of the Revised Code is immune from civil liability that 2797
might otherwise be incurred or imposed for any death or any 2798
injury or loss to person or property that is caused by or 2799
related to a person to whom the entity or instructor has issued 2800
the competency certificate if all of the following apply: 2801

(a) The alleged liability of the entity or instructor 2802
relates to the training provided in the course, class, or 2803
program covered by the competency certificate. 2804

(b) The entity or instructor makes a good faith effort in 2805
determining whether the person has satisfactorily completed the 2806
course, class, or program and makes a good faith effort in 2807

assessing the person in the competency examination conducted 2808
pursuant to division (G) (2) of section 2923.125 of the Revised 2809
Code. 2810

(c) The entity or instructor did not issue the competency 2811
certificate with malicious purpose, in bad faith, or in a wanton 2812
or reckless manner. 2813

(4) An entity that or instructor who, prior to March 27, 2814
2013, provides a renewed competency certification of a type 2815
described in division (G) (4) of section 2923.125 of the Revised 2816
Code as it existed prior to March 27, 2013, is immune from civil 2817
liability that might otherwise be incurred or imposed for any 2818
death or any injury or loss to person or property that is caused 2819
by or related to a person to whom the entity or instructor has 2820
issued the renewed competency certificate if all of the 2821
following apply: 2822

(a) The entity or instructor makes a good faith effort in 2823
assessing the person in the physical demonstrations or the 2824
competency examination conducted pursuant to division (G) (4) of 2825
section 2923.125 of the Revised Code as it existed prior to 2826
March 27, 2013. 2827

(b) The entity or instructor did not issue the renewed 2828
competency certificate with malicious purpose, in bad faith, or 2829
in a wanton or reckless manner. 2830

(B) Notwithstanding section 149.43 of the Revised Code, 2831
the records that a sheriff keeps relative to the issuance, 2832
renewal, suspension, or revocation of a ~~concealed handgun~~ basic 2833
competency license, including, but not limited to, completed 2834
applications for the issuance or renewal of a license, completed 2835
affidavits submitted regarding an application for a license on a 2836

temporary emergency basis, reports of criminal records checks 2837
and incompetency records checks under section 311.41 of the 2838
Revised Code, and applicants' social security numbers and 2839
fingerprints that are obtained under division (A) of section 2840
311.41 of the Revised Code, are confidential and are not public 2841
records. No person shall release or otherwise disseminate 2842
records that are confidential under this division unless 2843
required to do so pursuant to a court order. 2844

(C) Each sheriff shall report to the Ohio peace officer 2845
training commission the number of ~~concealed handgun~~ basic 2846
competency licenses that the sheriff issued, renewed, suspended, 2847
revoked, or denied under section 2923.125 of the Revised Code 2848
during the previous quarter of the calendar year, the number of 2849
applications for those licenses for which processing was 2850
suspended in accordance with division (D) (3) of section 2923.125 2851
of the Revised Code during the previous quarter of the calendar 2852
year, and the number of ~~concealed handgun~~ basic competency 2853
licenses on a temporary emergency basis that the sheriff issued, 2854
suspended, revoked, or denied under section 2923.1213 of the 2855
Revised Code during the previous quarter of the calendar year. 2856
The sheriff shall not include in the report the name or any 2857
other identifying information of an applicant or licensee. The 2858
sheriff shall report that information in a manner that permits 2859
the commission to maintain the statistics described in division 2860
(C) of section 109.731 of the Revised Code and to timely prepare 2861
the statistical report described in that division. The 2862
information that is received by the commission under this 2863
division is a public record kept by the commission for the 2864
purposes of section 149.43 of the Revised Code. 2865

(D) Law enforcement agencies may use the information a 2866
sheriff makes available through the use of the law enforcement 2867

automated data system pursuant to division (H) of section 2868
2923.125 or division (B) (2) or (D) of section 2923.1213 of the 2869
Revised Code for law enforcement purposes only. The information 2870
is confidential and is not a public record. Except as provided 2871
in section 5503.101 of the Revised Code, a person who releases 2872
or otherwise disseminates this information obtained through the 2873
law enforcement automated data system in a manner not described 2874
in this division is guilty of a violation of section 2913.04 of 2875
the Revised Code. 2876

(E) Whoever violates division (B) of this section is 2877
guilty of illegal release of confidential ~~concealed handgun~~ 2878
basic competency license records, a felony of the fifth degree. 2879
In addition to any penalties imposed under Chapter 2929. of the 2880
Revised Code for a violation of division (B) of this section or 2881
a violation of section 2913.04 of the Revised Code described in 2882
division (D) of this section, if the offender is a sheriff, an 2883
employee of a sheriff, or any other public officer or employee, 2884
and if the violation was willful and deliberate, the offender 2885
shall be subject to a civil fine of one thousand dollars. Any 2886
person who is harmed by a violation of division (B) or (C) of 2887
this section or a violation of section 2913.04 of the Revised 2888
Code described in division (D) of this section has a private 2889
cause of action against the offender for any injury, death, or 2890
loss to person or property that is a proximate result of the 2891
violation and may recover court costs and attorney's fees 2892
related to the action. 2893

Sec. 2923.1210. (A) A business entity, property owner, or 2894
public or private employer may not establish, maintain, or 2895
enforce a policy or rule that prohibits or has the effect of 2896
prohibiting a person who has been issued a valid ~~concealed~~ 2897
~~handgun~~ basic competency license from transporting or storing a 2898

firearm or ammunition when both of the following conditions are 2899
met: 2900

(1) Each firearm and all of the ammunition remains inside 2901
the person's privately owned motor vehicle while the person is 2902
physically present inside the motor vehicle, or each firearm and 2903
all of the ammunition is locked within the trunk, glove box, or 2904
other enclosed compartment or container within or on the 2905
person's privately owned motor vehicle; 2906

(2) The vehicle is in a location where it is otherwise 2907
permitted to be. 2908

(B) A business entity, property owner, or public or 2909
private employer that violates division (A) of this section may 2910
be found liable in a civil action for injunctive relief brought 2911
by any individual injured by the violation. The court may grant 2912
any injunctive relief it finds appropriate. 2913

(C) No business entity, property owner, or public or 2914
private employer shall be held liable in any civil action for 2915
damages, injuries, or death resulting from or arising out of 2916
another person's actions involving a firearm or ammunition 2917
transported or stored pursuant to division (A) of this section 2918
including the theft of a firearm from an employee's or invitee's 2919
automobile, unless the business entity, property owner, or 2920
public or private employer intentionally solicited or procured 2921
the other person's injurious actions. 2922

Sec. 2923.1211. (A) No person shall alter a ~~concealed~~ 2923
~~handgun~~ basic competency license or create a fictitious document 2924
that purports to be a license of that nature. 2925

(B) No person, except in the performance of official 2926
duties, shall possess a ~~concealed handgun~~ basic competency 2927

license that was issued and that has been revoked or suspended. 2928

(C) Whoever violates division (A) of this section is 2929
guilty of falsification of a ~~concealed handgun~~ basic competency 2930
license, a felony of the fifth degree. Whoever violates division 2931
(B) of this section is guilty of possessing a revoked or 2932
suspended ~~concealed handgun~~ basic competency license, a 2933
misdemeanor of the third degree. 2934

Sec. 2923.1213. (A) As used in this section: 2935

(1) "Evidence of imminent danger" means any of the 2936
following: 2937

(a) A statement sworn by the person seeking to carry a 2938
concealed handgun that is made under threat of perjury and that 2939
states that the person has reasonable cause to fear a criminal 2940
attack upon the person or a member of the person's family, such 2941
as would justify a prudent person in going armed; 2942

(b) A written document prepared by a governmental entity 2943
or public official describing the facts that give the person 2944
seeking to carry a concealed handgun reasonable cause to fear a 2945
criminal attack upon the person or a member of the person's 2946
family, such as would justify a prudent person in going armed. 2947
Written documents of this nature include, but are not limited 2948
to, any temporary protection order, civil protection order, 2949
protection order issued by another state, or other court order, 2950
any court report, and any report filed with or made by a law 2951
enforcement agency or prosecutor. 2952

(2) "Prosecutor" has the same meaning as in section 2953
2935.01 of the Revised Code. 2954

(B) (1) A person seeking a ~~concealed handgun~~ basic 2955
competency license on a temporary emergency basis shall submit 2956

to the sheriff of the county in which the person resides or, if 2957
the person usually resides in another state, to the sheriff of 2958
the county in which the person is temporarily staying, all of 2959
the following: 2960

(a) Evidence of imminent danger to the person or a member 2961
of the person's family; 2962

(b) A sworn affidavit that contains all of the information 2963
required to be on the license and attesting that the person is 2964
legally living in the United States; is at least twenty-one 2965
years of age; is not a fugitive from justice; is not under 2966
indictment for or otherwise charged with an offense identified 2967
in division (D)(1)(d) of section 2923.125 of the Revised Code; 2968
has not been convicted of or pleaded guilty to an offense, and 2969
has not been adjudicated a delinquent child for committing an 2970
act, identified in division (D)(1)(e) of that section and to 2971
which division (B)(3) of this section does not apply; within 2972
three years of the date of the submission, has not been 2973
convicted of or pleaded guilty to an offense, and has not been 2974
adjudicated a delinquent child for committing an act, identified 2975
in division (D)(1)(f) of that section and to which division (B) 2976
(3) of this section does not apply; within five years of the 2977
date of the submission, has not been convicted of, pleaded 2978
guilty, or adjudicated a delinquent child for committing two or 2979
more violations identified in division (D)(1)(g) of that 2980
section; within ten years of the date of the submission, has not 2981
been convicted of, pleaded guilty, or adjudicated a delinquent 2982
child for committing a violation identified in division (D)(1) 2983
(h) of that section and to which division (B)(3) of this section 2984
does not apply; has not been committed to any mental 2985
institution, is not under adjudication of mental incompetence, 2986
has not been found by a court to be a person with a mental 2987

illness subject to court order, and is not an involuntary 2988
patient other than one who is a patient only for purposes of 2989
observation, as described in division (D)(1)(i) of that section; 2990
is not currently subject to a civil protection order, a 2991
temporary protection order, or a protection order issued by a 2992
court of another state, as described in division (D)(1)(j) of 2993
that section; is not currently subject to a suspension imposed 2994
under division (A)(2) of section 2923.128 of the Revised Code of 2995
a ~~concealed handgun~~ basic competency license that previously was 2996
issued to the person or a similar suspension imposed by another 2997
state regarding a ~~concealed handgun~~ basic competency license 2998
issued by that state; is not an unlawful user of or addicted to 2999
any controlled substance as defined in 21 U.S.C. 802; if 3000
applicable, is an alien and has not been admitted to the United 3001
States under a nonimmigrant visa, as defined in the "Immigration 3002
and Nationality Act," 8 U.S.C. 1101(a)(26); has not been 3003
discharged from the armed forces of the United States under 3004
dishonorable conditions; if applicable, has not renounced the 3005
applicant's United States citizenship; and has not been 3006
convicted of, pleaded guilty to, or been adjudicated a 3007
delinquent child for committing a violation identified in 3008
division (D)(1)(s) of section 2923.125 of the Revised Code; 3009

(c) A nonrefundable temporary emergency license fee as 3010
described in either of the following: 3011

(i) For an applicant who has been a resident of this state 3012
for five or more years, a fee of fifteen dollars plus the actual 3013
cost of having a background check performed by the bureau of 3014
criminal identification and investigation pursuant to section 3015
311.41 of the Revised Code; 3016

(ii) For an applicant who has been a resident of this 3017

state for less than five years or who is not a resident of this 3018
state, but is temporarily staying in this state, a fee of 3019
fifteen dollars plus the actual cost of having background checks 3020
performed by the federal bureau of investigation and the bureau 3021
of criminal identification and investigation pursuant to section 3022
311.41 of the Revised Code. 3023

(d) A set of fingerprints of the applicant provided as 3024
described in section 311.41 of the Revised Code through use of 3025
an electronic fingerprint reading device or, if the sheriff to 3026
whom the application is submitted does not possess and does not 3027
have ready access to the use of an electronic fingerprint 3028
reading device, on a standard impression sheet prescribed 3029
pursuant to division (C)(2) of section 109.572 of the Revised 3030
Code. If the fingerprints are provided on a standard impression 3031
sheet, the person also shall provide the person's social 3032
security number to the sheriff. 3033

(2) A sheriff shall accept the evidence of imminent 3034
danger, the sworn affidavit, the fee, and the set of 3035
fingerprints required under division (B)(1) of this section at 3036
the times and in the manners described in division (I) of this 3037
section. Upon receipt of the evidence of imminent danger, the 3038
sworn affidavit, the fee, and the set of fingerprints required 3039
under division (B)(1) of this section, the sheriff, in the 3040
manner specified in section 311.41 of the Revised Code, 3041
immediately shall conduct or cause to be conducted the criminal 3042
records check and the incompetency records check described in 3043
section 311.41 of the Revised Code. Immediately upon receipt of 3044
the results of the records checks, the sheriff shall review the 3045
information and shall determine whether the criteria set forth 3046
in divisions (D)(1)(a) to (j) and (m) to (s) of section 2923.125 3047
of the Revised Code apply regarding the person. If the sheriff 3048

determines that all of the criteria set forth in divisions (D) 3049
(1) (a) to (j) and (m) to (s) of section 2923.125 of the Revised 3050
Code apply regarding the person, the sheriff shall immediately 3051
make available through the law enforcement automated data system 3052
all information that will be contained on the temporary 3053
emergency license for the person if one is issued, and the 3054
superintendent of the state highway patrol shall ensure that the 3055
system is so configured as to permit the transmission through 3056
the system of that information. Upon making that information 3057
available through the law enforcement automated data system, the 3058
sheriff shall immediately issue to the person a ~~concealed-~~ 3059
~~handgun-~~basic competency license on a temporary emergency basis. 3060

If the sheriff denies the issuance of a license on a 3061
temporary emergency basis to the person, the sheriff shall 3062
specify the grounds for the denial in a written notice to the 3063
person. The person may appeal the denial, or challenge criminal 3064
records check results that were the basis of the denial if 3065
applicable, in the same manners specified in division (D) (2) of 3066
section 2923.125 and in section 2923.127 of the Revised Code, 3067
regarding the denial of an application for a ~~concealed handgun-~~ 3068
basic competency license under that section. 3069

The license on a temporary emergency basis issued under 3070
this division shall be in the form, and shall include all of the 3071
information, described in divisions (A) (2) (a) and (d) of section 3072
109.731 of the Revised Code, and also shall include a unique 3073
combination of identifying letters and numbers in accordance 3074
with division (A) (2) (c) of that section. 3075

The license on a temporary emergency basis issued under 3076
this division is valid for ninety days and may not be renewed. A 3077
person who has been issued a license on a temporary emergency 3078

basis under this division shall not be issued another license on 3079
a temporary emergency basis unless at least four years has 3080
expired since the issuance of the prior license on a temporary 3081
emergency basis. 3082

(3) If a person seeking a ~~concealed handgun~~ basic 3083
competency license on a temporary emergency basis has been 3084
convicted of or pleaded guilty to an offense identified in 3085
division (D) (1) (e), (f), or (h) of section 2923.125 of the 3086
Revised Code or has been adjudicated a delinquent child for 3087
committing an act or violation identified in any of those 3088
divisions, and if a court has ordered the sealing or expungement 3089
of the records of that conviction, guilty plea, or adjudication 3090
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 3091
2953.35, or section 2953.39 of the Revised Code or the applicant 3092
has been relieved under operation of law or legal process from 3093
the disability imposed pursuant to section 2923.13 of the 3094
Revised Code relative to that conviction, guilty plea, or 3095
adjudication, the conviction, guilty plea, or adjudication shall 3096
not be relevant for purposes of the sworn affidavit described in 3097
division (B) (1) (b) of this section, and the person may complete, 3098
and swear to the truth of, the affidavit as if the conviction, 3099
guilty plea, or adjudication never had occurred. 3100

(4) The sheriff shall waive the payment pursuant to 3101
division (B) (1) (c) of this section of the license fee in 3102
connection with an application that is submitted by an applicant 3103
who is a retired peace officer, a retired person described in 3104
division (B) (1) (b) of section 109.77 of the Revised Code, or a 3105
retired federal law enforcement officer who, prior to 3106
retirement, was authorized under federal law to carry a firearm 3107
in the course of duty, unless the retired peace officer, person, 3108
or federal law enforcement officer retired as the result of a 3109

mental disability. 3110

The sheriff shall deposit all fees paid by an applicant 3111
under division (B)(1)(c) of this section into the sheriff's 3112
~~concealed handgun basic competency~~ license issuance fund 3113
established pursuant to section 311.42 of the Revised Code. 3114

(C) A person who holds a ~~concealed handgun basic~~ 3115
competency license on a temporary emergency basis has the same 3116
right to carry a concealed handgun as a person who was issued a 3117
~~concealed handgun basic competency~~ license under section 3118
2923.125 of the Revised Code, and any exceptions to the 3119
prohibitions contained in section 1547.69 and sections 2923.12 3120
to 2923.16 of the Revised Code for a licensee under section 3121
2923.125 of the Revised Code apply to a licensee under this 3122
section. The person is subject to the same restrictions, and to 3123
all other procedures, duties, and sanctions, that apply to a 3124
person who carries a license issued under section 2923.125 of 3125
the Revised Code, other than the license renewal procedures set 3126
forth in that section. 3127

(D) A sheriff who issues a ~~concealed handgun basic~~ 3128
competency license on a temporary emergency basis under this 3129
section shall not require a person seeking to carry a concealed 3130
handgun in accordance with this section to submit a competency 3131
certificate as a prerequisite for issuing the license and shall 3132
comply with division (H) of section 2923.125 of the Revised Code 3133
in regards to the license. The sheriff shall suspend or revoke 3134
the license in accordance with section 2923.128 of the Revised 3135
Code. In addition to the suspension or revocation procedures set 3136
forth in section 2923.128 of the Revised Code, the sheriff may 3137
revoke the license upon receiving information, verifiable by 3138
public documents, that the person is not eligible to possess a 3139

firearm under either the laws of this state or of the United 3140
States or that the person committed perjury in obtaining the 3141
license; if the sheriff revokes a license under this additional 3142
authority, the sheriff shall notify the person, by certified 3143
mail, return receipt requested, at the person's last known 3144
residence address that the license has been revoked and that the 3145
person is required to surrender the license at the sheriff's 3146
office within ten days of the date on which the notice was 3147
mailed. Division (H) of section 2923.125 of the Revised Code 3148
applies regarding any suspension or revocation of a ~~concealed-~~ 3149
~~handgun-~~basic competency license on a temporary emergency basis. 3150

(E) A sheriff who issues a ~~concealed handgun-~~basic 3151
competency license on a temporary emergency basis under this 3152
section shall retain, for the entire period during which the 3153
license is in effect, the evidence of imminent danger that the 3154
person submitted to the sheriff and that was the basis for the 3155
license, or a copy of that evidence, as appropriate. 3156

(F) If a ~~concealed handgun-~~basic competency license on a 3157
temporary emergency basis issued under this section is lost or 3158
is destroyed, the licensee may obtain from the sheriff who 3159
issued that license a duplicate license upon the payment of a 3160
fee of fifteen dollars and the submission of an affidavit 3161
attesting to the loss or destruction of the license. The 3162
sheriff, in accordance with the procedures prescribed in section 3163
109.731 of the Revised Code, shall place on the replacement 3164
license a combination of identifying numbers different from the 3165
combination on the license that is being replaced. 3166

(G) The attorney general shall prescribe, and shall make 3167
available to sheriffs, a standard form to be used under division 3168
(B) of this section by a person who applies for a ~~concealed-~~ 3169

~~handgun~~-basic competency license on a temporary emergency basis 3170
on the basis of imminent danger of a type described in division 3171
(A) (1) (a) of this section. The attorney general shall design the 3172
form to enable applicants to provide the information that is 3173
required by law to be collected, and shall update the form as 3174
necessary. Burdens or restrictions to obtaining a ~~concealed~~- 3175
~~handgun~~-basic competency license that are not expressly 3176
prescribed in law shall not be incorporated into the form. The 3177
attorney general shall post a printable version of the form on 3178
the web site of the attorney general and shall provide the 3179
address of the web site to any person who requests the form. 3180

(H) A sheriff who receives any fees paid by a person under 3181
this section shall deposit all fees so paid into the sheriff's 3182
~~concealed handgun~~-basic competency license issuance expense fund 3183
established under section 311.42 of the Revised Code. 3184

(I) A sheriff shall accept evidence of imminent danger, a 3185
sworn affidavit, the fee, and the set of fingerprints specified 3186
in division (B) (1) of this section at any time during normal 3187
business hours. In no case shall a sheriff require an 3188
appointment, or designate a specific period of time, for the 3189
submission or acceptance of evidence of imminent danger, a sworn 3190
affidavit, the fee, and the set of fingerprints specified in 3191
division (B) (1) of this section, or for the provision to any 3192
person of a standard form to be used for a person to apply for a 3193
~~concealed handgun~~-basic competency license on a temporary 3194
emergency basis. 3195

Sec. 2923.16. (A) No person shall knowingly discharge a 3196
firearm while in or on a motor vehicle. 3197

(B) No person shall knowingly transport or have a loaded 3198
firearm in a motor vehicle in such a manner that the firearm is 3199

accessible to the operator or any passenger without leaving the 3200
vehicle. 3201

(C) No person shall knowingly transport or have a firearm 3202
in a motor vehicle, unless the person may lawfully possess that 3203
firearm under applicable law of this state or the United States, 3204
the firearm is unloaded, and the firearm is carried in one of 3205
the following ways: 3206

(1) In a closed package, box, or case; 3207

(2) In a compartment that can be reached only by leaving 3208
the vehicle; 3209

(3) In plain sight and secured in a rack or holder made 3210
for the purpose; 3211

(4) If the firearm is at least twenty-four inches in 3212
overall length as measured from the muzzle to the part of the 3213
stock furthest from the muzzle and if the barrel is at least 3214
eighteen inches in length, either in plain sight with the action 3215
open or the weapon stripped, or, if the firearm is of a type on 3216
which the action will not stay open or which cannot easily be 3217
stripped, in plain sight. 3218

(D) No person shall knowingly transport or have a loaded 3219
handgun in a motor vehicle if, at the time of that 3220
transportation or possession, any of the following applies: 3221

(1) The person is under the influence of alcohol, a drug 3222
of abuse, or a combination of them. 3223

(2) The person's whole blood, blood serum or plasma, 3224
breath, or urine contains a concentration of alcohol, a listed 3225
controlled substance, or a listed metabolite of a controlled 3226
substance prohibited for persons operating a vehicle, as 3227

specified in division (A) of section 4511.19 of the Revised 3228
Code, regardless of whether the person at the time of the 3229
transportation or possession as described in this division is 3230
the operator of or a passenger in the motor vehicle. 3231

(E) No person who has been issued a ~~concealed handgun~~ 3232
basic competency license or who is an active duty member of the 3233
armed forces of the United States and is carrying a valid 3234
military identification card and documentation of successful 3235
completion of firearms training that meets or exceeds the 3236
training requirements described in division (G) (1) of section 3237
2923.125 of the Revised Code, who is the driver or an occupant 3238
of a motor vehicle that is stopped as a result of a traffic stop 3239
or a stop for another law enforcement purpose or is the driver 3240
or an occupant of a commercial motor vehicle that is stopped by 3241
an employee of the motor carrier enforcement unit for the 3242
purposes defined in section 5503.34 of the Revised Code, and who 3243
is transporting or has a loaded handgun in the motor vehicle or 3244
commercial motor vehicle in any manner, shall do any of the 3245
following: 3246

(1) ~~Before or at the time a law enforcement officer asks~~ 3247
~~if the person is carrying a concealed handgun, knowingly fail to~~ 3248
~~disclose~~ Fail to promptly inform any law enforcement officer 3249
who approaches the vehicle while stopped that the person has 3250
been issued a basic competency license or is authorized to carry 3251
a concealed handgun as an active duty member of the armed forces 3252
of the United States and that the person then possesses or has a 3253
loaded handgun in the motor vehicle, ~~provided that it is not a~~ 3254
~~violation of this division if the person fails to disclose that~~ 3255
~~fact to an officer during the stop and the person already has~~ 3256
~~notified another officer of that fact during the same stop;~~ 3257

(2) ~~Before or at the time an employee of the motor carrier~~ 3258
~~enforcement unit asks if the person is carrying a concealed~~ 3259
~~handgun, knowingly fail to disclose~~Fail to promptly inform the 3260
employee of the unit who approaches the vehicle while stopped 3261
that the person has been issued a basic competency license or is 3262
authorized to carry a concealed handgun as an active duty member 3263
of the armed forces of the United States and that the person 3264
then possesses or has a loaded handgun in the commercial motor 3265
vehicle, ~~provided that it is not a violation of this division if~~ 3266
~~the person fails to disclose that fact to an employee of the~~ 3267
~~unit during the stop and the person already has notified another~~ 3268
~~employee of the unit of that fact during the same stop;~~ 3269

(3) Knowingly fail to remain in the motor vehicle while 3270
stopped or knowingly fail to keep the person's hands in plain 3271
sight at any time after any law enforcement officer begins 3272
approaching the person while stopped and before the law 3273
enforcement officer leaves, unless the failure is pursuant to 3274
and in accordance with directions given by a law enforcement 3275
officer; 3276

(4) Knowingly have contact with the loaded handgun by 3277
touching it with the person's hands or fingers in the motor 3278
vehicle at any time after the law enforcement officer begins 3279
approaching and before the law enforcement officer leaves, 3280
unless the person has contact with the loaded handgun pursuant 3281
to and in accordance with directions given by the law 3282
enforcement officer; 3283

(5) Knowingly disregard or fail to comply with any lawful 3284
order of any law enforcement officer given while the motor 3285
vehicle is stopped, including, but not limited to, a specific 3286
order to the person to keep the person's hands in plain sight. 3287

(F) (1) Divisions (A), (B), (C), and (E) of this section do 3288
not apply to any of the following: 3289

(a) An officer, agent, or employee of this or any other 3290
state or the United States, or a law enforcement officer, when 3291
authorized to carry or have loaded or accessible firearms in 3292
motor vehicles and acting within the scope of the officer's, 3293
agent's, or employee's duties; 3294

(b) Any person who is employed in this state, who is 3295
authorized to carry or have loaded or accessible firearms in 3296
motor vehicles, and who is subject to and in compliance with the 3297
requirements of section 109.801 of the Revised Code, unless the 3298
appointing authority of the person has expressly specified that 3299
the exemption provided in division (F) (1) (b) of this section 3300
does not apply to the person. 3301

(2) Division (A) of this section does not apply to a 3302
person if all of the following circumstances apply: 3303

(a) The person discharges a firearm from a motor vehicle 3304
at a coyote or groundhog, the discharge is not during the deer 3305
gun hunting season as set by the chief of the division of 3306
wildlife of the department of natural resources, and the 3307
discharge at the coyote or groundhog, but for the operation of 3308
this section, is lawful. 3309

(b) The motor vehicle from which the person discharges the 3310
firearm is on real property that is located in an unincorporated 3311
area of a township and that either is zoned for agriculture or 3312
is used for agriculture. 3313

(c) The person owns the real property described in 3314
division (F) (2) (b) of this section, is the spouse or a child of 3315
another person who owns that real property, is a tenant of 3316

another person who owns that real property, or is the spouse or 3317
a child of a tenant of another person who owns that real 3318
property. 3319

(d) The person does not discharge the firearm in any of 3320
the following manners: 3321

(i) While under the influence of alcohol, a drug of abuse, 3322
or alcohol and a drug of abuse; 3323

(ii) In the direction of a street, highway, or other 3324
public or private property used by the public for vehicular 3325
traffic or parking; 3326

(iii) At or into an occupied structure that is a permanent 3327
or temporary habitation; 3328

(iv) In the commission of any violation of law, including, 3329
but not limited to, a felony that includes, as an essential 3330
element, purposely or knowingly causing or attempting to cause 3331
the death of or physical harm to another and that was committed 3332
by discharging a firearm from a motor vehicle. 3333

(3) Division (A) of this section does not apply to a 3334
person if all of the following apply: 3335

(a) The person possesses a valid all-purpose vehicle 3336
permit issued under section 1533.103 of the Revised Code by the 3337
chief of the division of wildlife. 3338

(b) The person discharges a firearm at a wild quadruped or 3339
game bird as defined in section 1531.01 of the Revised Code 3340
during the open hunting season for the applicable wild quadruped 3341
or game bird. 3342

(c) The person discharges a firearm from a stationary all- 3343
purpose vehicle as defined in section 1531.01 of the Revised 3344

Code from private or publicly owned lands or from a motor 3345
vehicle that is parked on a road that is owned or administered 3346
by the division of wildlife. 3347

(d) The person does not discharge the firearm in any of 3348
the following manners: 3349

(i) While under the influence of alcohol, a drug of abuse, 3350
or alcohol and a drug of abuse; 3351

(ii) In the direction of a street, a highway, or other 3352
public or private property that is used by the public for 3353
vehicular traffic or parking; 3354

(iii) At or into an occupied structure that is a permanent 3355
or temporary habitation; 3356

(iv) In the commission of any violation of law, including, 3357
but not limited to, a felony that includes, as an essential 3358
element, purposely or knowingly causing or attempting to cause 3359
the death of or physical harm to another and that was committed 3360
by discharging a firearm from a motor vehicle. 3361

(4) Divisions (B) and (C) of this section do not apply to 3362
a person if all of the following circumstances apply: 3363

(a) At the time of the alleged violation of either of 3364
those divisions, the person is the operator of or a passenger in 3365
a motor vehicle. 3366

(b) The motor vehicle is on real property that is located 3367
in an unincorporated area of a township and that either is zoned 3368
for agriculture or is used for agriculture. 3369

(c) The person owns the real property described in 3370
division (F) (4) (b) of this section, is the spouse or a child of 3371
another person who owns that real property, is a tenant of 3372

another person who owns that real property, or is the spouse or 3373
a child of a tenant of another person who owns that real 3374
property. 3375

(d) The person, prior to arriving at the real property 3376
described in division (F) (4) (b) of this section, did not 3377
transport or possess a firearm in the motor vehicle in a manner 3378
prohibited by division (B) or (C) of this section while the 3379
motor vehicle was being operated on a street, highway, or other 3380
public or private property used by the public for vehicular 3381
traffic or parking. 3382

(5) Divisions (B) and (C) of this section do not apply to 3383
a person who transports or possesses a handgun in a motor 3384
vehicle if, at the time of that transportation or possession, 3385
both of the following apply: 3386

(a) The person transporting or possessing the handgun ~~has~~ 3387
~~been issued a~~ is either carrying a valid concealed handgun basic 3388
competency license that is valid at the time in question or the 3389
~~person~~ is an active duty member of the armed forces of the 3390
United States and is carrying a valid military identification 3391
card and documentation of successful completion of firearms 3392
training that meets or exceeds the training requirements 3393
described in division (G) (1) of section 2923.125 of the Revised 3394
Code. 3395

(b) The person transporting or possessing the handgun is 3396
not knowingly in a place described in division (B) of section 3397
2923.126 of the Revised Code. 3398

(6) Divisions (B) and (C) of this section do not apply to 3399
a person if all of the following apply: 3400

(a) The person possesses a valid all-purpose vehicle 3401

permit issued under section 1533.103 of the Revised Code by the 3402
chief of the division of wildlife. 3403

(b) The person is on or in an all-purpose vehicle as 3404
defined in section 1531.01 of the Revised Code or a motor 3405
vehicle during the open hunting season for a wild quadruped or 3406
game bird. 3407

(c) The person is on or in an all-purpose vehicle as 3408
defined in section 1531.01 of the Revised Code on private or 3409
publicly owned lands or on or in a motor vehicle that is parked 3410
on a road that is owned or administered by the division of 3411
wildlife. 3412

(7) Nothing in this section prohibits or restricts a 3413
person from possessing, storing, or leaving a firearm in a 3414
locked motor vehicle that is parked in the state underground 3415
parking garage at the state capitol building or in the parking 3416
garage at the Riffe center for government and the arts in 3417
Columbus, if the person's transportation and possession of the 3418
firearm in the motor vehicle while traveling to the premises or 3419
facility was not in violation of division (A), (B), (C), (D), or 3420
(E) of this section or any other provision of the Revised Code. 3421

(G) (1) The affirmative defenses authorized in divisions 3422
(D) (1) and (2) of section 2923.12 of the Revised Code are 3423
affirmative defenses to a charge under division (B) or (C) of 3424
this section that involves a firearm other than a handgun. 3425

(2) It is an affirmative defense to a charge under 3426
division (B) or (C) of this section of improperly handling 3427
firearms in a motor vehicle that the actor transported or had 3428
the firearm in the motor vehicle for any lawful purpose and 3429
while the motor vehicle was on the actor's own property, 3430

provided that this affirmative defense is not available unless 3431
the person, immediately prior to arriving at the actor's own 3432
property, did not transport or possess the firearm in a motor 3433
vehicle in a manner prohibited by division (B) or (C) of this 3434
section while the motor vehicle was being operated on a street, 3435
highway, or other public or private property used by the public 3436
for vehicular traffic. 3437

(H) (1) No person who is charged with a violation of 3438
division (B), (C), or (D) of this section shall be required to 3439
obtain a ~~concealed handgun~~ basic competency license as a 3440
condition for the dismissal of the charge. 3441

(2) (a) If a person is convicted of, was convicted of, 3442
pleads guilty to, or has pleaded guilty to a violation of 3443
division (E) of this section as it existed prior to September 3444
30, 2011, and if the conduct that was the basis of the violation 3445
no longer would be a violation of division (E) of this section 3446
on or after September 30, 2011, ~~or if a person is convicted of,~~ 3447
~~was convicted of, pleads guilty to, or has pleaded guilty to a~~ 3448
~~violation of division (E) (1) or (2) of this section as it~~ 3449
~~existed prior to June 13, 2022,~~ the person may file an 3450
application under section 2953.35 of the Revised Code requesting 3451
the expungement of the record of conviction. 3452

If a person is convicted of, was convicted of, pleads 3453
guilty to, or has pleaded guilty to a violation of division (B) 3454
or (C) of this section as the division existed prior to 3455
September 30, 2011, and if the conduct that was the basis of the 3456
violation no longer would be a violation of division (B) or (C) 3457
of this section on or after September 30, 2011, due to the 3458
application of division (F) (5) of this section as it exists on 3459
and after September 30, 2011, the person may file an application 3460

under section 2953.35 of the Revised Code requesting the 3461
expungement of the record of conviction. 3462

(b) The attorney general shall develop a public media 3463
advisory that summarizes the expungement procedure established 3464
under section 2953.35 of the Revised Code and the offenders 3465
identified in division (H) (2) (a) of this section ~~and those~~ 3466
~~identified in division (E) (2) of section 2923.12 of the Revised~~ 3467
~~Code~~ who are authorized to apply for the expungement. Within 3468
thirty days after September 30, 2011, ~~with respect to violations~~ 3469
~~of division (B), (C), or (E) of this section as they existed~~ 3470
~~prior to that date, and within thirty days after June 13, 2022,~~ 3471
~~with respect to a violation of division (E) (1) or (2) of this~~ 3472
~~section or division (B) (1) of section 2923.12 of the Revised~~ 3473
~~Code as they existed prior to June 13, 2022,~~ the attorney 3474
general shall provide a copy of the advisory to each daily 3475
newspaper published in this state and each television station 3476
that broadcasts in this state. The attorney general may provide 3477
the advisory in a tangible form, an electronic form, or in both 3478
tangible and electronic forms. 3479

(I) Whoever violates this section is guilty of improperly 3480
handling firearms in a motor vehicle. ~~A violation~~ Violation of 3481
division (A) of this section is a felony of the fourth degree. ~~A~~ 3482
~~violation~~ Violation of division (C) of this section is a 3483
misdemeanor of the fourth degree. A violation of division (D) of 3484
this section is a felony of the fifth degree or, if the loaded 3485
handgun is concealed on the person's person, a felony of the 3486
fourth degree. ~~A-Except as otherwise provided in this division,~~ 3487
a violation of division (E) (1) or (2) of this section is a 3488
misdemeanor of the ~~second~~ first degree, and, in addition to any 3489
other penalty or sanction imposed for the violation, the 3490
offender's basic competency license shall be suspended pursuant 3491

to division (A) (2) of section 2923.128 of the Revised Code. If 3492
at the time of the stop of the offender for a traffic stop, for 3493
another law enforcement purpose, or for a purpose defined in 3494
section 5503.34 of the Revised Code that was the basis of the 3495
violation any law enforcement officer involved with the stop or 3496
the employee of the motor carrier enforcement unit who made the 3497
stop had actual knowledge of the offender's status as a 3498
licensee, a violation of division (E) (1) or (2) of this section 3499
is a minor misdemeanor, and the offender's basic competency 3500
license shall not be suspended pursuant to division (A) (2) of 3501
section 2923.128 of the Revised Code. A violation of division 3502
(E) (4) of this section is a felony of the fifth degree. A 3503
violation of division (E) (3) or (5) of this section is a 3504
misdemeanor of the first degree or, if the offender previously 3505
has been convicted of or pleaded guilty to a violation of 3506
division (E) (3) or (5) of this section, a felony of the fifth 3507
degree. In addition to any other penalty or sanction imposed for 3508
a misdemeanor violation of division (E) (3) or (5) of this 3509
section, the offender's ~~concealed handgun~~ basic competency 3510
license shall be suspended pursuant to division (A) (2) of 3511
section 2923.128 of the Revised Code. A violation of division 3512
(B) of this section is a felony of the fourth degree. 3513

(J) If a law enforcement officer stops a motor vehicle for 3514
a traffic stop or any other purpose, if any person in the motor 3515
vehicle surrenders a firearm to the officer, either voluntarily 3516
or pursuant to a request or demand of the officer, and if the 3517
officer does not charge the person with a violation of this 3518
section or arrest the person for any offense, the person is not 3519
otherwise prohibited by law from possessing the firearm, and the 3520
firearm is not contraband, the officer shall return the firearm 3521
to the person at the termination of the stop. If a court orders 3522

a law enforcement officer to return a firearm to a person 3523
pursuant to the requirement set forth in this division, division 3524
(B) of section 2923.163 of the Revised Code applies. 3525

(K) As used in this section: 3526

(1) "Motor vehicle," "street," and "highway" have the same 3527
meanings as in section 4511.01 of the Revised Code. 3528

(2) "Occupied structure" has the same meaning as in 3529
section 2909.01 of the Revised Code. 3530

(3) "Agriculture" has the same meaning as in section 3531
519.01 of the Revised Code. 3532

(4) "Tenant" has the same meaning as in section 1531.01 of 3533
the Revised Code. 3534

(5) (a) "Unloaded" means, with respect to a firearm other 3535
than a firearm described in division (K) (6) of this section, 3536
that no ammunition is in the firearm in question, no magazine or 3537
speed loader containing ammunition is inserted into the firearm 3538
in question, and one of the following applies: 3539

(i) There is no ammunition in a magazine or speed loader 3540
that is in the vehicle in question and that may be used with the 3541
firearm in question. 3542

(ii) Any magazine or speed loader that contains ammunition 3543
and that may be used with the firearm in question is stored in a 3544
compartment within the vehicle in question that cannot be 3545
accessed without leaving the vehicle or is stored in a container 3546
that provides complete and separate enclosure. 3547

(b) For the purposes of division (K) (5) (a) (ii) of this 3548
section, a "container that provides complete and separate 3549
enclosure" includes, but is not limited to, any of the 3550

following: 3551

(i) A package, box, or case with multiple compartments, as 3552
long as the loaded magazine or speed loader and the firearm in 3553
question either are in separate compartments within the package, 3554
box, or case, or, if they are in the same compartment, the 3555
magazine or speed loader is contained within a separate 3556
enclosure in that compartment that does not contain the firearm 3557
and that closes using a snap, button, buckle, zipper, hook and 3558
loop closing mechanism, or other fastener that must be opened to 3559
access the contents or the firearm is contained within a 3560
separate enclosure of that nature in that compartment that does 3561
not contain the magazine or speed loader; 3562

(ii) A pocket or other enclosure on the person of the 3563
person in question that closes using a snap, button, buckle, 3564
zipper, hook and loop closing mechanism, or other fastener that 3565
must be opened to access the contents. 3566

(c) For the purposes of divisions (K) (5) (a) and (b) of 3567
this section, ammunition held in stripper-clips or in en-bloc 3568
clips is not considered ammunition that is loaded into a 3569
magazine or speed loader. 3570

(6) "Unloaded" means, with respect to a firearm employing 3571
a percussion cap, flintlock, or other obsolete ignition system, 3572
when the weapon is uncapped or when the priming charge is 3573
removed from the pan. 3574

(7) "Commercial motor vehicle" has the same meaning as in 3575
division (A) of section 4506.25 of the Revised Code. 3576

(8) "Motor carrier enforcement unit" means the motor 3577
carrier enforcement unit in the department of public safety, 3578
division of state highway patrol, that is created by section 3579

5503.34 of the Revised Code.

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(L) Divisions (K) (5) (a) and (b) of this section do not
affect the authority of a person who ~~has been issued~~ is carrying
a valid concealed handgun basic competency license ~~that is valid~~
~~at the time in question~~ to have one or more magazines or speed
loaders containing ammunition anywhere in a vehicle, without
being transported as described in those divisions, as long as no
ammunition is in a firearm, other than a handgun, in the vehicle
other than as permitted under any other provision of this
chapter. A person who ~~has been issued~~ is carrying a valid
concealed handgun basic competency license ~~that is valid at the~~
~~time in question~~ may have one or more magazines or speed loaders
containing ammunition anywhere in a vehicle without further
restriction, as long as no ammunition is in a firearm, other
than a handgun, in the vehicle other than as permitted under any
provision of this chapter.

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Sec. 2953.35. (A) Any person who is convicted of, was
convicted of, pleads guilty to, or has pleaded guilty to a
violation of division (B), (C), or (E) of section 2923.16 of the
Revised Code as the division existed prior to September 30,
2011, ~~or a violation of division (E) (1) or (2) of section~~
~~2923.16 of the Revised Code as the division existed prior to~~
~~June 13, 2022,~~ and who is authorized by division (H) (2) (a) of
that section to file an application under this section for the
expungement of the conviction record may apply to the sentencing
court for the expungement of the record of conviction. ~~Any~~
~~person who is convicted of, was convicted of, pleads guilty to,~~
~~or has pleaded guilty to a violation of division (B) (1) of~~
~~section 2923.12 of the Revised Code as it existed prior to June~~
~~13, 2022, and who is authorized by division (E) (2) of that~~
~~section may apply to the sentencing court for the expungement of~~

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~~the record of conviction.~~ The person may file the application at 3611
any time on or after September 30, 2011,~~with respect to~~ 3612
~~violations of division (B), (C), or (E) of section 2923.16 of~~ 3613
~~the Revised Code as they existed prior to that date, or at any~~ 3614
~~time on or after June 13, 2022, with respect to a violation of~~ 3615
~~division (B) (1) of section 2923.12 of the Revised Code or of~~ 3616
~~division (E) (1) or (2) of section 2923.16 of the Revised Code as~~ 3617
~~the particular division existed prior to June 13, 2022.~~ The 3618
application shall do all of the following: 3619

(1) Identify the applicant, the offense for which the 3620
expungement is sought, the date of the conviction of or plea of 3621
guilty to that offense, and the court in which the conviction 3622
occurred or the plea of guilty was entered; 3623

(2) Include evidence that the offense was a violation of 3624
division (B), (C), or (E) of section 2923.16 of the Revised Code 3625
as the division existed prior to September 30, 2011,~~or was a~~ 3626
~~violation of division (B) (1) of section 2923.12 of the Revised~~ 3627
~~Code or of division (E) (1) or (2) of section 2923.16 of the~~ 3628
~~Revised Code as the particular division existed prior to June~~ 3629
~~13, 2022,~~ and that the applicant is authorized by division (H) 3630
(2) (a) of that section ~~2923.16 or division (E) (2) of section~~ 3631
~~2923.12 of the Revised Code, whichever is applicable,~~ to file an 3632
application under this section; 3633

(3) Include a request for expungement of the record of 3634
conviction of that offense under this section. 3635

(B) Upon the filing of an application under division (A) 3636
of this section and the payment of the fee described in division 3637
(C) (3) of this section if applicable, the court shall set a date 3638
for a hearing and shall notify the prosecutor for the case of 3639
the hearing on the application. The prosecutor may object to the 3640

granting of the application by filing an objection with the 3641
court prior to the date set for the hearing. The prosecutor 3642
shall specify in the objection the reasons for believing a 3643
denial of the application is justified. The court shall direct 3644
its regular probation officer, a state probation officer, or the 3645
department of probation of the county in which the applicant 3646
resides to make inquiries and written reports as the court 3647
requires concerning the applicant. The court shall hold the 3648
hearing scheduled under this division. 3649

(C) (1) At the hearing held under division (B) of this 3650
section, the court shall do each of the following: 3651

(a) Determine whether the applicant has been convicted of 3652
or pleaded guilty to a violation of division (E) of section 3653
2923.16 of the Revised Code as the division existed prior to 3654
September 30, 2011, and whether the conduct that was the basis 3655
of the violation no longer would be a violation of that division 3656
on or after September 30, 2011; 3657

(b) Determine whether the applicant has been convicted of 3658
or pleaded guilty to a violation of division (B) or (C) of 3659
section 2923.16 of the Revised Code as the division existed 3660
prior to September 30, 2011, and whether the conduct that was 3661
the basis of the violation no longer would be a violation of 3662
that division on or after September 30, 2011, due to the 3663
application of division (F) (5) of that section as it exists on 3664
and after September 30, 2011; 3665

~~(c) Determine whether the applicant has been convicted of 3666~~
~~or pleaded guilty to a violation of division (B) (1) of section 3667~~
~~2923.12 of the Revised Code or of division (E) (1) or (2) of 3668~~
~~section 2923.16 of the Revised Code as the particular division 3669~~
~~existed prior to June 13, 2022; 3670~~

~~(d)~~ If the prosecutor has filed an objection in accordance 3671
with division (B) of this section, consider the reasons against 3672
granting the application specified by the prosecutor in the 3673
objection; 3674

~~(e)~~ (d) Weigh the interests of the applicant in having the 3675
records pertaining to the applicant's conviction or guilty plea 3676
expunged against the legitimate needs, if any, of the government 3677
to maintain those records. 3678

(2) (a) The court may order the expungement of all official 3679
records pertaining to the case and the deletion of all index 3680
references to the case and, if it does order the expungement, 3681
shall send notice of the order to each public office or agency 3682
that the court has reason to believe may have an official record 3683
pertaining to the case if the court, after complying with 3684
division (C) (1) of this section, determines both of the 3685
following: 3686

(i) That the applicant has been convicted of or pleaded 3687
guilty to a violation of division (E) of section 2923.16 of the 3688
Revised Code as it existed prior to September 30, 2011, and the 3689
conduct that was the basis of the violation no longer would be a 3690
violation of that division on or after September 30, 2011, or 3691
that the applicant has been convicted of or pleaded guilty to a 3692
violation of division (B) or (C) of section 2923.16 of the 3693
Revised Code as the division existed prior to September 30, 3694
2011, and the conduct that was the basis of the violation no 3695
longer would be a violation of that division on or after 3696
September 30, 2011, due to the application of division (F) (5) of 3697
that section as it exists on and after September 30, 2011, ~~or~~ 3698
~~that the applicant has been convicted of or pleaded guilty to a~~ 3699
~~violation of division (B) (1) of section 2923.12 of the Revised~~ 3700

~~Code or of division (E) (1) or (2) of section 2923.16 of the~~ 3701
~~Revised Code as the particular division existed prior to June~~ 3702
~~13, 2022;~~ 3703

(ii) That the interests of the applicant in having the 3704
records pertaining to the applicant's conviction or guilty plea 3705
expunged are not outweighed by any legitimate needs of the 3706
government to maintain those records. 3707

(b) The proceedings in the case that is the subject of an 3708
order issued under division (C) (2) (a) of this section shall be 3709
considered not to have occurred and the conviction or guilty 3710
plea of the person who is the subject of the proceedings shall 3711
be expunged. The record of the conviction shall not be used for 3712
any purpose, including, but not limited to, a criminal records 3713
check under section 109.572 of the Revised Code or a 3714
determination under section 2923.125 or 2923.1213 of the Revised 3715
Code of eligibility for a ~~concealed handgun~~ basic competency 3716
license. The applicant may, and the court shall, reply that no 3717
record exists with respect to the applicant upon any inquiry 3718
into the matter. 3719

(3) Upon the filing of an application under this section, 3720
the applicant, unless indigent, shall pay a fee of fifty 3721
dollars. The court shall pay thirty dollars of the fee into the 3722
state treasury and shall pay twenty dollars of the fee into the 3723
county general revenue fund. 3724

Sec. 5502.411. (A) As used in this section: 3725

(1) "Ammunition" has the same meaning as in section 3726
2305.401 of the Revised Code. 3727

(2) "~~Concealed handgun~~ Basic competency license," "deadly 3728
weapon," "firearm," and "valid ~~concealed handgun~~ basic 3729

competency license" have the same meanings as in section 2923.11 3730
of the Revised Code. 3731

(3) "Licensee" has the same meaning as in section 2923.124 3732
of the Revised Code. 3733

(B) The transport, storage, sale, transfer, commerce in, 3734
import and export of, distribution, repair, maintenance, and 3735
manufacture of deadly weapons or firearms, ammunition, and 3736
accessories and components related to deadly weapons or 3737
firearms, shooting ranges, and other goods and services directly 3738
related to lawful deadly weapon or firearm possession, use, 3739
storage, repair, maintenance, sale, transfer, and training in 3740
the use of deadly weapons or firearms, are declared to be life- 3741
sustaining "essential" businesses and services for the purposes 3742
of safety and security in times of declared emergency or any 3743
other statutorily authorized response to any disaster, war, act 3744
of terrorism, riot, civil disorder, public health crisis, public 3745
nuisance, or emergency of whatever kind or nature. 3746

(C) Except as provided in this section, no state agency, 3747
political subdivision, elected or appointed official or employee 3748
of this state or any political subdivision, or agent of this 3749
state or of any political subdivision, board, commission, 3750
bureau, or other public body established by law may, under any 3751
governmental authority or color of law exercised as part of any 3752
statutorily authorized response to any disaster, war, act of 3753
terrorism, riot, civil disorder, public health crisis, public 3754
nuisance, or emergency of whatever kind or nature, do any of the 3755
following: 3756

(1) Prohibit, regulate, or curtail the otherwise lawful 3757
possession, carrying, display, sale, transportation, transfer, 3758
defensive use, or other lawful use of any of the following: 3759

(a) Any firearm, including any component or accessory of a firearm;	3760 3761
(b) Any ammunition, including any component or accessory of ammunition;	3762 3763
(c) Any ammunition-reloading equipment, component, or supplies;	3764 3765
(d) Any deadly weapon, including any component or accessory of a deadly weapon.	3766 3767
(2) Require registration of deadly weapon or firearm owners, of any firearms, including any component or accessory of a firearm, of any ammunition, including any component or accessory of ammunition, or of any deadly weapon, including any component or accessory of a deadly weapon;	3768 3769 3770 3771 3772
(3) Seize, commandeer, or confiscate in any manner, any of the following items that are possessed, carried, displayed, sold, transferred, transported, stored, or used in connection with otherwise lawful conduct:	3773 3774 3775 3776
(a) Any firearm, including any component or accessory of a firearm;	3777 3778
(b) Any ammunition, including any component or accessory of ammunition;	3779 3780
(c) Any ammunition-reloading equipment, component, or supplies;	3781 3782
(d) Any deadly weapon, including any component or accessory of a deadly weapon.	3783 3784
(4) Suspend or revoke a valid concealed handgun <u>basic competency</u> license, except as expressly authorized in Chapter	3785 3786

2923. of the Revised Code; 3787

(5) Refuse to accept or process an application for a 3788
~~concealed handgun basic competency license~~ or for renewal of a 3789
~~concealed handgun basic competency license~~, provided the 3790
application for the license has been properly completed and 3791
submitted in accordance with section 2923.125 or 2923.1213 of 3792
the Revised Code and the application for the renewal has been 3793
properly completed and submitted in accordance with section 3794
2923.125 of the Revised Code; 3795

(6) Prohibit, suspend, or limit the business operations of 3796
any entity engaged in the lawful selling or servicing of any 3797
firearms or ammunition, including any components or accessories 3798
of firearms or ammunition, any ammunition-reloading equipment, 3799
component, or supplies, or any deadly weapons, including any 3800
component or accessory of deadly weapons; 3801

(7) Prohibit, suspend, or limit the business operations of 3802
any legally established indoor or outdoor shooting range, 3803
whether located on state lands or on land other than state 3804
lands, or of any entity engaged in providing deadly weapon or 3805
firearms safety, deadly weapon or firearms training, firearms 3806
license qualification or requalification, firearms safety 3807
instructor courses, or any similar class, course, or program; 3808

(8) Place restrictions or quantity limitations on any 3809
entity regarding the lawful sale or servicing of any of the 3810
following: 3811

(a) Any firearm, including any component or accessory of a 3812
firearm; 3813

(b) Any ammunition, including any component or accessory 3814
of ammunition; 3815

(c) Any ammunition-reloading equipment, component, or 3816
supplies; 3817

(d) Any deadly weapon, including any component or 3818
accessory of a deadly weapon. 3819

(9) Suspend, restrict, or prohibit otherwise lawful 3820
hunting, fishing, or trapping activities or business entities 3821
conducting or directly facilitating lawful hunting, trapping, or 3822
fishing activities, whether conducted on state lands and waters 3823
or on land and waters other than state lands and waters. 3824

(D) (1) If a ~~concealed handgun~~ basic competency license has 3825
been issued to a licensee under either section 2923.125 or 3826
2923.1213 of the Revised Code, if the governor issues an 3827
executive order declaring an emergency, and if the date that the 3828
valid and existing license would or is scheduled to expire falls 3829
within the period of emergency declared by the governor's 3830
executive order or the thirty days immediately preceding the 3831
date of that declaration, then, notwithstanding the date of 3832
scheduled expiration, the license is automatically extended 3833
throughout the duration of the period of the emergency plus an 3834
additional ninety days. If, during the period of the emergency 3835
or during the additional ninety days, a licensee issued a 3836
license under section 2923.125 of the Revised Code submits an 3837
application for renewal of the license or schedules an 3838
appointment with the issuing authority or another authority 3839
authorized to renew the license, the license is further 3840
automatically extended until the renewal application is accepted 3841
and fully processed. 3842

(2) If division (D) (1) of this section applies with 3843
respect to a ~~concealed handgun~~ basic competency license, during 3844
the extension period described in that division that is 3845

applicable to that license, all of the following apply: 3846

(a) The license shall be valid for all purposes under the 3847
laws of this state and the person to whom the license was issued 3848
shall be considered for all purposes under the laws of this 3849
state to be the holder of a valid license to carry a concealed 3850
handgun, and the license shall be valid for all purposes under 3851
section 2923.128 of the Revised Code~~+~~. 3852

(b) The license remains subject to the operation of 3853
section 2923.128 of the Revised Code during the extended period 3854
of the license and at any other time~~+~~. 3855

(c) Except for the date of scheduled expiration, all other 3856
conditions and restrictions otherwise applicable to the license 3857
and the license holder continue to apply during the extended 3858
period of the license and at any other time. 3859

(E) Notwithstanding any inconsistent provision of law, 3860
including sections 5502.30 and 5502.35 of the Revised Code: 3861

(1) A person, group, or entity adversely affected by any 3862
manner of law, ordinance, rule, regulation, resolution, 3863
practice, or other action enacted or enforced in violation of 3864
this section may file an action for damages, injunctive relief, 3865
declaratory relief, or other appropriate redress in the court of 3866
common pleas of the county in which the aggrieved person resides 3867
or the group or entity is located, or in which the violation 3868
occurred, unless the action is for damages and filed against any 3869
state agency, any elected or appointed official or employee of 3870
the state, or any other agent of the state. 3871

(2) In an action brought under authority of division (E) 3872
(1) of this section: 3873

(a) A person, group, or entity adversely affected by any 3874

manner of law, ordinance, rule, regulation, resolution, 3875
practice, or other action enacted or enforced by any political 3876
subdivision, any elected or appointed official or employee of a 3877
political subdivision, or any agent of any political 3878
subdivision, bureau, or other public body established by law in 3879
conflict with this section may bring a civil action against the 3880
political subdivision, elected or appointed official or employee 3881
of the political subdivision, or agent of the political 3882
subdivision, bureau, or other public body seeking damages, 3883
declaratory relief, injunctive relief, or a combination of those 3884
remedies. Any damages awarded shall be awarded against, and paid 3885
by, the political subdivision, or the bureau, or other public 3886
body. In addition to any actual damages awarded against the 3887
agency, the political subdivision, or the board, commission, 3888
bureau, or other public body and any other relief provided with 3889
respect to such an action, the court shall award reasonable 3890
expenses to any person, group, or entity that brings the action, 3891
to be paid by the political subdivision, bureau, or other public 3892
body, if either of the following applies: 3893

(i) The person, group, or entity prevails in a challenge 3894
to the law, ordinance, rule, regulation, resolution, practice, 3895
or action as being in conflict with this section. 3896

(ii) The law, ordinance, rule, regulation, resolution, 3897
practice, or action or the manner of its enforcement is repealed 3898
or rescinded after the civil action was filed but prior to a 3899
final court determination of the action. 3900

(b) In addition to any other remedy available at law or in 3901
equity, a person, group, or entity aggrieved by the seizure or 3902
confiscation, in violation of this section, of one or more items 3903
listed in division (C) (3) of this section may apply to the court 3904

of common pleas of the county in which the item or items were 3905
seized or confiscated for the immediate return of the item or 3906
items, unless the action is for damages and filed against any 3907
state agency, any elected or appointed official or employee of 3908
the state, or any other agent of the state. Except as otherwise 3909
provided in division (E) (2) (a) of this section, upon receipt of 3910
the application and a determination by the court that the 3911
seizure or confiscation of the item or items was in violation of 3912
this section, the court shall order the immediate return of the 3913
item or items by the seizing or confiscating state agency, 3914
political subdivision, board, commission, bureau, or other 3915
public body and that entity's employed officials. If a court 3916
orders the return of the seized or confiscated item or items 3917
under this division and the item or items are not returned in 3918
accordance with the order, the aggrieved party may claim 3919
reasonable costs and attorney fees for the loss and, the cost of 3920
reclaiming the item or items, or the cost of any damages to the 3921
item or items. 3922

(3) Any claim filed against any state agency, any elected 3923
or appointed official or employee of the state, or any other 3924
agent of the state for damages shall be filed with the court of 3925
claims. 3926

(4) Nothing in this section shall be interpreted to mean 3927
the state intends to waive its right to federal immunity under 3928
the eleventh amendment of the United States Constitution. 3929

(F) The provisions contained in the amendments to section 3930
3761.16 of the Revised Code and the enactment of this section by 3931
S.B. 16 of the 134th general assembly are severable, as provided 3932
in section 1.50 of the Revised Code. In particular, it is the 3933
intent of the general assembly that any invalidity or potential 3934

invalidity of a provision contained in those amendments or this 3935
section is not to impair the immediate and continuing 3936
enforceability of the remaining provisions. 3937

Section 2. That existing sections 109.69, 109.731, 311.41, 3938
311.42, 311.43, 1547.69, 2921.13, 2923.11, 2923.12, 2923.121, 3939
2923.122, 2923.123, 2923.124, 2923.125, 2923.126, 2923.127, 3940
2923.128, 2923.129, 2923.1210, 2923.1211, 2923.1213, 2923.16, 3941
2953.35, and 5502.411 of the Revised Code are hereby repealed. 3942

Section 3. That section 2923.111 of the Revised Code is 3943
hereby repealed. 3944

Section 4. The General Assembly, applying the principle 3945
stated in division (B) of section 1.52 of the Revised Code that 3946
amendments are to be harmonized if reasonably capable of 3947
simultaneous operation, finds that the following sections, 3948
presented in this act as composites of the sections as amended 3949
by the acts indicated, are the resulting versions of the 3950
sections in effect prior to the effective date of the sections 3951
as presented in this act: 3952

Section 2923.125 of the Revised Code as amended by both 3953
H.B. 281 and S.B. 288 of the 134th General Assembly. 3954

Section 2923.126 of the Revised Code as amended by H.B. 3955
33, H.B. 452, and S.B. 98 all of the 135th General Assembly. 3956

Section 2923.128 of the Revised Code as amended by H.B. 3957
281, S.B. 215, and S.B. 288, all of the 134th General Assembly. 3958

Section 2923.1213 of the Revised Code as amended by both 3959
H.B. 281 and S.B. 288 of the 134th General Assembly. 3960