

**As Reported by the House Criminal Justice Committee**

**134th General Assembly**

**Regular Session**

**2021-2022**

**Sub. H. B. No. 99**

**Representative Hall**

**Cosponsors: Representatives Riedel, Stoltzfus, Seitz, Stewart**

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**A BILL**

To amend sections 109.73, 109.78, 149.433, and 1  
2923.122 and to enact section 109.805 of the 2  
Revised Code to expressly exempt persons 3  
authorized to go armed within a school safety 4  
zone from a peace officer basic training 5  
requirement, to impose training and other 6  
requirements on those persons, and to require 7  
that a board of education or school governing 8  
body that authorizes persons to go armed in a 9  
school provide public notice of that 10  
authorization. 11

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

**Section 1.** That sections 109.73, 109.78, 149.433, and 12  
2923.122 be amended and section 109.805 of the Revised Code be 13  
enacted to read as follows: 14

**Sec. 109.73.** (A) The Ohio peace officer training 15  
commission shall recommend rules to the attorney general with 16  
respect to all of the following: 17

(1) The approval, or revocation of approval, of peace 18

officer training schools administered by the state, counties, 19  
municipal corporations, public school districts, technical 20  
college districts, and the department of natural resources; 21

(2) Minimum courses of study, attendance requirements, and 22  
equipment and facilities to be required at approved state, 23  
county, municipal, and department of natural resources peace 24  
officer training schools; 25

(3) Minimum qualifications for instructors at approved 26  
state, county, municipal, and department of natural resources 27  
peace officer training schools; 28

(4) The requirements of minimum basic training that peace 29  
officers appointed to probationary terms shall complete before 30  
being eligible for permanent appointment, which requirements 31  
shall include training in the handling of the offense of 32  
domestic violence, other types of domestic violence-related 33  
offenses and incidents, and protection orders and consent 34  
agreements issued or approved under section 2919.26 or 3113.31 35  
of the Revised Code; crisis intervention training; and training 36  
in the handling of missing children and child abuse and neglect 37  
cases; and training in handling violations of section 2905.32 of 38  
the Revised Code; and the time within which such basic training 39  
shall be completed following appointment to a probationary term; 40

(5) The requirements of minimum basic training that peace 41  
officers not appointed for probationary terms but appointed on 42  
other than a permanent basis shall complete in order to be 43  
eligible for continued employment or permanent appointment, 44  
which requirements shall include training in the handling of the 45  
offense of domestic violence, other types of domestic violence- 46  
related offenses and incidents, and protection orders and 47  
consent agreements issued or approved under section 2919.26 or 48

3113.31 of the Revised Code, crisis intervention training, and 49  
training in the handling of missing children and child abuse and 50  
neglect cases, and training in handling violations of section 51  
2905.32 of the Revised Code, and the time within which such 52  
basic training shall be completed following appointment on other 53  
than a permanent basis; 54

(6) Categories or classifications of advanced in-service 55  
training programs for peace officers, including programs in the 56  
handling of the offense of domestic violence, other types of 57  
domestic violence-related offenses and incidents, and protection 58  
orders and consent agreements issued or approved under section 59  
2919.26 or 3113.31 of the Revised Code, in crisis intervention, 60  
and in the handling of missing children and child abuse and 61  
neglect cases, and in handling violations of section 2905.32 of 62  
the Revised Code, and minimum courses of study and attendance 63  
requirements with respect to such categories or classifications; 64

(7) Permitting persons, who are employed as members of a 65  
campus police department appointed under section 1713.50 of the 66  
Revised Code; who are employed as police officers by a qualified 67  
nonprofit corporation police department pursuant to section 68  
1702.80 of the Revised Code; who are appointed and commissioned 69  
as bank, savings and loan association, savings bank, credit 70  
union, or association of banks, savings and loan associations, 71  
savings banks, or credit unions police officers, as railroad 72  
police officers, or as hospital police officers pursuant to 73  
sections 4973.17 to 4973.22 of the Revised Code; or who are 74  
appointed and commissioned as amusement park police officers 75  
pursuant to section 4973.17 of the Revised Code, to attend 76  
approved peace officer training schools, including the Ohio 77  
peace officer training academy, and to receive certificates of 78  
satisfactory completion of basic training programs, if the 79

private college or university that established the campus police department; qualified nonprofit corporation police department; bank, savings and loan association, savings bank, credit union, or association of banks, savings and loan associations, savings banks, or credit unions; railroad company; hospital; or amusement park sponsoring the police officers pays the entire cost of the training and certification and if trainee vacancies are available;

(8) Permitting undercover drug agents to attend approved peace officer training schools, other than the Ohio peace officer training academy, and to receive certificates of satisfactory completion of basic training programs, if, for each undercover drug agent, the county, township, or municipal corporation that employs that undercover drug agent pays the entire cost of the training and certification;

(9) (a) The requirements for basic training programs for bailiffs and deputy bailiffs of courts of record of this state and for criminal investigators employed by the state public defender that those persons shall complete before they may carry a firearm while on duty;

(b) The requirements for any training received by a bailiff or deputy bailiff of a court of record of this state or by a criminal investigator employed by the state public defender prior to June 6, 1986, that is to be considered equivalent to the training described in division (A) (9) (a) of this section.

(10) Establishing minimum qualifications and requirements for certification for dogs utilized by law enforcement agencies;

(11) Establishing minimum requirements for certification of persons who are employed as correction officers in a full-

service jail, five-day facility, or eight-hour holding facility	109
or who provide correction services in such a jail or facility;	110
(12) Establishing requirements for the training of humane	111
society agents under section 1717.061 of the Revised Code,	112
including, without limitation, a requirement that the agents	113
receive instruction on traditional animal husbandry methods and	114
training techniques, including customary owner-performed	115
practices;	116
(13) Permitting tactical medical professionals to attend	117
approved peace officer training schools, including the Ohio	118
peace officer training academy, to receive training of the type	119
described in division (A) (14) of this section and to receive	120
certificates of satisfactory completion of training programs	121
described in that division;	122
(14) The requirements for training programs that tactical	123
medical professionals shall complete to qualify them to carry	124
firearms while on duty under section 109.771 of the Revised	125
Code, which requirements shall include at least the firearms	126
training specified in division (A) of section 109.748 of the	127
Revised Code;	128
(15) Procedures and requirements for a portion of basic	129
training that peace officers complete in proper interactions	130
with civilians during traffic stops and other in-person	131
encounters as specified in division (B) (4) of section 109.803 of	132
the Revised Code and including the topics of instruction listed	133
for active duty peace officers under divisions (B) (4) (a) to (d)	134
of that section;	135
<u>(16) The requirements for initial training that a person</u>	136
<u>must successfully complete to be qualified to serve as a person</u>	137

authorized to go armed within a school safety zone under section 138  
2923.122 of the Revised Code; 139

(17) The requirements for additional training that a 140  
person must successfully complete, after receiving the training 141  
required under the rules described in division (A)(16) of this 142  
section, to be qualified to serve as a person authorized to go 143  
armed within a school safety zone under section 2923.122 of the 144  
Revised Code. 145

(B) The commission shall appoint an executive director, 146  
with the approval of the attorney general, who shall hold office 147  
during the pleasure of the commission. The executive director 148  
shall perform such duties assigned by the commission. The 149  
executive director shall receive a salary fixed pursuant to 150  
Chapter 124. of the Revised Code and reimbursement for expenses 151  
within the amounts available by appropriation. The executive 152  
director may appoint officers, employees, agents, and 153  
consultants as the executive director considers necessary, 154  
prescribe their duties, and provide for reimbursement of their 155  
expenses within the amounts available for reimbursement by 156  
appropriation and with the approval of the commission. 157

(C) The commission may do all of the following: 158

(1) Recommend studies, surveys, and reports to be made by 159  
the executive director regarding the carrying out of the 160  
objectives and purposes of sections 109.71 to 109.77 of the 161  
Revised Code; 162

(2) Visit and inspect any peace officer training school 163  
that has been approved by the executive director or for which 164  
application for approval has been made; 165

(3) Make recommendations, from time to time, to the 166

executive director, the attorney general, and the general 167  
assembly regarding the carrying out of the purposes of sections 168  
109.71 to 109.77 of the Revised Code; 169

(4) Report to the attorney general from time to time, and 170  
to the governor and the general assembly at least annually, 171  
concerning the activities of the commission; 172

(5) Establish fees for the services the commission offers 173  
under sections 109.71 to 109.79 of the Revised Code, including, 174  
but not limited to, fees for training, certification, and 175  
testing; 176

(6) Perform such other acts as are necessary or 177  
appropriate to carry out the powers and duties of the commission 178  
as set forth in sections 109.71 to 109.77 of the Revised Code. 179

(D) In establishing the requirements, under division (A) 180  
(12) of this section, the commission may consider any portions 181  
of the curriculum for instruction on the topic of animal 182  
husbandry practices, if any, of the Ohio state university 183  
college of veterinary medicine. No person or entity that fails 184  
to provide instruction on traditional animal husbandry methods 185  
and training techniques, including customary owner-performed 186  
practices, shall qualify to train a humane society agent for 187  
appointment under section 1717.06 of the Revised Code. 188

(E) As used in divisions (A) (16) and (17) of this section, 189  
"additional training," "initial training," and "person 190  
authorized to go armed within a school safety zone" have the 191  
same meanings as in section 2923.122 of the Revised Code. 192

**Sec. 109.78.** (A) The executive director of the Ohio peace 193  
officer training commission, on behalf of the commission and in 194  
accordance with rules promulgated by the attorney general, shall 195

certify persons who have satisfactorily completed approved 196  
training programs designed to qualify persons for positions as 197  
special police, security guards, or persons otherwise privately 198  
employed in a police capacity and issue appropriate certificates 199  
to such persons. Application for approval of a training program 200  
designed to qualify persons for such positions shall be made to 201  
the commission. An application for approval shall be submitted 202  
to the commission with a fee of one hundred twenty-five dollars, 203  
which fee shall be refunded if the application is denied. Such 204  
programs shall cover only duties and jurisdiction of such 205  
security guards and special police privately employed in a 206  
police capacity when such officers do not qualify for training 207  
under section 109.71 of the Revised Code. A person attending an 208  
approved basic training program administered by the state shall 209  
pay to the agency administering the program the cost of the 210  
person's participation in the program as determined by the 211  
agency. A person attending an approved basic training program 212  
administered by a county or municipal corporation shall pay the 213  
cost of the person's participation in the program, as determined 214  
by the administering subdivision, to the county or the municipal 215  
corporation. A person who is issued a certificate for 216  
satisfactory completion of an approved basic training program 217  
shall pay to the commission a fee of fifteen dollars. A 218  
duplicate of a lost, spoliated, or destroyed certificate may be 219  
issued upon application and payment of a fee of fifteen dollars. 220  
Such certificate or the completion of twenty years of active 221  
duty as a peace officer shall satisfy the educational 222  
requirements for appointment or commission as a special police 223  
officer or special deputy of a political subdivision of this 224  
state. 225

(B) (1) The executive director of the Ohio peace officer 226



training commission, on behalf of the commission and in 227  
accordance with rules promulgated by the attorney general, shall 228  
certify basic firearms training programs, and shall issue 229  
certificates to class A, B, or C licensees or prospective class 230  
A, B, or C licensees under Chapter 4749. of the Revised Code and 231  
to registered or prospective employees of such class A, B, or C 232  
licensees who have satisfactorily completed a basic firearms 233  
training program of the type described in division (A) (1) of 234  
section 4749.10 of the Revised Code. 235

Application for approval of a basic firearms training 236  
program shall be made to the commission. An application shall be 237  
submitted to the commission with a fee of one hundred dollars, 238  
which fee shall be refunded if the application is denied. 239

A person who is issued a certificate for satisfactory 240  
completion of an approved basic firearms training program shall 241  
pay a fee of ten dollars to the commission. A duplicate of a 242  
lost, spoliated, or destroyed certificate may be issued upon 243  
application and payment of a fee of five dollars. 244

(2) The executive director, on behalf of the commission 245  
and in accordance with rules promulgated by the attorney 246  
general, also shall certify firearms requalification training 247  
programs and instructors for the annual requalification of class 248  
A, B, or C licensees under Chapter 4749. of the Revised Code and 249  
registered or prospective employees of such class A, B, or C 250  
licensees who are authorized to carry a firearm under section 251  
4749.10 of the Revised Code. Application for approval of a 252  
training program or instructor for such purpose shall be made to 253  
the commission. Such an application shall be submitted to the 254  
commission with a fee of fifty dollars, which fee shall be 255  
refunded if the application is denied. 256

(3) The executive director, upon request, also shall 257  
review firearms training received within three years prior to 258  
November 23, 1985, by any class A, B, or C licensee or 259  
prospective class A, B, or C licensee, or by any registered or 260  
prospective employee of any class A, B, or C licensee under 261  
Chapter 4749. of the Revised Code to determine if the training 262  
received is equivalent to a basic firearms training program that 263  
includes twenty hours of handgun training and five hours of 264  
training in the use of other firearms, if any other firearm is 265  
to be used. If the executive director determines the training 266  
was received within the three-year period and that it is 267  
equivalent to such a program, the executive director shall issue 268  
written evidence of approval of the equivalency training to the 269  
licensee or employee. 270

(C) There is hereby established in the state treasury the 271  
peace officer private security fund, which shall be used by the 272  
Ohio peace officer training commission to administer the 273  
training program to qualify persons for positions as special 274  
police, security guards, or other private employment in a police 275  
capacity, as described in division (A) of this section, and the 276  
training program in basic firearms and the training program for 277  
firearms requalification, both as described in division (B) of 278  
this section. All fees paid to the commission by applicants for 279  
approval of a training program designed to qualify persons for 280  
such private police positions, basic firearms training program, 281  
or a firearms requalification training program or instructor, as 282  
required by division (A) or (B) of this section, by persons who 283  
satisfactorily complete a private police training program or a 284  
basic firearms training program, as required by division (A) or 285  
(B) of this section, or by persons who satisfactorily requalify 286  
in firearms use, as required by division (B) (2) of section 287

4749.10 of the Revised Code, shall be transmitted to the 288  
treasurer of state for deposit in the fund. The fund shall be 289  
used only for the purpose set forth in this division. 290

~~(D) No~~ (D) (1) Subject to division (D) (2) of this section, 291  
no public or private educational institution or superintendent 292  
of the state highway patrol shall employ a person as a special 293  
police officer, as a security guard, or other for a similar law 294  
enforcement or security position in which such person goes armed 295  
while on duty, who has not received a certificate of having 296  
satisfactorily completed an approved basic peace officer 297  
training program, unless the person has completed twenty years 298  
of active duty as a peace officer. 299

(2) Division (D) (1) of this section does not apply with 300  
respect to the employment of a person by a board of education or 301  
governing body of a school in a position in which the person has 302  
been authorized by a board or governing body to voluntarily go 303  
armed within a school safety zone within which the board or 304  
governing body has authority, if both of the following apply 305  
with respect to the employment and person: 306

(a) The person is a person authorized to go armed within a 307  
school safety zone, as defined in section 2923.122 of the 308  
Revised Code. 309

(b) The person is not being employed as a special police 310  
officer or security officer. 311

(E) The general assembly, in amending division (D) of this 312  
section pursuant to H.B. 99 of the 134th general assembly, 313  
hereby declares that the purpose of those amendments is to 314  
expressly overrule the decision of the Ohio Supreme Court in the 315  
case *Gabbard v. Madison Local School Dist. Bd. of Edn., Slip* 316

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Sec. 109.805. The attorney general shall adopt, in 318  
accordance with Chapter 119. of the Revised Code or pursuant to 319  
section 109.74 of the Revised Code, the following rules: 320

(A) Rules governing the requirements for initial training 321  
that a person must successfully complete to be qualified to 322  
serve as a person authorized to go armed within a school safety 323  
zone under section 2923.122 of the Revised Code. The rules shall 324  
include all of the following: 325

(1) Rules governing eighteen hours of general training 326  
that a person must successfully complete to be qualified to 327  
serve as a person authorized to go armed within a school safety 328  
zone under section 2923.122 of the Revised Code. The rules shall 329  
specify both of the following: 330

(a) The content of the training; 331

(b) That the number of hours of training shall not exceed 332  
eighteen hours. 333

(2) Rules governing two hours of handgun training that a 334  
person must successfully complete to be qualified to serve as a 335  
person authorized to go armed within a school safety zone under 336  
section 2923.122 of the Revised Code. The rules shall specify 337  
both of the following: 338

(a) The content of the training as described in division 339  
(C) of this section; 340

(b) That the number of hours of training shall not exceed 341  
two hours. 342

(B) Rules governing the requirements for additional 343  
training that a person must successfully complete, after 344

receiving the training required under the rules described in 345  
division (A) of this section, to be qualified to serve as a 346  
person authorized to go armed within a school safety zone under 347  
section 2923.122 of the Revised Code. The rules shall include 348  
all of the following: 349

(1) Rules governing two hours of general training that a 350  
person must successfully complete, after receiving the training 351  
required under the rules described in division (A) of this 352  
section, to be qualified to serve as a person authorized to go 353  
armed within a school safety zone under section 2923.122 of the 354  
Revised Code. The rules shall specify all of the following: 355

(a) The content of the training; 356

(b) That the number of hours of training shall not exceed 357  
two hours; 358

(c) That the training shall be completed annually. 359

(2) Rules governing two hours of handgun training that a 360  
person must successfully complete, after receiving the training 361  
required under the rules described in division (A) of this 362  
section, to be qualified to serve as a person authorized to go 363  
armed within a school safety zone under section 2923.122 of the 364  
Revised Code. The rules shall specify all of the following: 365

(a) The content of the training as described in division 366  
(C) of this section; 367

(b) That the number of hours of training shall not exceed 368  
two hours; 369

(c) That the training shall be completed annually. 370

(C) The content of the handgun training described in 371  
divisions (A) (2) (a) and (B) (2) (a) of this section shall require 372

a person authorized to go armed within a school safety zone to 373  
complete all of the following: 374

(1) Demonstrate proper loading and holstering procedures; 375

(2) On signal, draw to close quarters retention position 376  
and fire three rounds into the preferred area. Upon completion, 377  
take appropriate post-shooting actions. The distance from the 378  
target shall be four feet, the time allowed shall be five 379  
seconds, and the number of rounds allowed shall be three. 380

(3) On signal, take a flanking step while drawing and fire 381  
two rounds into the preferred area of the torso and then one 382  
round into the head circle. Upon completion, take appropriate 383  
post-shooting actions. The distance from the target shall be 384  
nine feet, the time allowed shall be six seconds, and the number 385  
of rounds allowed shall be three. 386

(4) On signal, take a flanking step while drawing and fire 387  
four rounds into the preferred area with dominant hand only. 388  
Upon completion, take appropriate post-shooting actions and 389  
remain at the high ready position with the handgun in the 390  
dominant hand. On command, transfer the handgun to the non- 391  
dominant hand and remain at a chest ready or compressed ready 392  
position. The distance from the target shall be twelve feet, the 393  
time allowed shall be eight seconds, and the number of rounds 394  
allowed shall be four. 395

(5) On signal, take a flanking step while presenting to 396  
the target and fire four rounds into the preferred area with 397  
non-dominant hand only. Upon completion, take appropriate post- 398  
shooting actions. The distance from the target shall be twelve 399  
feet, the time allowed shall be seven seconds, and the number of 400  
rounds allowed shall be four. 401

(6) On signal, take a flanking step while drawing and fire 402  
three rounds into the preferred area. On slide lock, take a 403  
flanking step in the opposite direction while reloading and fire 404  
three additional rounds into the preferred area. Upon 405  
completion, take appropriate post-shooting actions. The handgun 406  
shall be prepared with one round in the chamber and two in the 407  
magazine. The distance from the target shall be twenty feet, the 408  
time allowed shall be twelve seconds, and the number of rounds 409  
allowed shall be six. 410

(7) On signal, take a flanking step while drawing and fire 411  
three rounds into the preferred area. Upon completion, take 412  
appropriate post-shooting actions. The distance from the target 413  
shall be thirty feet, the time allowed shall be eight seconds, 414  
and the number of rounds allowed shall be three. 415

(8) On signal, take a flanking step while drawing and fire 416  
two rounds into the preferred area. Upon completion, take 417  
appropriate post-shooting actions. The distance from the target 418  
shall be fifty feet, the time allowed shall be eight seconds, 419  
and the number of rounds allowed shall be two. 420

(9) Demonstrate proper unloading and clearing procedures. 421

(D) Nothing in this section prohibits the board of 422  
education or governing body of a school from requiring more 423  
training than the training requirements in this section for a 424  
person authorized to go armed within a school safety zone. 425

(E) As used in this section, "additional training," 426  
"initial training," and "person authorized to go armed within a 427  
school safety zone" have the same meanings as in section 428  
2923.122 of the Revised Code. 429

**Sec. 149.433.** (A) As used in this section: 430

"Act of terrorism" has the same meaning as in section 431  
2909.21 of the Revised Code. 432

"Express statement" means a written statement 433  
substantially similar to the following: "This information is 434  
voluntarily submitted to a public office in expectation of 435  
protection from disclosure as provided by section 149.433 of the 436  
Revised Code." 437

"Infrastructure record" means any record that discloses 438  
the configuration of critical systems including, but not limited 439  
to, communication, computer, electrical, mechanical, 440  
ventilation, water, and plumbing systems, security codes, or the 441  
infrastructure or structural configuration of a building. 442

"Infrastructure record" includes a risk assessment of 443  
infrastructure performed by a state or local law enforcement 444  
agency at the request of a property owner or manager. 445

"Infrastructure record" does not mean a simple floor plan 446  
that discloses only the spatial relationship of components of 447  
the building. 448

"Security record" means any of the following: 449

(1) Any record that contains information directly used for 450  
protecting or maintaining the security of a public office 451  
against attack, interference, or sabotage; 452

(2) Any record assembled, prepared, or maintained by a 453  
public office or public body to prevent, mitigate, or respond to 454  
acts of terrorism, including any of the following: 455

(a) Those portions of records containing specific and 456  
unique vulnerability assessments or specific and unique response 457  
plans either of which is intended to prevent or mitigate acts of 458



terrorism, and communication codes or deployment plans of law enforcement or emergency response personnel;	459 460
(b) Specific intelligence information and specific investigative records shared by federal and international law enforcement agencies with state and local law enforcement and public safety agencies;	461 462 463 464
(c) National security records classified under federal executive order and not subject to public disclosure under federal law that are shared by federal agencies, and other records related to national security briefings to assist state and local government with domestic preparedness for acts of terrorism.	465 466 467 468 469 470
(3) An emergency management plan adopted pursuant to section 5502.262 of the Revised Code.	471 472
(B) (1) <u>A-Except as otherwise provided in division (B) (4) of this section, a record kept by a public office that is a security record is not a public record under section 149.43 of the Revised Code and is not subject to mandatory release or disclosure under that section.</u>	473 474 475 476 477
(2) <u>A-Except as otherwise provided in division (B) (4) of this section, a record kept by a public office that is an infrastructure record of a public office, public school, or a chartered nonpublic school is not a public record under section 149.43 of the Revised Code and is not subject to mandatory release or disclosure under that section.</u>	478 479 480 481 482 483
(3) A record kept by a public office that is an infrastructure record of a private entity may be exempted from release or disclosure under division (C) of this section.	484 485 486
<u>(4) Divisions (B) (1) and (2) of this section do not apply</u>	487

to a record that is a public notification required to be 488  
provided under division (D) (1) (d) of section 2923.122 of the 489  
Revised Code. A record that is such a public notification is a 490  
public record to the extent that it is required to be provided 491  
under division (D) (1) (d) of section 2923.122 of the Revised 492  
Code. 493

(C) A record prepared by, submitted to, or kept by a 494  
public office that is an infrastructure record of a private 495  
entity, which is submitted to the public office for use by the 496  
public office, when accompanied by an express statement, is 497  
exempt from release or disclosure under section 149.43 of the 498  
Revised Code for a period of twenty-five years after its 499  
creation if it is retained by the public office for that length 500  
of time. 501

(D) Notwithstanding any other section of the Revised Code, 502  
disclosure by a public office, public employee, chartered 503  
nonpublic school, or chartered nonpublic school employee of a 504  
security record or infrastructure record that is necessary for 505  
construction, renovation, or remodeling work on any public 506  
building or project or chartered nonpublic school does not 507  
constitute public disclosure for purposes of waiving division 508  
(B) of this section and does not result in that record becoming 509  
a public record for purposes of section 149.43 of the Revised 510  
Code. 511

**Sec. 2923.122.** (A) No person shall knowingly convey, or 512  
attempt to convey, a deadly weapon or dangerous ordnance into a 513  
school safety zone. 514

(B) No person shall knowingly possess a deadly weapon or 515  
dangerous ordnance in a school safety zone. 516

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

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

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

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

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

(b) A law enforcement officer who is authorized to carry deadly weapons or dangerous ordnance,~~—a;~~

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

(d) Any other person who has written authorization from the board of education or governing body of a school authorized to convey deadly weapons or dangerous ordnance into go armed within a school safety zone or to possess a deadly weapon or dangerous ordnance in a school safety zone and who conveys or possesses the deadly weapon or dangerous ordnance in accordance with that authorization, if the board of education or governing body of a school notifies the public, by whatever means the school regularly communicates with the public, that the board or

governing body has authorized one or more other persons to go 546  
armed within a school of the board or governing body. Nothing in 547  
this division shall be construed as requiring the disclosure of 548  
information that is not a public record under section 149.43 or 549  
149.433 of the Revised Code; 550

~~(b)~~ (e) Any person who is employed in this state, who is 551  
authorized to carry deadly weapons or dangerous ordnance, and 552  
who is subject to and in compliance with the requirements of 553  
section 109.801 of the Revised Code, unless the appointing 554  
authority of the person has expressly specified that the 555  
exemption provided in division ~~(D) (1) (b)~~ (D) (1) (e) of this 556  
section does not apply to the person. 557

(2) Division (C) of this section does not apply to 558  
premises upon which home schooling is conducted. Division (C) of 559  
this section also does not apply to a school administrator, 560  
teacher, or employee who possesses an object that is 561  
indistinguishable from a firearm for legitimate school purposes 562  
during the course of employment, a student who uses an object 563  
that is indistinguishable from a firearm under the direction of 564  
a school administrator, teacher, or employee, or any other 565  
person who with the express prior approval of a school 566  
administrator possesses an object that is indistinguishable from 567  
a firearm for a legitimate purpose, including the use of the 568  
object in a ceremonial activity, a play, reenactment, or other 569  
dramatic presentation, school safety training, or a ROTC 570  
activity or another similar use of the object. 571

(3) This section does not apply to a person who conveys or 572  
attempts to convey a handgun into, or possesses a handgun in, a 573  
school safety zone if, at the time of that conveyance, attempted 574  
conveyance, or possession of the handgun, all of the following 575

apply:	576
(a) The person does not enter into a school building or onto school premises and is not at a school activity.	577 578
(b) The person is carrying a valid concealed handgun license or the person 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.	579 580 581 582 583 584 585
(c) The person is in the school safety zone in accordance with 18 U.S.C. 922(q) (2) (B).	586 587
(d) The person is not knowingly in a place described in division (B) (1) or (B) (3) to (8) of section 2923.126 of the Revised Code.	588 589 590
(4) This section does not apply to a person who conveys or attempts to convey a handgun into, or possesses a handgun in, a school safety zone if at the time of that conveyance, attempted conveyance, or possession of the handgun all of the following apply:	591 592 593 594 595
(a) The person is carrying a valid concealed handgun license or the person 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.	596 597 598 599 600 601 602
(b) The person leaves the handgun in a motor vehicle.	603

(c) The handgun does not leave the motor vehicle. 604

(d) If the person exits the motor vehicle, the person 605  
locks the motor vehicle. 606

(E) (1) Whoever violates division (A) or (B) of this 607  
section is guilty of illegal conveyance or possession of a 608  
deadly weapon or dangerous ordnance in a school safety zone. 609  
Except as otherwise provided in this division, illegal 610  
conveyance or possession of a deadly weapon or dangerous 611  
ordnance in a school safety zone is a felony of the fifth 612  
degree. If the offender previously has been convicted of a 613  
violation of this section, illegal conveyance or possession of a 614  
deadly weapon or dangerous ordnance in a school safety zone is a 615  
felony of the fourth degree. 616

(2) Whoever violates division (C) of this section is 617  
guilty of illegal possession of an object indistinguishable from 618  
a firearm in a school safety zone. Except as otherwise provided 619  
in this division, illegal possession of an object 620  
indistinguishable from a firearm in a school safety zone is a 621  
misdemeanor of the first degree. If the offender previously has 622  
been convicted of a violation of this section, illegal 623  
possession of an object indistinguishable from a firearm in a 624  
school safety zone is a felony of the fifth degree. 625

(F) (1) In addition to any other penalty imposed upon a 626  
person who is convicted of or pleads guilty to a violation of 627  
this section and subject to division (F) (2) of this section, if 628  
the offender has not attained nineteen years of age, regardless 629  
of whether the offender is attending or is enrolled in a school 630  
operated by a board of education or for which the state board of 631  
education prescribes minimum standards under section 3301.07 of 632  
the Revised Code, the court shall impose upon the offender a 633

class four suspension of the offender's probationary driver's 634  
license, restricted license, driver's license, commercial 635  
driver's license, temporary instruction permit, or probationary 636  
commercial driver's license that then is in effect from the 637  
range specified in division (A) (4) of section 4510.02 of the 638  
Revised Code and shall deny the offender the issuance of any 639  
permit or license of that type during the period of the 640  
suspension. 641

If the offender is not a resident of this state, the court 642  
shall impose a class four suspension of the nonresident 643  
operating privilege of the offender from the range specified in 644  
division (A) (4) of section 4510.02 of the Revised Code. 645

(2) If the offender shows good cause why the court should 646  
not suspend one of the types of licenses, permits, or privileges 647  
specified in division (F) (1) of this section or deny the 648  
issuance of one of the temporary instruction permits specified 649  
in that division, the court in its discretion may choose not to 650  
impose the suspension, revocation, or denial required in that 651  
division, but the court, in its discretion, instead may require 652  
the offender to perform community service for a number of hours 653  
determined by the court. 654

(G) As used in this section: 655

(1) "Initial training" means training that is completed 656  
prior to conveying or possessing a deadly weapon or dangerous 657  
ordnance into or in a school safety zone. 658

(2) "~~object~~ Object that is indistinguishable from a 659  
firearm" means an object made, constructed, or altered so that, 660  
to a reasonable person without specialized training in firearms, 661  
the object appears to be a firearm. 662

(3) (a) "Person authorized to go armed within a school safety zone" means a person to whom all of the following apply: 663  
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(i) The person has written authorization from the board of education or governing body of a school that authorizes the person to convey or possess deadly weapons or dangerous ordnance in a school safety zone within which the board or governing body has authority and that specifies the manner in which the person may convey or possess deadly weapons or dangerous ordnance in a school safety zone within which the board or governing body has authority. 665  
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(ii) The person conveys or possesses the deadly weapon or dangerous ordnance in accordance with that authorization. 673  
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(iii) The person has a valid concealed handgun license. 675

(iv) Except as provided in division (G) (3) (c) of this section, the person has completed the following initial training: 676  
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(I) The person has successfully completed eighteen hours of general training prescribed by rule under division (A) (1) of section 109.805 of the Revised Code. 679  
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(II) The person has successfully completed two hours of handgun training prescribed by rule under division (A) (2) of section 109.805 of the Revised Code. 682  
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(v) Except as provided in division (G) (3) (c) of this section, the person has completed the following annual additional training: 685  
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(I) The person has successfully completed two hours of general training prescribed by rule under division (B) (1) of section 109.805 of the Revised Code. 688  
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(II) The person has successfully completed two hours of handgun training prescribed by rule under division (B) (2) of section 109.805 of the Revised Code. 691  
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(b) The board or governing body of the school shall pay all fees for the training described in divisions (G) (3) (a) (iv) and (v) of this section. 694  
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(c) The training requirements in divisions (G) (3) (a) (iv) and (v) of this section do not apply to a law enforcement officer or school resource officer. 697  
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(d) Nothing in division (G) (3) of this section prohibits the board or governing body of a school from requiring more training than the training requirements in divisions (G) (3) (a) (iv) and (v) of this section for a person authorized to go armed within a school safety zone. 700  
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(4) "Additional training" means training that is completed after completing the initial training required under division (G) (3) (a) (iv) of this section. 705  
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**Section 2.** That existing sections 109.73, 109.78, 149.433, and 2923.122 of the Revised Code are hereby repealed. 708  
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**Section 3.** Not later than one hundred twenty days after the effective date of this section, the Attorney General shall file proposals of the rules described in divisions (A) (3) and (4) of section 109.748 of the Revised Code, as enacted in this act, with the Secretary of State, the Director of the Legislative Service Commission, and the Joint Committee on Agency Rule Review, in accordance with section 119.03 of the Revised Code. 710  
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**Section 4.** Section 109.73 of the Revised Code is presented in this act as a composite of the section as amended by both 718  
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H.B. 24 and S.B. 68 of the 133rd General Assembly. The General 720  
Assembly, applying the principle stated in division (B) of 721  
section 1.52 of the Revised Code that amendments are to be 722  
harmonized if reasonably capable of simultaneous operation, 723  
finds that the composite is the resulting version of the section 724  
in effect prior to the effective date of the section as 725  
presented in this act. 726