

As Introduced

**133rd General Assembly
Regular Session
2019-2020**

H. B. No. 793

Representative Sheehy

A BILL

To amend Section 11 of H.B. 197 of the 133rd
General Assembly, as subsequently amended, to
extend license deadlines and allow licenses to
remain valid until December 1, 2021, and to
declare an emergency.

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

Section 1. That Section 11 of H.B. 197 of the 133rd
General Assembly (as amended by H.B. 614 of the 133rd Assembly)
be amended to read as follows:

Sec. 11. (A) As used in this section:

(1) "License" means any license, permit, certificate,
commission, charter, registration, card, or other similar
authority that is issued or conferred by a state agency, a
political subdivision of this state, or an official of a
political subdivision of this state.

(2) "Person" has the same meaning as in section 1.59 of
the Revised Code.

(3) "State agency" means every organized body, office, or
agency established by the laws of the state for the exercise of

any function of state government. "State agency" includes all of 19
the following: 20

(a) The nonprofit corporation formed under section 187.01 21
of the Revised Code; 22

(b) The Public Employees Retirement Board, Board of 23
Trustees of the Ohio Police and Fire Pension Fund, State 24
Teachers Retirement Board, School Employees Retirement Board, 25
and State Highway Patrol Retirement Board; 26

(c) A state institution of higher education as defined in 27
section 3345.011 of the Revised Code. 28

(B) If a state agency is required by law to take action 29
during the period of the emergency declared by Executive Order 30
2020-01D, issued March 9, 2020, but not beyond December 1, 2020, 31
if the period of the emergency continues beyond that date, 32
notwithstanding the date by which action is required to be taken 33
in accordance with that law, the state agency shall take that 34
action not later than the earlier of either ninety days after 35
the date the emergency ends or December 1, 2020. 36

(C) (1) Except as provided in division (E) of this section, 37
if a person is required by law to take action to maintain the 38
validity of a license ~~during the period of the emergency~~ 39
~~declared by Executive Order 2020-01D, issued on or after March~~ 40
~~9, 2020, but not beyond December 1, 2020, if the period of the~~ 41
~~emergency continues beyond that date~~2021, notwithstanding the 42
date by which action with respect to that license is required to 43
be taken in accordance with that law, the person shall take that 44
action not later than ~~the sooner of either ninety days after the~~ 45
~~date the emergency ends or December 1, 2020~~2021. 46

(2) Except as provided in division (E) of this section, a 47

license otherwise expiring pursuant to law ~~during the period of~~ 48
~~the emergency declared by Executive Order 2020-01D, issued on or~~ 49
~~after~~ March 9, 2020, but not beyond December 1, 2020, ~~if the~~ 50
~~period of the emergency continues beyond that date~~2021, 51
notwithstanding the date on which the license expires in 52
accordance with that law, remains valid until ~~the earlier of~~ 53
~~either ninety days after the date the emergency ends or~~ December 54
1, ~~2020~~2021, unless revoked, suspended, or otherwise subject to 55
discipline or limitation under the applicable law for reasons 56
other than delaying taking action to maintain the validity of 57
the license in accordance with division (C) (1) of this section. 58

(D) Nothing in division (C) of this section limits the 59
authority of a state agency, political subdivision, or official 60
that issues a license to take disciplinary action under the 61
applicable law against a person with respect to a license, 62
provided that a state agency, political subdivision, or official 63
shall not take disciplinary action against a person who delays 64
in taking action to maintain the validity of the license in 65
accordance with division (C) (1) of this section. 66

(E) (1) If a concealed handgun license has been issued to a 67
person under section 2923.125 of the Revised Code and if the 68
date on which that license was, or is, scheduled to expire falls 69
on or after March 9, 2020, but not beyond June 30, 2021, 70
notwithstanding that date of scheduled expiration or any other 71
provision of law to the contrary, the date on which that license 72
was, or is, scheduled to expire is hereby extended to the later 73
of either ninety days or June 30, 2021, with the ninety-day 74
extension period commencing on that date of scheduled 75
expiration. 76

(2) Division (E) (1) of this section applies with respect 77

to a concealed handgun license that is described in that 78
division even if the date of scheduled expiration of that 79
license occurred prior to the effective date of this section, as 80
amended. 81

(F) If division (E)(1) of this section applies with 82
respect to a concealed handgun license, during the extension 83
period described in that division that is applicable to that 84
license and during the thirty-day grace period provided 85
subsequent to the license's expiration under division (A) of 86
section 2923.126 of the Revised Code, both of the following 87
apply: 88

(1) The license shall be valid for all purposes under the 89
law of this state. 90

(2) The person to whom the license was issued shall be 91
considered for all purposes under the law of this state to be a 92
holder of a valid license to carry a concealed handgun. 93

(G) If division (E) of this section applies with respect 94
to a concealed handgun license: 95

(1) The application of that division does not affect the 96
operation of section 2923.128 of the Revised Code, during the 97
applicable extension period described in that division or at any 98
other time. 99

(2) The provisions of section 2923.128 of the Revised Code 100
requiring the suspension or revocation of a concealed handgun 101
license for specified conduct, or for a specified activity or 102
factor, apply to the license with respect to which division (E) 103
of this section applies and to the person to whom the license 104
was issued, during the applicable extension period described in 105
that division or at any other time. 106

(H) This section does not apply to any of the following:	107
(1) An offender who has violent offender database duties as defined in section 2903.41 of the Revised Code;	108 109
(2) An offender who has a duty to register under section 2909.15 of the Revised Code;	110 111
(3) An offender who has a duty to register under section 2950.04 or 2950.041 of the Revised Code.	112 113
(I) No cause of action accrues due to the delay of an action taken under division (B), (C), or (E) of this section.	114 115
(J) The General Assembly encourages any person to whom the extension of time described in division (C) (1) or (E) of this section applies to make all reasonable efforts, taking into consideration the detrimental risks of COVID-19 to the health and safety of the person and other individuals, to take action with respect to a license within the extension granted under that division before the extension elapses.	116 117 118 119 120 121 122
Section 2. That existing Section 11 of H.B. 197 of the 133rd General Assembly (as amended by H.B. 614 of the 133rd Assembly) is hereby repealed.	123 124 125
Section 3. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to continue essential operation of various facets of state government and respond to the declared pandemic and global health emergency related to COVID-19. Therefore, this act shall go into immediate effect.	126 127 128 129 130 131 132