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**131st General Assembly**

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**Am. Sub. S. B. No. 199**

**Senators Uecker, Gardner**

**Cosponsors: Senators Coley, Bacon, Obhof, Eklund, Beagle, Burke, Faber, Hackett, Hite, Hottinger, Hughes, Jones, Jordan, LaRose, Manning, Oelslager, Patton, Seitz Representatives Perales, Amstutz, Anielski, Antani, Becker, Blessing, Brenner, Burkley, Cera, Conditt, Dean, Dovilla, Ginter, Goodman, Hagan, Hambley, Henne, Hill, Huffman, Koehler, Landis, LaTourette, Maag, Manning, McColley, Merrin, O'Brien, S., Retherford, Rezabek, Ruhl, Schaffer, Smith, R., Sprague, Terhar, Thompson, Young, Speaker Rosenberger**

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**A BILL**

To amend sections 109.731, 311.42, 1547.69, 1  
2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 2  
2923.126, 2923.16, and 2923.21 and to enact 3  
sections 2923.1210 and 5103.132 of the Revised 4  
Code to specify that an active duty member of 5  
the U.S. Armed Forces: (1) does not need a 6  
concealed handgun license to carry a handgun 7  
concealed if the member is carrying valid 8  
military identification and documentation of 9  
successful completion of specified firearms 10  
training; and (2) may be sold or furnished a 11  
handgun if the member has received specified 12  
firearms training; to prohibit a business entity 13  
from having a policy that prohibits a concealed 14  
handgun licensee from transporting or storing a 15  
firearm in the person's motor vehicle; to modify 16  
the prohibition against carrying a concealed 17  
handgun onto institutions of higher education, 18  
day-care facilities, aircraft, certain 19

government facilities, public areas of airport 20  
terminals, and school safety zones; to allow a 21  
sheriff to use concealed handgun license fee 22  
revenue to purchase ammunition and firearms; and 23  
to authorize certain children's crisis care 24  
facilities to maintain firearms. 25

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

**Section 1.** That sections 109.731, 311.42, 1547.69, 26  
2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 2923.126, 27  
2923.16, and 2923.21 be amended and sections 2923.1210 and 28  
5103.132 of the Revised Code be enacted to read as follows: 29

**Sec. 109.731.** (A) (1) The attorney general shall prescribe, 30  
and shall make available to sheriffs an application form that is 31  
to be used under section 2923.125 of the Revised Code by a 32  
person who applies for a concealed handgun license and an 33  
application form that is to be used under section 2923.125 of 34  
the Revised Code by a person who applies for the renewal of a 35  
license of that nature. The attorney general shall design the 36  
form to enable applicants to provide the information that is 37  
required by law to be collected, and shall update the form as 38  
necessary. Burdens or restrictions to obtaining a concealed 39  
handgun license that are not expressly prescribed in law shall 40  
not be incorporated into the form. The attorney general shall 41  
post a printable version of the form on the web site of the 42  
attorney general and shall provide the address of the web site 43  
to any person who requests the form. 44

(2) The Ohio peace officer training commission shall 45

prescribe, and shall make available to sheriffs, all of the 46  
following: 47

(a) A form for the concealed handgun license that is to be 48  
issued by sheriffs to persons who qualify for a concealed 49  
handgun license under section 2923.125 of the Revised Code and 50  
that conforms to the following requirements: 51

(i) It has space for the licensee's full name, residence 52  
address, and date of birth and for a color photograph of the 53  
licensee. 54

(ii) It has space for the date of issuance of the license, 55  
its expiration date, its county of issuance, the name of the 56  
sheriff who issues the license, and the unique combination of 57  
letters and numbers that identify the county of issuance and the 58  
license given to the licensee by the sheriff in accordance with 59  
division (A)(2)(c) of this section. 60

(iii) It has space for the signature of the licensee and 61  
the signature or a facsimile signature of the sheriff who issues 62  
the license. 63

(iv) It does not require the licensee to include serial 64  
numbers of handguns, other identification related to handguns, 65  
or similar data that is not pertinent or relevant to obtaining 66  
the license and that could be used as a de facto means of 67  
registration of handguns owned by the licensee. 68

(b) A series of three-letter county codes that identify 69  
each county in this state; 70

(c) A procedure by which a sheriff shall give each 71  
concealed handgun license, replacement concealed handgun 72  
license, or renewal concealed handgun license and each concealed 73  
handgun license on a temporary emergency basis or replacement 74

license on a temporary emergency basis the sheriff issues under 75  
section 2923.125 or 2923.1213 of the Revised Code a unique 76  
combination of letters and numbers that identifies the county in 77  
which the license was issued and that uses the county code and a 78  
unique number for each license the sheriff of that county 79  
issues; 80

(d) A form for a concealed handgun license on a temporary 81  
emergency basis that is to be issued by sheriffs to persons who 82  
qualify for such a license under section 2923.1213 of the 83  
Revised Code, which form shall conform to all the requirements 84  
set forth in divisions (A) (2) (a) (i) to (iv) of this section and 85  
shall additionally conspicuously specify that the license is 86  
issued on a temporary emergency basis and the date of its 87  
issuance. 88

(B) (1) The Ohio peace officer training commission, in 89  
consultation with the attorney general, shall prepare a pamphlet 90  
that does all of the following, in everyday language: 91

(a) Explains the firearms laws of this state; 92

(b) Instructs the reader in dispute resolution and 93  
explains the laws of this state related to that matter; 94

(c) Provides information to the reader regarding all 95  
aspects of the use of deadly force with a firearm, including, 96  
but not limited to, the steps that should be taken before 97  
contemplating the use of, or using, deadly force with a firearm, 98  
possible alternatives to using deadly force with a firearm, and 99  
the law governing the use of deadly force with a firearm. 100

(2) The attorney general shall consult with and assist the 101  
commission in the preparation of the pamphlet described in 102  
division (B) (1) of this section and, as necessary, shall 103

recommend to the commission changes in the pamphlet to reflect 104  
changes in the law that are relevant to it. The attorney general 105  
shall publish the pamphlet on the web site of the attorney 106  
general and shall provide the address of the web site to any 107  
person who requests the pamphlet. 108

(3) The attorney general shall create and maintain a 109  
section on the attorney general's web site that provides 110  
information on firearms laws of this state specifically 111  
applicable to members of the armed forces of the United States 112  
and a link to the pamphlet described in division (B) (1) of this 113  
section. 114

(C) The Ohio peace officer training commission shall 115  
maintain statistics with respect to the issuance, renewal, 116  
suspension, revocation, and denial of concealed handgun licenses 117  
under section 2923.125 of the Revised Code and the suspension of 118  
processing of applications for those licenses, and with respect 119  
to the issuance, suspension, revocation, and denial of concealed 120  
handgun licenses on a temporary emergency basis under section 121  
2923.1213 of the Revised Code, as reported by the sheriffs 122  
pursuant to division (C) of section 2923.129 of the Revised 123  
Code. Not later than the first day of March in each year, the 124  
commission shall submit a statistical report to the governor, 125  
the president of the senate, and the speaker of the house of 126  
representatives indicating the number of concealed handgun 127  
licenses that were issued, renewed, suspended, revoked, and 128  
denied under section 2923.125 of the Revised Code in the 129  
previous calendar year, the number of applications for those 130  
licenses for which processing was suspended in accordance with 131  
division (D) (3) of that section in the previous calendar year, 132  
and the number of concealed handgun licenses on a temporary 133  
emergency basis that were issued, suspended, revoked, or denied 134

under section 2923.1213 of the Revised Code in the previous 135  
calendar year. Nothing in the statistics or the statistical 136  
report shall identify, or enable the identification of, any 137  
individual who was issued or denied a license, for whom a 138  
license was renewed, whose license was suspended or revoked, or 139  
for whom application processing was suspended. The statistics 140  
and the statistical report are public records for the purpose of 141  
section 149.43 of the Revised Code. 142

(D) As used in this section, "concealed handgun license" 143  
and "handgun" have the same meanings as in section 2923.11 of 144  
the Revised Code. 145

**Sec. 311.42.** (A) Each county shall establish in the county 146  
treasury a sheriff's concealed handgun license issuance expense 147  
fund. The sheriff of that county shall deposit into that fund 148  
all fees paid by applicants for the issuance or renewal of a 149  
concealed handgun license or duplicate concealed handgun license 150  
under section 2923.125 of the Revised Code and all fees paid by 151  
the person seeking a concealed handgun license on a temporary 152  
emergency basis under section 2923.1213 of the Revised Code. The 153  
county shall distribute all fees deposited into the fund except 154  
forty dollars of each fee paid by an applicant under division 155  
(B) of section 2923.125 of the Revised Code, fifteen dollars of 156  
each fee paid under section 2923.1213 of the Revised Code, and 157  
thirty-five dollars of each fee paid under division (F) of 158  
section 2923.125 of the Revised Code to the attorney general to 159  
be used to pay the cost of background checks performed by the 160  
bureau of criminal identification and investigation and the 161  
federal bureau of investigation and to cover administrative 162  
costs associated with issuing the license. 163

(B) The sheriff, with the approval of the board of county 164

commissioners, may expend any county portion of the fees 165  
deposited into the sheriff's concealed handgun license issuance 166  
expense fund for any of the following: 167

(1) Any costs incurred by the sheriff in connection with 168  
performing any administrative functions related to the issuance 169  
of concealed handgun licenses under section 2923.125 or 170  
2923.1213 of the Revised Code, including, but not limited to, 171  
personnel expenses and any costs associated with a firearm 172  
safety education program, or a firearm training or qualification 173  
program that the sheriff chooses to fund; 174

(2) Ammunition and firearms to be used by the sheriff and 175  
the sheriff's employees. 176

**Sec. 1547.69.** (A) As used in this section: 177

(1) "Firearm," "concealed handgun license," "handgun," ~~and~~ 178  
"valid concealed handgun license," and "active duty" have the 179  
same meanings as in section 2923.11 of the Revised Code. 180

(2) "Unloaded" has the same meanings as in divisions (K) 181  
(5) and (6) of section 2923.16 of the Revised Code, except that 182  
all references in the definition in division (K) (5) of that 183  
section to "vehicle" shall be construed for purposes of this 184  
section to be references to "vessel." 185

(B) No person shall knowingly discharge a firearm while in 186  
or on a vessel. 187

(C) No person shall knowingly transport or have a loaded 188  
firearm in a vessel in a manner that the firearm is accessible 189  
to the operator or any passenger. 190

(D) No person shall knowingly transport or have a firearm 191  
in a vessel unless it is unloaded and is carried in one of the 192

following ways:	193
(1) In a closed package, box, or case;	194
(2) In plain sight with the action opened or the weapon stripped, or, if the firearm is of a type on which the action will not stay open or that cannot easily be stripped, in plain sight.	195 196 197 198
(E) (1) The affirmative defenses authorized in divisions (D) (1) and (2) of section 2923.12 of the Revised Code are affirmative defenses to a charge under division (C) or (D) of this section that involves a firearm other than a handgun. It is an affirmative defense to a charge under division (C) or (D) of this section of transporting or having a firearm of any type, including a handgun, in a vessel that the actor transported or had the firearm in the vessel for any lawful purpose and while the vessel was on the actor's own property, provided that this affirmative defense is not available unless the actor, prior to arriving at the vessel on the actor's own property, did not transport or possess the firearm in the vessel or in a motor vehicle in a manner prohibited by this section or division (B) or (C) of section 2923.16 of the Revised Code while the vessel was being operated on a waterway that was not on the actor's own property or while the motor vehicle was being operated on a street, highway, or other public or private property used by the public for vehicular traffic.	199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216
(2) No person who is charged with a violation of division (C) or (D) of this section shall be required to obtain a license or temporary emergency license to carry a concealed handgun under section 2923.125 or 2923.1213 of the Revised Code as a condition for the dismissal of the charge.	217 218 219 220 221



(F) Divisions (B), (C), and (D) of this section do not 222  
apply to the possession or discharge of a United States coast 223  
guard approved signaling device required to be carried aboard a 224  
vessel under section 1547.251 of the Revised Code when the 225  
signaling device is possessed or used for the purpose of giving 226  
a visual distress signal. No person shall knowingly transport or 227  
possess any signaling device of that nature in or on a vessel in 228  
a loaded condition at any time other than immediately prior to 229  
the discharge of the signaling device for the purpose of giving 230  
a visual distress signal. 231

(G) No person shall operate or permit to be operated any 232  
vessel on the waters in this state in violation of this section. 233

(H) (1) This section does not apply to any of the 234  
following: 235

(a) An officer, agent, or employee of this or any other 236  
state or of the United States, or to a law enforcement officer, 237  
when authorized to carry or have loaded or accessible firearms 238  
in a vessel and acting within the scope of the officer's, 239  
agent's, or employee's duties; 240

(b) Any person who is employed in this state, who is 241  
authorized to carry or have loaded or accessible firearms in a 242  
vessel, and who is subject to and in compliance with the 243  
requirements of section 109.801 of the Revised Code, unless the 244  
appointing authority of the person has expressly specified that 245  
the exemption provided in division (H) (1) (b) of this section 246  
does not apply to the person; 247

(c) Any person legally engaged in hunting. 248

(2) Divisions (C) and (D) of this section do not apply to 249  
a person who transports or possesses a handgun in a vessel and 250

who, at the time of that transportation or possession, either is 251  
carrying a valid concealed handgun license or is an active duty 252  
member of the armed forces of the United States and is carrying 253  
a valid military identification card and documentation of 254  
successful completion of firearms training that meets or exceeds 255  
the training requirements described in division (G) (1) of 256  
section 2923.125 of the Revised Code, unless the person 257  
knowingly is in a place on the vessel described in division (B) 258  
of section 2923.126 of the Revised Code. 259

(I) If a law enforcement officer stops a vessel for a 260  
violation of this section or any other law enforcement purpose, 261  
if any person on the vessel surrenders a firearm to the officer, 262  
either voluntarily or pursuant to a request or demand of the 263  
officer, and if the officer does not charge the person with a 264  
violation of this section or arrest the person for any offense, 265  
the person is not otherwise prohibited by law from possessing 266  
the firearm, and the firearm is not contraband, the officer 267  
shall return the firearm to the person at the termination of the 268  
stop. 269

(J) Division (L) of section 2923.16 of the Revised Code 270  
applies with respect to division (A) (2) of this section, except 271  
that all references in division (L) of section 2923.16 of the 272  
Revised Code to "vehicle," to "this chapter," or to "division 273  
(K) (5) (a) or (b) of this section" shall be construed for 274  
purposes of this section to be, respectively, references to 275  
"vessel," to "section 1547.69 of the Revised Code," and to 276  
divisions (K) (5) (a) and (b) of section 2923.16 of the Revised 277  
Code as incorporated under the definition of firearm adopted 278  
under division (A) (2) of this section. 279

**Sec. 2923.11.** As used in sections 2923.11 to 2923.24 of 280

the Revised Code:	281
(A) "Deadly weapon" means any instrument, device, or thing	282
capable of inflicting death, and designed or specially adapted	283
for use as a weapon, or possessed, carried, or used as a weapon.	284
(B) (1) "Firearm" means any deadly weapon capable of	285
expelling or propelling one or more projectiles by the action of	286
an explosive or combustible propellant. "Firearm" includes an	287
unloaded firearm, and any firearm that is inoperable but that	288
can readily be rendered operable.	289
(2) When determining whether a firearm is capable of	290
expelling or propelling one or more projectiles by the action of	291
an explosive or combustible propellant, the trier of fact may	292
rely upon circumstantial evidence, including, but not limited	293
to, the representations and actions of the individual exercising	294
control over the firearm.	295
(C) "Handgun" means any of the following:	296
(1) Any firearm that has a short stock and is designed to	297
be held and fired by the use of a single hand;	298
(2) Any combination of parts from which a firearm of a	299
type described in division (C) (1) of this section can be	300
assembled.	301
(D) "Semi-automatic firearm" means any firearm designed or	302
specially adapted to fire a single cartridge and automatically	303
chamber a succeeding cartridge ready to fire, with a single	304
function of the trigger.	305
(E) "Automatic firearm" means any firearm designed or	306
specially adapted to fire a succession of cartridges with a	307
single function of the trigger.	308

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

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

(1) Any firearm of crude and extemporized manufacture;

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

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

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

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

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

(K) "Dangerous ordnance" means any of the following,

except as provided in division (L) of this section:	337
(1) Any automatic or sawed-off firearm, zip-gun, or ballistic knife;	338 339
(2) Any explosive device or incendiary device;	340
(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, cyclonite, TNT, picric acid, and other high explosives; amatol, tritonite, tetrytol, pentolite, pecretol, cyclotol, and other high explosive compositions; plastic explosives; dynamite, blasting gelatin, gelatin dynamite, sensitized ammonium nitrate, liquid-oxygen blasting explosives, blasting powder, and other blasting agents; and any other explosive substance having sufficient brisance or power to be particularly suitable for use as a military explosive, or for use in mining, quarrying, excavating, or demolitions;	341 342 343 344 345 346 347 348 349 350
(4) Any firearm, rocket launcher, mortar, artillery piece, grenade, mine, bomb, torpedo, or similar weapon, designed and manufactured for military purposes, and the ammunition for that weapon;	351 352 353 354
(5) Any firearm muffler or suppressor;	355
(6) Any combination of parts that is intended by the owner for use in converting any firearm or other device into a dangerous ordnance.	356 357 358
(L) "Dangerous ordnance" does not include any of the following:	359 360
(1) Any firearm, including a military weapon and the ammunition for that weapon, and regardless of its actual age, that employs a percussion cap or other obsolete ignition system, or that is designed and safe for use only with black powder;	361 362 363 364

(2) Any pistol, rifle, or shotgun, designed or suitable 365  
for sporting purposes, including a military weapon as issued or 366  
as modified, and the ammunition for that weapon, unless the 367  
firearm is an automatic or sawed-off firearm; 368

(3) Any cannon or other artillery piece that, regardless 369  
of its actual age, is of a type in accepted use prior to 1887, 370  
has no mechanical, hydraulic, pneumatic, or other system for 371  
absorbing recoil and returning the tube into battery without 372  
displacing the carriage, and is designed and safe for use only 373  
with black powder; 374

(4) Black powder, priming quills, and percussion caps 375  
possessed and lawfully used to fire a cannon of a type defined 376  
in division (L) (3) of this section during displays, 377  
celebrations, organized matches or shoots, and target practice, 378  
and smokeless and black powder, primers, and percussion caps 379  
possessed and lawfully used as a propellant or ignition device 380  
in small-arms or small-arms ammunition; 381

(5) Dangerous ordnance that is inoperable or inert and 382  
cannot readily be rendered operable or activated, and that is 383  
kept as a trophy, souvenir, curio, or museum piece. 384

(6) Any device that is expressly excepted from the 385  
definition of a destructive device pursuant to the "Gun Control 386  
Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a) (4), as amended, 387  
and regulations issued under that act. 388

(M) "Explosive" means any chemical compound, mixture, or 389  
device, the primary or common purpose of which is to function by 390  
explosion. "Explosive" includes all materials that have been 391  
classified as division 1.1, division 1.2, division 1.3, or 392  
division 1.4 explosives by the United States department of 393

transportation in its regulations and includes, but is not 394  
limited to, dynamite, black powder, pellet powders, initiating 395  
explosives, blasting caps, electric blasting caps, safety fuses, 396  
fuse igniters, squibs, cordeau detonant fuses, instantaneous 397  
fuses, and igniter cords and igniters. "Explosive" does not 398  
include "fireworks," as defined in section 3743.01 of the 399  
Revised Code, or any substance or material otherwise meeting the 400  
definition of explosive set forth in this section that is 401  
manufactured, sold, possessed, transported, stored, or used in 402  
any activity described in section 3743.80 of the Revised Code, 403  
provided the activity is conducted in accordance with all 404  
applicable laws, rules, and regulations, including, but not 405  
limited to, the provisions of section 3743.80 of the Revised 406  
Code and the rules of the fire marshal adopted pursuant to 407  
section 3737.82 of the Revised Code. 408

(N) (1) "Concealed handgun license" or "license to carry a 409  
concealed handgun" means, subject to division (N) (2) of this 410  
section, a license or temporary emergency license to carry a 411  
concealed handgun issued under section 2923.125 or 2923.1213 of 412  
the Revised Code or a license to carry a concealed handgun 413  
issued by another state with which the attorney general has 414  
entered into a reciprocity agreement under section 109.69 of the 415  
Revised Code. 416

(2) A reference in any provision of the Revised Code to a 417  
concealed handgun license issued under section 2923.125 of the 418  
Revised Code or a license to carry a concealed handgun issued 419  
under section 2923.125 of the Revised Code means only a license 420  
of the type that is specified in that section. A reference in 421  
any provision of the Revised Code to a concealed handgun license 422  
issued under section 2923.1213 of the Revised Code, a license to 423  
carry a concealed handgun issued under section 2923.1213 of the 424

Revised Code, or a license to carry a concealed handgun on a 425  
temporary emergency basis means only a license of the type that 426  
is specified in section 2923.1213 of the Revised Code. A 427  
reference in any provision of the Revised Code to a concealed 428  
handgun license issued by another state or a license to carry a 429  
concealed handgun issued by another state means only a license 430  
issued by another state with which the attorney general has 431  
entered into a reciprocity agreement under section 109.69 of the 432  
Revised Code. 433

(O) "Valid concealed handgun license" or "valid license to 434  
carry a concealed handgun" means a concealed handgun license 435  
that is currently valid, that is not under a suspension under 436  
division (A) (1) of section 2923.128 of the Revised Code, under 437  
section 2923.1213 of the Revised Code, or under a suspension 438  
provision of the state other than this state in which the 439  
license was issued, and that has not been revoked under division 440  
(B) (1) of section 2923.128 of the Revised Code, under section 441  
2923.1213 of the Revised Code, or under a revocation provision 442  
of the state other than this state in which the license was 443  
issued. 444

(P) "Misdemeanor punishable by imprisonment for a term 445  
exceeding one year" does not include any of the following: 446

(1) Any federal or state offense pertaining to antitrust 447  
violations, unfair trade practices, restraints of trade, or 448  
other similar offenses relating to the regulation of business 449  
practices; 450

(2) Any misdemeanor offense punishable by a term of 451  
imprisonment of two years or less. 452

(Q) "Alien registration number" means the number issued by 453



the United States citizenship and immigration services agency 454  
that is located on the alien's permanent resident card and may 455  
also be commonly referred to as the "USCIS number" or the "alien 456  
number." 457

(R) "Active duty" has the same meaning as defined in 10 458  
U.S.C. 101. 459

**Sec. 2923.12.** (A) No person shall knowingly carry or have, 460  
concealed on the person's person or concealed ready at hand, any 461  
of the following: 462

(1) A deadly weapon other than a handgun; 463

(2) A handgun other than a dangerous ordnance; 464

(3) A dangerous ordnance. 465

(B) No person who has been issued a concealed handgun 466  
license shall do any of the following: 467

(1) If the person is stopped for a law enforcement purpose 468  
and is carrying a concealed handgun, fail to promptly inform any 469  
law enforcement officer who approaches the person after the 470  
person has been stopped that the person has been issued a 471  
concealed handgun license and that the person then is carrying a 472  
concealed handgun; 473

(2) If the person is stopped for a law enforcement purpose 474  
and is carrying a concealed handgun, knowingly fail to keep the 475  
person's hands in plain sight at any time after any law 476  
enforcement officer begins approaching the person while stopped 477  
and before the law enforcement officer leaves, unless the 478  
failure is pursuant to and in accordance with directions given 479  
by a law enforcement officer; 480

(3) If the person is stopped for a law enforcement 481

purpose, if the person is carrying a concealed handgun, and if 482  
the person is approached by any law enforcement officer while 483  
stopped, knowingly remove or attempt to remove the loaded 484  
handgun from the holster, pocket, or other place in which the 485  
person is carrying it, knowingly grasp or hold the loaded 486  
handgun, or knowingly have contact with the loaded handgun by 487  
touching it with the person's hands or fingers at any time after 488  
the law enforcement officer begins approaching and before the 489  
law enforcement officer leaves, unless the person removes, 490  
attempts to remove, grasps, holds, or has contact with the 491  
loaded handgun pursuant to and in accordance with directions 492  
given by the law enforcement officer; 493

(4) If the person is stopped for a law enforcement purpose 494  
and is carrying a concealed handgun, knowingly disregard or fail 495  
to comply with any lawful order of any law enforcement officer 496  
given while the person is stopped, including, but not limited 497  
to, a specific order to the person to keep the person's hands in 498  
plain sight. 499

(C) (1) This section does not apply to any of the 500  
following: 501

(a) An officer, agent, or employee of this or any other 502  
state or the United States, or to a law enforcement officer, who 503  
is authorized to carry concealed weapons or dangerous ordnance 504  
or is authorized to carry handguns and is acting within the 505  
scope of the officer's, agent's, or employee's duties; 506

(b) Any person who is employed in this state, who is 507  
authorized to carry concealed weapons or dangerous ordnance or 508  
is authorized to carry handguns, and who is subject to and in 509  
compliance with the requirements of section 109.801 of the 510  
Revised Code, unless the appointing authority of the person has 511

expressly specified that the exemption provided in division (C) 512  
(1) (b) of this section does not apply to the person; 513

(c) A person's transportation or storage of a firearm, 514  
other than a firearm described in divisions (G) to (M) of 515  
section 2923.11 of the Revised Code, in a motor vehicle for any 516  
lawful purpose if the firearm is not on the actor's person; 517

(d) A person's storage or possession of a firearm, other 518  
than a firearm described in divisions (G) to (M) of section 519  
2923.11 of the Revised Code, in the actor's own home for any 520  
lawful purpose. 521

(2) Division (A) (2) of this section does not apply to any 522  
person who, at the time of the alleged carrying or possession of 523  
a handgun, either is carrying a valid concealed handgun license 524  
or is an active duty member of the armed forces of the United 525  
States and is carrying a valid military identification card and 526  
documentation of successful completion of firearms training that 527  
meets or exceeds the training requirements described in division 528  
(G) (1) of section 2923.125 of the Revised Code, unless the 529  
person knowingly is in a place described in division (B) of 530  
section 2923.126 of the Revised Code. 531

(D) It is an affirmative defense to a charge under 532  
division (A) (1) of this section of carrying or having control of 533  
a weapon other than a handgun and other than a dangerous 534  
ordnance that the actor was not otherwise prohibited by law from 535  
having the weapon and that any of the following applies: 536

(1) The weapon was carried or kept ready at hand by the 537  
actor for defensive purposes while the actor was engaged in or 538  
was going to or from the actor's lawful business or occupation, 539  
which business or occupation was of a character or was 540

necessarily carried on in a manner or at a time or place as to 541  
render the actor particularly susceptible to criminal attack, 542  
such as would justify a prudent person in going armed. 543

(2) The weapon was carried or kept ready at hand by the 544  
actor for defensive purposes while the actor was engaged in a 545  
lawful activity and had reasonable cause to fear a criminal 546  
attack upon the actor, a member of the actor's family, or the 547  
actor's home, such as would justify a prudent person in going 548  
armed. 549

(3) The weapon was carried or kept ready at hand by the 550  
actor for any lawful purpose and while in the actor's own home. 551

(E) No person who is charged with a violation of this 552  
section shall be required to obtain a concealed handgun license 553  
as a condition for the dismissal of the charge. 554

(F) (1) Whoever violates this section is guilty of carrying 555  
concealed weapons. Except as otherwise provided in this division 556  
or ~~division~~ divisions (F) (2), (6), and (7) of this section, 557  
carrying concealed weapons in violation of division (A) of this 558  
section is a misdemeanor of the first degree. Except as 559  
otherwise provided in this division or ~~division~~ divisions (F) 560  
(2), (6), and (7) of this section, if the offender previously 561  
has been convicted of a violation of this section or of any 562  
offense of violence, if the weapon involved is a firearm that is 563  
either loaded or for which the offender has ammunition ready at 564  
hand, or if the weapon involved is dangerous ordnance, carrying 565  
concealed weapons in violation of division (A) of this section 566  
is a felony of the fourth degree. Except as otherwise provided 567  
in ~~division~~ divisions (F) (2) and (6) of this section, if the 568  
offense is committed aboard an aircraft, or with purpose to 569  
carry a concealed weapon aboard an aircraft, regardless of the 570

weapon involved, carrying concealed weapons in violation of 571  
division (A) of this section is a felony of the third degree. 572

(2) ~~If~~ Except as provided in division (F)(6) of this 573  
section, if a person being arrested for a violation of division 574  
(A)(2) of this section promptly produces a valid concealed 575  
handgun license, and if at the time of the violation the person 576  
was not knowingly in a place described in division (B) of 577  
section 2923.126 of the Revised Code, the officer shall not 578  
arrest the person for a violation of that division. If the 579  
person is not able to promptly produce any concealed handgun 580  
license and if the person is not in a place described in that 581  
section, the officer may arrest the person for a violation of 582  
that division, and the offender shall be punished as follows: 583

(a) The offender shall be guilty of a minor misdemeanor if 584  
both of the following apply: 585

(i) Within ten days after the arrest, the offender 586  
presents a concealed handgun license, which license was valid at 587  
the time of the arrest to the law enforcement agency that 588  
employs the arresting officer. 589

(ii) At the time of the arrest, the offender was not 590  
knowingly in a place described in division (B) of section 591  
2923.126 of the Revised Code. 592

(b) The offender shall be guilty of a misdemeanor and 593  
shall be fined five hundred dollars if all of the following 594  
apply: 595

(i) The offender previously had been issued a concealed 596  
handgun license, and that license expired within the two years 597  
immediately preceding the arrest. 598

(ii) Within forty-five days after the arrest, the offender 599

presents a concealed handgun license to the law enforcement 600  
agency that employed the arresting officer, and the offender 601  
waives in writing the offender's right to a speedy trial on the 602  
charge of the violation that is provided in section 2945.71 of 603  
the Revised Code. 604

(iii) At the time of the commission of the offense, the 605  
offender was not knowingly in a place described in division (B) 606  
of section 2923.126 of the Revised Code. 607

(c) If ~~neither division~~ divisions (F) (2) (a) ~~nor and~~ (b) 608  
and (F) (6) of this section ~~applies~~ do not apply, the offender 609  
shall be punished under division (F) (1) or (7) of this section. 610

(3) Except as otherwise provided in this division, 611  
carrying concealed weapons in violation of division (B) (1) of 612  
this section is a misdemeanor of the first degree, and, in 613  
addition to any other penalty or sanction imposed for a 614  
violation of division (B) (1) of this section, the offender's 615  
concealed handgun license shall be suspended pursuant to 616  
division (A) (2) of section 2923.128 of the Revised Code. If, at 617  
the time of the stop of the offender for a law enforcement 618  
purpose that was the basis of the violation, any law enforcement 619  
officer involved with the stop had actual knowledge that the 620  
offender has been issued a concealed handgun license, carrying 621  
concealed weapons in violation of division (B) (1) of this 622  
section is a minor misdemeanor, and the offender's concealed 623  
handgun license shall not be suspended pursuant to division (A) 624  
(2) of section 2923.128 of the Revised Code. 625

(4) Carrying concealed weapons in violation of division 626  
(B) (2) or (4) of this section is a misdemeanor of the first 627  
degree or, if the offender previously has been convicted of or 628  
pleaded guilty to a violation of division (B) (2) or (4) of this 629

section, a felony of the fifth degree. In addition to any other 630  
penalty or sanction imposed for a misdemeanor violation of 631  
division (B) (2) or (4) of this section, the offender's concealed 632  
handgun license shall be suspended pursuant to division (A) (2) 633  
of section 2923.128 of the Revised Code. 634

(5) Carrying concealed weapons in violation of division 635  
(B) (3) of this section is a felony of the fifth degree. 636

(6) If a person being arrested for a violation of division 637  
(A) (2) of this section is an active duty member of the armed 638  
forces of the United States and is carrying a valid military 639  
identification card and documentation of successful completion 640  
of firearms training that meets or exceeds the training 641  
requirements described in division (G) (1) of section 2923.125 of 642  
the Revised Code, and if at the time of the violation the person 643  
was not knowingly in a place described in division (B) of 644  
section 2923.126 of the Revised Code, the officer shall not 645  
arrest the person for a violation of that division. If the 646  
person is not able to promptly produce a valid military 647  
identification card and documentation of successful completion 648  
of firearms training that meets or exceeds the training 649  
requirements described in division (G) (1) of section 2923.125 of 650  
the Revised Code and if the person is not in a place described 651  
in division (B) of section 2923.126 of the Revised Code, the 652  
officer shall issue a citation and the offender shall be 653  
assessed a civil penalty of not more than five hundred dollars. 654  
The citation shall be automatically dismissed and the civil 655  
penalty shall not be assessed if both of the following apply: 656

(a) Within ten days after the issuance of the citation, 657  
the offender presents a valid military identification card and 658  
documentation of successful completion of firearms training that 659

meets or exceeds the training requirements described in division 660  
(G) (1) of section 2923.125 of the Revised Code, which were both 661  
valid at the time of the issuance of the citation to the law 662  
enforcement agency that employs the citing officer. 663

(b) At the time of the citation, the offender was not 664  
knowingly in a place described in division (B) of section 665  
2923.126 of the Revised Code. 666

(7) If a person being arrested for a violation of division 667  
(A) (2) of this section is knowingly in a place described in 668  
division (B) (5) of section 2923.126 of the Revised Code and is 669  
not authorized to carry a handgun or have a handgun concealed on 670  
the person's person or concealed ready at hand under that 671  
division, the penalty shall be as follows: 672

(a) Except as otherwise provided in this division, if the 673  
person produces a valid concealed handgun license within ten 674  
days after the arrest and has not previously been convicted or 675  
pleaded guilty to a violation of division (A) (2) of this 676  
section, the person is guilty of a minor misdemeanor; 677

(b) Except as otherwise provided in this division, if the 678  
person has previously been convicted of or pleaded guilty to a 679  
violation of division (A) (2) of this section, the person is 680  
guilty of a misdemeanor of the fourth degree; 681

(c) Except as otherwise provided in this division, if the 682  
person has previously been convicted of or pleaded guilty to two 683  
violations of division (A) (2) of this section, the person is 684  
guilty of a misdemeanor of the third degree; 685

(d) Except as otherwise provided in this division, if the 686  
person has previously been convicted of or pleaded guilty to 687  
three or more violations of division (A) (2) of this section, or 688



convicted of or pleaded guilty to any offense of violence, if 689  
the weapon involved is a firearm that is either loaded or for 690  
which the offender has ammunition ready at hand, or if the 691  
weapon involved is a dangerous ordnance, the person is guilty of 692  
a misdemeanor of the second degree. 693

(G) If a law enforcement officer stops a person to 694  
question the person regarding a possible violation of this 695  
section, for a traffic stop, or for any other law enforcement 696  
purpose, if the person surrenders a firearm to the officer, 697  
either voluntarily or pursuant to a request or demand of the 698  
officer, and if the officer does not charge the person with a 699  
violation of this section or arrest the person for any offense, 700  
the person is not otherwise prohibited by law from possessing 701  
the firearm, and the firearm is not contraband, the officer 702  
shall return the firearm to the person at the termination of the 703  
stop. If a court orders a law enforcement officer to return a 704  
firearm to a person pursuant to the requirement set forth in 705  
this division, division (B) of section 2923.163 of the Revised 706  
Code applies. 707

**Sec. 2923.121.** (A) No person shall possess a firearm in 708  
any room in which any person is consuming beer or intoxicating 709  
liquor in a premises for which a D permit has been issued under 710  
Chapter 4303. of the Revised Code or in an open air arena for 711  
which a permit of that nature has been issued. 712

(B) (1) This section does not apply to any of the 713  
following: 714

(a) An officer, agent, or employee of this or any other 715  
state or the United States, or to a law enforcement officer, who 716  
is authorized to carry firearms and is acting within the scope 717  
of the officer's, agent's, or employee's duties; 718

(b) Any person who is employed in this state, who is 719  
authorized to carry firearms, and who is subject to and in 720  
compliance with the requirements of section 109.801 of the 721  
Revised Code, unless the appointing authority of the person has 722  
expressly specified that the exemption provided in division (B) 723  
(1)(b) of this section does not apply to the person; 724

(c) Any room used for the accommodation of guests of a 725  
hotel, as defined in section 4301.01 of the Revised Code; 726

(d) The principal holder of a D permit issued for a 727  
premises or an open air arena under Chapter 4303. of the Revised 728  
Code while in the premises or open air arena for which the 729  
permit was issued if the principal holder of the D permit also 730  
possesses a valid concealed handgun license and as long as the 731  
principal holder is not consuming beer or intoxicating liquor or 732  
under the influence of alcohol or a drug of abuse, or any agent 733  
or employee of that holder who also is a peace officer, as 734  
defined in section 2151.3515 of the Revised Code, who is off 735  
duty, and who otherwise is authorized to carry firearms while in 736  
the course of the officer's official duties and while in the 737  
premises or open air arena for which the permit was issued and 738  
as long as the agent or employee of that holder is not consuming 739  
beer or intoxicating liquor or under the influence of alcohol or 740  
a drug of abuse. 741

(e) Any person who is carrying a valid concealed handgun 742  
license or any person who is an active duty member of the armed 743  
forces of the United States and is carrying a valid military 744  
identification card and documentation of successful completion 745  
of firearms training that meets or exceeds the training 746  
requirements described in division (G)(1) of section 2923.125 of 747  
the Revised Code, as long as the person is not consuming beer or 748

intoxicating liquor or under the influence of alcohol or a drug 749  
of abuse. 750

(2) This section does not prohibit any person who is a 751  
member of a veteran's organization, as defined in section 752  
2915.01 of the Revised Code, from possessing a rifle in any room 753  
in any premises owned, leased, or otherwise under the control of 754  
the veteran's organization, if the rifle is not loaded with live 755  
ammunition and if the person otherwise is not prohibited by law 756  
from having the rifle. 757

(3) This section does not apply to any person possessing 758  
or displaying firearms in any room used to exhibit unloaded 759  
firearms for sale or trade in a soldiers' memorial established 760  
pursuant to Chapter 345. of the Revised Code, in a convention 761  
center, or in any other public meeting place, if the person is 762  
an exhibitor, trader, purchaser, or seller of firearms and is 763  
not otherwise prohibited by law from possessing, trading, 764  
purchasing, or selling the firearms. 765

(C) It is an affirmative defense to a charge under this 766  
section of illegal possession of a firearm in a liquor permit 767  
premises that involves the possession of a firearm other than a 768  
handgun, that the actor was not otherwise prohibited by law from 769  
having the firearm, and that any of the following apply: 770

(1) The firearm was carried or kept ready at hand by the 771  
actor for defensive purposes, while the actor was engaged in or 772  
was going to or from the actor's lawful business or occupation, 773  
which business or occupation was of such character or was 774  
necessarily carried on in such manner or at such a time or place 775  
as to render the actor particularly susceptible to criminal 776  
attack, such as would justify a prudent person in going armed. 777

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

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

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

(F) As used in this section, "beer" and "intoxicating liquor" have the same meanings as in section 4301.01 of the Revised Code.

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

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

(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. 807

(2) The person indicates that the person possesses the 808  
object and that it is a firearm, or the person knowingly 809  
displays or brandishes the object and indicates that it is a 810  
firearm. 811

(D) (1) This section does not apply to any of the 812  
following: 813

(a) An officer, agent, or employee of this or any other 814  
state or the United States, ~~or a law enforcement officer,~~ who is 815  
authorized to carry deadly weapons or dangerous ordnance and is 816  
acting within the scope of the officer's, agent's, or employee's 817  
duties, a law enforcement officer who is authorized to carry 818  
deadly weapons or dangerous ordnance, a security officer 819  
employed by a board of education or governing body of a school 820  
during the time that the security officer is on duty pursuant to 821  
that contract of employment, or any other person who has written 822  
authorization from the board of education or governing body of a 823  
school to convey deadly weapons or dangerous ordnance into a 824  
school safety zone or to possess a deadly weapon or dangerous 825  
ordnance in a school safety zone and who conveys or possesses 826  
the deadly weapon or dangerous ordnance in accordance with that 827  
authorization; 828

(b) Any person who is employed in this state, who is 829  
authorized to carry deadly weapons or dangerous ordnance, and 830  
who is subject to and in compliance with the requirements of 831  
section 109.801 of the Revised Code, unless the appointing 832  
authority of the person has expressly specified that the 833  
exemption provided in division (D) (1) (b) of this section does 834  
not apply to the person. 835

(2) Division (C) of this section does not apply to 836  
premises upon which home schooling is conducted. Division (C) of 837  
this section also does not apply to a school administrator, 838  
teacher, or employee who possesses an object that is 839  
indistinguishable from a firearm for legitimate school purposes 840  
during the course of employment, a student who uses an object 841  
that is indistinguishable from a firearm under the direction of 842  
a school administrator, teacher, or employee, or any other 843  
person who with the express prior approval of a school 844  
administrator possesses an object that is indistinguishable from 845  
a firearm for a legitimate purpose, including the use of the 846  
object in a ceremonial activity, a play, reenactment, or other 847  
dramatic presentation, school safety training, or a ROTC 848  
activity or another similar use of the object. 849

(3) This section does not apply to a person who conveys or 850  
attempts to convey a handgun into, or possesses a handgun in, a 851  
school safety zone if, at the time of that conveyance, attempted 852  
conveyance, or possession of the handgun, all of the following 853  
apply: 854

(a) The person does not enter into a school building or 855  
onto school premises and is not at a school activity. 856

(b) The person is carrying a valid concealed handgun 857  
license or the person is an active duty member of the armed 858  
forces of the United States and is carrying a valid military 859  
identification card and documentation of successful completion 860  
of firearms training that meets or exceeds the training 861  
requirements described in division (G) (1) of section 2923.125 of 862  
the Revised Code. 863

(c) The person is in the school safety zone in accordance 864  
with 18 U.S.C. 922(q) (2) (B). 865

(d) The person is not knowingly in a place described in 866  
division (B) (1) or (B) (3) to ~~(10)~~(8) of section 2923.126 of the 867  
Revised Code. 868

(4) This section does not apply to a person who conveys or 869  
attempts to convey a handgun into, or possesses a handgun in, a 870  
school safety zone if at the time of that conveyance, attempted 871  
conveyance, or possession of the handgun all of the following 872  
apply: 873

(a) The person is carrying a valid concealed handgun 874  
license or the person is an active duty member of the armed 875  
forces of the United States and is carrying a valid military 876  
identification card and documentation of successful completion 877  
of firearms training that meets or exceeds the training 878  
requirements described in division (G) (1) of section 2923.125 of 879  
the Revised Code. 880

(b) ~~The person is the driver or passenger leaves the~~ 881  
~~handgun in a motor vehicle and is in the school safety zone~~ 882  
~~while immediately in the process of picking up or dropping off a~~ 883  
~~child.~~ 884

(c) ~~The person is not in violation of section 2923.16 of~~ 885  
~~the Revised Code~~handgun does not leave the motor vehicle. 886

(d) If the person exits the motor vehicle, the person 887  
locks the motor vehicle. 888

(E) (1) Whoever violates division (A) or (B) of this 889  
section is guilty of illegal conveyance or possession of a 890  
deadly weapon or dangerous ordnance in a school safety zone. 891  
Except as otherwise provided in this division, illegal 892  
conveyance or possession of a deadly weapon or dangerous 893  
ordnance in a school safety zone is a felony of the fifth 894

degree. If the offender previously has been convicted of a 895  
violation of this section, illegal conveyance or possession of a 896  
deadly weapon or dangerous ordnance in a school safety zone is a 897  
felony of the fourth degree. 898

(2) Whoever violates division (C) of this section is 899  
guilty of illegal possession of an object indistinguishable from 900  
a firearm in a school safety zone. Except as otherwise provided 901  
in this division, illegal possession of an object 902  
indistinguishable from a firearm in a school safety zone is a 903  
misdemeanor of the first degree. If the offender previously has 904  
been convicted of a violation of this section, illegal 905  
possession of an object indistinguishable from a firearm in a 906  
school safety zone is a felony of the fifth degree. 907

(F) (1) In addition to any other penalty imposed upon a 908  
person who is convicted of or pleads guilty to a violation of 909  
this section and subject to division (F) (2) of this section, if 910  
the offender has not attained nineteen years of age, regardless 911  
of whether the offender is attending or is enrolled in a school 912  
operated by a board of education or for which the state board of 913  
education prescribes minimum standards under section 3301.07 of 914  
the Revised Code, the court shall impose upon the offender a 915  
class four suspension of the offender's probationary driver's 916  
license, restricted license, driver's license, commercial 917  
driver's license, temporary instruction permit, or probationary 918  
commercial driver's license that then is in effect from the 919  
range specified in division (A) (4) of section 4510.02 of the 920  
Revised Code and shall deny the offender the issuance of any 921  
permit or license of that type during the period of the 922  
suspension. 923

If the offender is not a resident of this state, the court 924



shall impose a class four suspension of the nonresident 925  
operating privilege of the offender from the range specified in 926  
division (A) (4) of section 4510.02 of the Revised Code. 927

(2) If the offender shows good cause why the court should 928  
not suspend one of the types of licenses, permits, or privileges 929  
specified in division (F) (1) of this section or deny the 930  
issuance of one of the temporary instruction permits specified 931  
in that division, the court in its discretion may choose not to 932  
impose the suspension, revocation, or denial required in that 933  
division, but the court, in its discretion, instead may require 934  
the offender to perform community service for a number of hours 935  
determined by the court. 936

(G) As used in this section, "object that is 937  
indistinguishable from a firearm" means an object made, 938  
constructed, or altered so that, to a reasonable person without 939  
specialized training in firearms, the object appears to be a 940  
firearm. 941

**Sec. 2923.123.** (A) No person shall knowingly convey or 942  
attempt to convey a deadly weapon or dangerous ordnance into a 943  
courthouse or into another building or structure in which a 944  
courtroom is located. 945

(B) No person shall knowingly possess or have under the 946  
person's control a deadly weapon or dangerous ordnance in a 947  
courthouse or in another building or structure in which a 948  
courtroom is located. 949

(C) This section does not apply to any of the following: 950

(1) Except as provided in division (E) of this section, a 951  
judge of a court of record of this state or a magistrate; 952

(2) A peace officer, officer of a law enforcement agency, 953

or person who is in either of the following categories: 954

(a) Except as provided in division (E) of this section, a 955  
peace officer, or an officer of a law enforcement agency of 956  
another state, a political subdivision of another state, or the 957  
United States, who is authorized to carry a deadly weapon or 958  
dangerous ordnance, who possesses or has under that individual's 959  
control a deadly weapon or dangerous ordnance as a requirement 960  
of that individual's duties, and who is acting within the scope 961  
of that individual's duties at the time of that possession or 962  
control; 963

(b) Except as provided in division (E) of this section, a 964  
person who is employed in this state, who is authorized to carry 965  
a deadly weapon or dangerous ordnance, who possesses or has 966  
under that individual's control a deadly weapon or dangerous 967  
ordnance as a requirement of that person's duties, and who is 968  
subject to and in compliance with the requirements of section 969  
109.801 of the Revised Code, unless the appointing authority of 970  
the person has expressly specified that the exemption provided 971  
in division (C) (2) (b) of this section does not apply to the 972  
person. 973

(3) A person who conveys, attempts to convey, possesses, 974  
or has under the person's control a deadly weapon or dangerous 975  
ordnance that is to be used as evidence in a pending criminal or 976  
civil action or proceeding; 977

(4) Except as provided in division (E) of this section, a 978  
bailiff or deputy bailiff of a court of record of this state who 979  
is authorized to carry a firearm pursuant to section 109.77 of 980  
the Revised Code, who possesses or has under that individual's 981  
control a firearm as a requirement of that individual's duties, 982  
and who is acting within the scope of that individual's duties 983

at the time of that possession or control; 984

(5) Except as provided in division (E) of this section, a 985  
prosecutor, or a secret service officer appointed by a county 986  
prosecuting attorney, who is authorized to carry a deadly weapon 987  
or dangerous ordnance in the performance of the individual's 988  
duties, who possesses or has under that individual's control a 989  
deadly weapon or dangerous ordnance as a requirement of that 990  
individual's duties, and who is acting within the scope of that 991  
individual's duties at the time of that possession or control; 992

(6) Except as provided in division (E) of this section, a 993  
person who conveys or attempts to convey a handgun into a 994  
courthouse or into another building or structure in which a 995  
courtroom is located, who, at the time of the conveyance or 996  
attempt, either is carrying a valid concealed handgun license or 997  
is an active duty member of the armed forces of the United 998  
States and is carrying a valid military identification card and 999  
documentation of successful completion of firearms training that 1000  
meets or exceeds the training requirements described in division 1001  
(G) (1) of section 2923.125 of the Revised Code, and who 1002  
transfers possession of the handgun to the officer or officer's 1003  
designee who has charge of the courthouse or building. The 1004  
officer shall secure the handgun until the licensee is prepared 1005  
to leave the premises. The exemption described in this division 1006  
applies only if the officer who has charge of the courthouse or 1007  
building provides services of the nature described in this 1008  
division. An officer who has charge of the courthouse or 1009  
building is not required to offer services of the nature 1010  
described in this division. 1011

(D) (1) Whoever violates division (A) of this section is 1012  
guilty of illegal conveyance of a deadly weapon or dangerous 1013

ordnance into a courthouse. Except as otherwise provided in this 1014  
division, illegal conveyance of a deadly weapon or dangerous 1015  
ordnance into a courthouse is a felony of the fifth degree. If 1016  
the offender previously has been convicted of a violation of 1017  
division (A) or (B) of this section, illegal conveyance of a 1018  
deadly weapon or dangerous ordnance into a courthouse is a 1019  
felony of the fourth degree. 1020

(2) Whoever violates division (B) of this section is 1021  
guilty of illegal possession or control of a deadly weapon or 1022  
dangerous ordnance in a courthouse. Except as otherwise provided 1023  
in this division, illegal possession or control of a deadly 1024  
weapon or dangerous ordnance in a courthouse is a felony of the 1025  
fifth degree. If the offender previously has been convicted of a 1026  
violation of division (A) or (B) of this section, illegal 1027  
possession or control of a deadly weapon or dangerous ordnance 1028  
in a courthouse is a felony of the fourth degree. 1029

(E) The exemptions described in divisions (C) (1), (2) (a), 1030  
(2) (b), (4), (5), and (6) of this section do not apply to any 1031  
judge, magistrate, peace officer, officer of a law enforcement 1032  
agency, bailiff, deputy bailiff, prosecutor, secret service 1033  
officer, or other person described in any of those divisions if 1034  
a rule of superintendence or another type of rule adopted by the 1035  
supreme court pursuant to Article IV, Ohio Constitution, or an 1036  
applicable local rule of court prohibits all persons from 1037  
conveying or attempting to convey a deadly weapon or dangerous 1038  
ordnance into a courthouse or into another building or structure 1039  
in which a courtroom is located or from possessing or having 1040  
under one's control a deadly weapon or dangerous ordnance in a 1041  
courthouse or in another building or structure in which a 1042  
courtroom is located. 1043

(F) As used in this section: 1044

(1) "Magistrate" means an individual who is appointed by a 1045  
court of record of this state and who has the powers and may 1046  
perform the functions specified in Civil Rule 53, Criminal Rule 1047  
19, or Juvenile Rule 40. 1048

(2) "Peace officer" and "prosecutor" have the same 1049  
meanings as in section 2935.01 of the Revised Code. 1050

**Sec. 2923.126.** (A) A concealed handgun license that is 1051  
issued under section 2923.125 of the Revised Code shall expire 1052  
five years after the date of issuance. A licensee who has been 1053  
issued a license under that section shall be granted a grace 1054  
period of thirty days after the licensee's license expires 1055  
during which the licensee's license remains valid. Except as 1056  
provided in divisions (B) and (C) of this section, a licensee 1057  
who has been issued a concealed handgun license under section 1058  
2923.125 or 2923.1213 of the Revised Code may carry a concealed 1059  
handgun anywhere in this state if the licensee also carries a 1060  
valid license and valid identification when the licensee is in 1061  
actual possession of a concealed handgun. The licensee shall 1062  
give notice of any change in the licensee's residence address to 1063  
the sheriff who issued the license within forty-five days after 1064  
that change. 1065

If a licensee is the driver or an occupant of a motor 1066  
vehicle that is stopped as the result of a traffic stop or a 1067  
stop for another law enforcement purpose and if the licensee is 1068  
transporting or has a loaded handgun in the motor vehicle at 1069  
that time, the licensee shall promptly inform any law 1070  
enforcement officer who approaches the vehicle while stopped 1071  
that the licensee has been issued a concealed handgun license 1072  
and that the licensee currently possesses or has a loaded 1073

handgun; the licensee shall not knowingly disregard or fail to 1074  
comply with lawful orders of a law enforcement officer given 1075  
while the motor vehicle is stopped, knowingly fail to remain in 1076  
the motor vehicle while stopped, or knowingly fail to keep the 1077  
licensee's hands in plain sight after any law enforcement 1078  
officer begins approaching the licensee while stopped and before 1079  
the officer leaves, unless directed otherwise by a law 1080  
enforcement officer; and the licensee shall not knowingly have 1081  
contact with the loaded handgun by touching it with the 1082  
licensee's hands or fingers, in any manner in violation of 1083  
division (E) of section 2923.16 of the Revised Code, after any 1084  
law enforcement officer begins approaching the licensee while 1085  
stopped and before the officer leaves. Additionally, if a 1086  
licensee is the driver or an occupant of a commercial motor 1087  
vehicle that is stopped by an employee of the motor carrier 1088  
enforcement unit for the purposes defined in section ~~5503.04~~ 1089  
5503.34 of the Revised Code and if the licensee is transporting 1090  
or has a loaded handgun in the commercial motor vehicle at that 1091  
time, the licensee shall promptly inform the employee of the 1092  
unit who approaches the vehicle while stopped that the licensee 1093  
has been issued a concealed handgun license and that the 1094  
licensee currently possesses or has a loaded handgun. 1095

If a licensee is stopped for a law enforcement purpose and 1096  
if the licensee is carrying a concealed handgun at the time the 1097  
officer approaches, the licensee shall promptly inform any law 1098  
enforcement officer who approaches the licensee while stopped 1099  
that the licensee has been issued a concealed handgun license 1100  
and that the licensee currently is carrying a concealed handgun; 1101  
the licensee shall not knowingly disregard or fail to comply 1102  
with lawful orders of a law enforcement officer given while the 1103  
licensee is stopped or knowingly fail to keep the licensee's 1104

hands in plain sight after any law enforcement officer begins 1105  
approaching the licensee while stopped and before the officer 1106  
leaves, unless directed otherwise by a law enforcement officer; 1107  
and the licensee shall not knowingly remove, attempt to remove, 1108  
grasp, or hold the loaded handgun or knowingly have contact with 1109  
the loaded handgun by touching it with the licensee's hands or 1110  
fingers, in any manner in violation of division (B) of section 1111  
2923.12 of the Revised Code, after any law enforcement officer 1112  
begins approaching the licensee while stopped and before the 1113  
officer leaves. 1114

(B) A valid concealed handgun license does not authorize 1115  
the licensee to carry a concealed handgun in any manner 1116  
prohibited under division (B) of section 2923.12 of the Revised 1117  
Code or in any manner prohibited under section 2923.16 of the 1118  
Revised Code. A valid license does not authorize the licensee to 1119  
carry a concealed handgun into any of the following places: 1120

(1) A police station, sheriff's office, or state highway 1121  
patrol station, premises controlled by the bureau of criminal 1122  
identification and investigation~~;~~ a state correctional 1123  
institution, jail, workhouse, or other detention facility~~;~~ any 1124  
area of an airport passenger terminal that is beyond a 1125  
passenger or property screening checkpoint or to which access is 1126  
restricted through security measures by the airport authority or 1127  
a public agency; or an institution that is maintained, operated, 1128  
managed, and governed pursuant to division (A) of section 1129  
5119.14 of the Revised Code or division (A) (1) of section 1130  
5123.03 of the Revised Code; 1131

(2) A school safety zone if the licensee's carrying the 1132  
concealed handgun is in violation of section 2923.122 of the 1133  
Revised Code; 1134

(3) A courthouse or another building or structure in which 1135  
a courtroom is located, in violation of section 2923.123 of the 1136  
Revised Code; 1137

(4) Any premises or open air arena for which a D permit 1138  
has been issued under Chapter 4303. of the Revised Code if the 1139  
licensee's carrying the concealed handgun is in violation of 1140  
section 2923.121 of the Revised Code; 1141

(5) Any premises owned or leased by any public or private 1142  
college, university, or other institution of higher education, 1143  
unless the handgun is in a locked motor vehicle or the licensee 1144  
is in the immediate process of placing the handgun in a locked 1145  
motor vehicle or unless the licensee is carrying the concealed 1146  
handgun pursuant to a written policy, rule, or other 1147  
authorization that is adopted by the institution's board of 1148  
trustees or other governing body and that authorizes specific 1149  
individuals or classes of individuals to carry a concealed 1150  
handgun on the premises; 1151

(6) Any church, synagogue, mosque, or other place of 1152  
worship, unless the church, synagogue, mosque, or other place of 1153  
worship posts or permits otherwise; 1154

~~(7) A child day care center, a type A family day care 1155  
home, or a type B family day care home, except that this 1156  
division does not prohibit a licensee who resides in a type A- 1157  
family day care home or a type B family day care home from 1158  
carrying a concealed handgun at any time in any part of the home- 1159  
that is not dedicated or used for day care purposes, or from 1160  
carrying a concealed handgun in a part of the home that is 1161  
dedicated or used for day care purposes at any time during which 1162  
no children, other than children of that licensee, are in the 1163  
home;~~ 1164



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

~~(9) Any building that is a government facility of this state or a political subdivision of this state and that is not a building that is used primarily as a shelter, restroom, parking facility for motor vehicles, or rest facility and is not a courthouse or other building or structure in which a courtroom is located that is subject to division (B) (3) of this section, unless the governing body with authority over the building has enacted a statute, ordinance, or policy that permits a licensee to carry a concealed handgun into the building;~~

~~(10) (8) A place in which federal law prohibits the carrying of handguns.~~

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

(2) (a) A private employer shall be immune from liability in a civil action for any injury, death, or loss to person or property that allegedly was caused by or related to a licensee bringing a handgun onto the premises or property of the private employer, including motor vehicles owned by the private

employer, unless the private employer acted with malicious 1195  
purpose. A private employer is immune from liability in a civil 1196  
action for any injury, death, or loss to person or property that 1197  
allegedly was caused by or related to the private employer's 1198  
decision to permit a licensee to bring, or prohibit a licensee 1199  
from bringing, a handgun onto the premises or property of the 1200  
private employer. ~~As used in this division, "private employer"~~ 1201  
~~includes a private college, university, or other institution of~~ 1202  
~~higher education.~~ 1203

(b) A political subdivision shall be immune from liability 1204  
in a civil action, to the extent and in the manner provided in 1205  
Chapter 2744. of the Revised Code, for any injury, death, or 1206  
loss to person or property that allegedly was caused by or 1207  
related to a licensee bringing a handgun onto any premises or 1208  
property owned, leased, or otherwise under the control of the 1209  
political subdivision. As used in this division, "political 1210  
subdivision" has the same meaning as in section 2744.01 of the 1211  
Revised Code. 1212

(c) An institution of higher education shall be immune 1213  
from liability in a civil action for any injury, death, or loss 1214  
to person or property that allegedly was caused by or related to 1215  
a licensee bringing a handgun onto the premises of the 1216  
institution, including motor vehicles owned by the institution, 1217  
unless the institution acted with malicious purpose. An 1218  
institution of higher education is immune from liability in a 1219  
civil action for any injury, death, or loss to person or 1220  
property that allegedly was caused by or related to the 1221  
institution's decision to permit a licensee or class of 1222  
licensees to bring a handgun onto the premises of the 1223  
institution. 1224

(3) (a) Except as provided in division (C) (3) (b) of this 1225  
section, the owner or person in control of private land or 1226  
premises, and a private person or entity leasing land or 1227  
premises owned by the state, the United States, or a political 1228  
subdivision of the state or the United States, may post a sign 1229  
in a conspicuous location on that land or on those premises 1230  
prohibiting persons from carrying firearms or concealed firearms 1231  
on or onto that land or those premises. Except as otherwise 1232  
provided in this division, a person who knowingly violates a 1233  
posted prohibition of that nature is guilty of criminal trespass 1234  
in violation of division (A) (4) of section 2911.21 of the 1235  
Revised Code and is guilty of a misdemeanor of the fourth 1236  
degree. If a person knowingly violates a posted prohibition of 1237  
that nature and the posted land or premises primarily was a 1238  
parking lot or other parking facility, the person is not guilty 1239  
of criminal trespass under section 2911.21 of the Revised Code 1240  
or under any other criminal law of this state or criminal law, 1241  
ordinance, or resolution of a political subdivision of this 1242  
state, and instead is subject only to a civil cause of action 1243  
for trespass based on the violation. 1244

If a person knowingly violates a posted prohibition of the 1245  
nature described in this division and the posted land or 1246  
premises is a child day-care center, type A family day-care 1247  
home, or type B family day-care home, unless the person is a 1248  
licensee who resides in a type A family day-care home or type B 1249  
family day-care home, the person is guilty of aggravated 1250  
trespass in violation of section 2911.211 of the Revised Code. 1251  
Except as otherwise provided in this division, the offender is 1252  
guilty of a misdemeanor of the first degree. If the person 1253  
previously has been convicted of a violation of this division or 1254  
of any offense of violence, if the weapon involved is a firearm 1255

that is either loaded or for which the offender has ammunition 1256  
ready at hand, or if the weapon involved is dangerous ordnance, 1257  
the offender is guilty of a felony of the fourth degree. 1258

(b) A landlord may not prohibit or restrict a tenant who 1259  
is a licensee and who on or after September 9, 2008, enters into 1260  
a rental agreement with the landlord for the use of residential 1261  
premises, and the tenant's guest while the tenant is present, 1262  
from lawfully carrying or possessing a handgun on those 1263  
residential premises. 1264

(c) As used in division (C) (3) of this section: 1265

(i) "Residential premises" has the same meaning as in 1266  
section 5321.01 of the Revised Code, except "residential 1267  
premises" does not include a dwelling unit that is owned or 1268  
operated by a college or university. 1269

(ii) "Landlord," "tenant," and "rental agreement" have the 1270  
same meanings as in section 5321.01 of the Revised Code. 1271

(D) A person who holds a valid concealed handgun license 1272  
issued by another state that is recognized by the attorney 1273  
general pursuant to a reciprocity agreement entered into 1274  
pursuant to section 109.69 of the Revised Code or a person who 1275  
holds a valid concealed handgun license under the circumstances 1276  
described in division (B) of section 109.69 of the Revised Code 1277  
has the same right to carry a concealed handgun in this state as 1278  
a person who was issued a concealed handgun license under 1279  
section 2923.125 of the Revised Code and is subject to the same 1280  
restrictions that apply to a person who carries a license issued 1281  
under that section. 1282

(E) (1) A peace officer has the same right to carry a 1283  
concealed handgun in this state as a person who was issued a 1284

concealed handgun license under section 2923.125 of the Revised Code. For purposes of reciprocity with other states, a peace officer shall be considered to be a licensee in this state.

(2) An active duty member of the armed forces of the United States who 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 has the same right to carry a concealed handgun in this state as a person who was issued a concealed handgun license under section 2923.125 of the Revised Code and is subject to the same restrictions as specified in this section.

(F) (1) A qualified retired peace officer who possesses a retired peace officer identification card issued pursuant to division (F) (2) of this section and a valid firearms requalification certification issued pursuant to division (F) (3) of this section has the same right to carry a concealed handgun in this state as a person who was issued a concealed handgun license under section 2923.125 of the Revised Code and is subject to the same restrictions that apply to a person who carries a license issued under that section. For purposes of reciprocity with other states, a qualified retired peace officer who possesses a retired peace officer identification card issued pursuant to division (F) (2) of this section and a valid firearms requalification certification issued pursuant to division (F) (3) of this section shall be considered to be a licensee in this state.

(2) (a) Each public agency of this state or of a political subdivision of this state that is served by one or more peace officers shall issue a retired peace officer identification card

to any person who retired from service as a peace officer with 1315  
that agency, if the issuance is in accordance with the agency's 1316  
policies and procedures and if the person, with respect to the 1317  
person's service with that agency, satisfies all of the 1318  
following: 1319

(i) The person retired in good standing from service as a 1320  
peace officer with the public agency, and the retirement was not 1321  
for reasons of mental instability. 1322

(ii) Before retiring from service as a peace officer with 1323  
that agency, the person was authorized to engage in or supervise 1324  
the prevention, detection, investigation, or prosecution of, or 1325  
the incarceration of any person for, any violation of law and 1326  
the person had statutory powers of arrest. 1327

(iii) At the time of the person's retirement as a peace 1328  
officer with that agency, the person was trained and qualified 1329  
to carry firearms in the performance of the peace officer's 1330  
duties. 1331

(iv) Before retiring from service as a peace officer with 1332  
that agency, the person was regularly employed as a peace 1333  
officer for an aggregate of fifteen years or more, or, in the 1334  
alternative, the person retired from service as a peace officer 1335  
with that agency, after completing any applicable probationary 1336  
period of that service, due to a service-connected disability, 1337  
as determined by the agency. 1338

(b) A retired peace officer identification card issued to 1339  
a person under division (F)(2)(a) of this section shall identify 1340  
the person by name, contain a photograph of the person, identify 1341  
the public agency of this state or of the political subdivision 1342  
of this state from which the person retired as a peace officer 1343

and that is issuing the identification card, and specify that 1344  
the person retired in good standing from service as a peace 1345  
officer with the issuing public agency and satisfies the 1346  
criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 1347  
section. In addition to the required content specified in this 1348  
division, a retired peace officer identification card issued to 1349  
a person under division (F) (2) (a) of this section may include 1350  
the firearms requalification certification described in division 1351  
(F) (3) of this section, and if the identification card includes 1352  
that certification, the identification card shall serve as the 1353  
firearms requalification certification for the retired peace 1354  
officer. If the issuing public agency issues credentials to 1355  
active law enforcement officers who serve the agency, the agency 1356  
may comply with division (F) (2) (a) of this section by issuing 1357  
the same credentials to persons who retired from service as a 1358  
peace officer with the agency and who satisfy the criteria set 1359  
forth in divisions (F) (2) (a) (i) to (iv) of this section, 1360  
provided that the credentials so issued to retired peace 1361  
officers are stamped with the word "RETIRED." 1362

(c) A public agency of this state or of a political 1363  
subdivision of this state may charge persons who retired from 1364  
service as a peace officer with the agency a reasonable fee for 1365  
issuing to the person a retired peace officer identification 1366  
card pursuant to division (F) (2) (a) of this section. 1367

(3) If a person retired from service as a peace officer 1368  
with a public agency of this state or of a political subdivision 1369  
of this state and the person satisfies the criteria set forth in 1370  
divisions (F) (2) (a) (i) to (iv) of this section, the public 1371  
agency may provide the retired peace officer with the 1372  
opportunity to attend a firearms requalification program that is 1373  
approved for purposes of firearms requalification required under 1374

section 109.801 of the Revised Code. The retired peace officer 1375  
may be required to pay the cost of the course. 1376

If a retired peace officer who satisfies the criteria set 1377  
forth in divisions (F) (2) (a) (i) to (iv) of this section attends 1378  
a firearms requalification program that is approved for purposes 1379  
of firearms requalification required under section 109.801 of 1380  
the Revised Code, the retired peace officer's successful 1381  
completion of the firearms requalification program requalifies 1382  
the retired peace officer for purposes of division (F) of this 1383  
section for five years from the date on which the program was 1384  
successfully completed, and the requalification is valid during 1385  
that five-year period. If a retired peace officer who satisfies 1386  
the criteria set forth in divisions (F) (2) (a) (i) to (iv) of this 1387  
section satisfactorily completes such a firearms requalification 1388  
program, the retired peace officer shall be issued a firearms 1389  
requalification certification that identifies the retired peace 1390  
officer by name, identifies the entity that taught the program, 1391  
specifies that the retired peace officer successfully completed 1392  
the program, specifies the date on which the course was 1393  
successfully completed, and specifies that the requalification 1394  
is valid for five years from that date of successful completion. 1395  
The firearms requalification certification for a retired peace 1396  
officer may be included in the retired peace officer 1397  
identification card issued to the retired peace officer under 1398  
division (F) (2) of this section. 1399

A retired peace officer who attends a firearms 1400  
requalification program that is approved for purposes of 1401  
firearms requalification required under section 109.801 of the 1402  
Revised Code may be required to pay the cost of the program. 1403

(G) As used in this section: 1404



(1) "Qualified retired peace officer" means a person who 1405  
satisfies all of the following: 1406

(a) The person satisfies the criteria set forth in 1407  
divisions (F) (2) (a) (i) to (v) of this section. 1408

(b) The person is not under the influence of alcohol or 1409  
another intoxicating or hallucinatory drug or substance. 1410

(c) The person is not prohibited by federal law from 1411  
receiving firearms. 1412

(2) "Retired peace officer identification card" means an 1413  
identification card that is issued pursuant to division (F) (2) 1414  
of this section to a person who is a retired peace officer. 1415

(3) "Government facility of this state or a political 1416  
subdivision of this state" means any of the following: 1417

(a) A building or part of a building that is owned or 1418  
leased by the government of this state or a political 1419  
subdivision of this state and where employees of the government 1420  
of this state or the political subdivision regularly are present 1421  
for the purpose of performing their official duties as employees 1422  
of the state or political subdivision; 1423

(b) The office of a deputy registrar serving pursuant to 1424  
Chapter 4503. of the Revised Code that is used to perform deputy 1425  
registrar functions. 1426

(4) "Governing body" has the same meaning as in section 1427  
154.01 of the Revised Code. 1428

**Sec. 2923.1210.** (A) A business entity, property owner, or 1429  
public or private employer may not establish, maintain, or 1430  
enforce a policy or rule that prohibits or has the effect of 1431  
prohibiting a person who has been issued a valid concealed 1432

handgun license from transporting or storing a firearm or 1433  
ammunition when both of the following conditions are met: 1434

(1) Each firearm and all of the ammunition remains inside 1435  
the person's privately owned motor vehicle while the person is 1436  
physically present inside the motor vehicle, or each firearm and 1437  
all of the ammunition is locked within the trunk, glove box, or 1438  
other enclosed compartment or container within or on the 1439  
person's privately owned motor vehicle; 1440

(2) The vehicle is in a location where it is otherwise 1441  
permitted to be. 1442

(B) No business entity, property owner, or public or 1443  
private employer shall be held liable in any civil action for 1444  
damages, injuries, or death resulting from or arising out of 1445  
another person's actions involving a firearm or ammunition 1446  
transported or stored pursuant to division (A) of this section 1447  
including the theft of a firearm from an employee's or invitee's 1448  
automobile, unless the business entity, property owner, or 1449  
public or private employer intentionally solicited or procured 1450  
the other person's injurious actions. 1451

**Sec. 2923.16.** (A) No person shall knowingly discharge a 1452  
firearm while in or on a motor vehicle. 1453

(B) No person shall knowingly transport or have a loaded 1454  
firearm in a motor vehicle in such a manner that the firearm is 1455  
accessible to the operator or any passenger without leaving the 1456  
vehicle. 1457

(C) No person shall knowingly transport or have a firearm 1458  
in a motor vehicle, unless the person may lawfully possess that 1459  
firearm under applicable law of this state or the United States, 1460  
the firearm is unloaded, and the firearm is carried in one of 1461

the following ways: 1462

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

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

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

(4) If the firearm is at least twenty-four inches in 1468  
overall length as measured from the muzzle to the part of the 1469  
stock furthest from the muzzle and if the barrel is at least 1470  
eighteen inches in length, either in plain sight with the action 1471  
open or the weapon stripped, or, if the firearm is of a type on 1472  
which the action will not stay open or which cannot easily be 1473  
stripped, in plain sight. 1474

(D) No person shall knowingly transport or have a loaded 1475  
handgun in a motor vehicle if, at the time of that 1476  
transportation or possession, any of the following applies: 1477

(1) The person is under the influence of alcohol, a drug 1478  
of abuse, or a combination of them. 1479

(2) The person's whole blood, blood serum or plasma, 1480  
breath, or urine contains a concentration of alcohol, a listed 1481  
controlled substance, or a listed metabolite of a controlled 1482  
substance prohibited for persons operating a vehicle, as 1483  
specified in division (A) of section 4511.19 of the Revised 1484  
Code, regardless of whether the person at the time of the 1485  
transportation or possession as described in this division is 1486  
the operator of or a passenger in the motor vehicle. 1487

(E) No person who has been issued a concealed handgun 1488  
license or who is an active duty member of the armed forces of 1489

the United States and is carrying a valid military 1490  
identification card and documentation of successful completion 1491  
of firearms training that meets or exceeds the training 1492  
requirements described in division (G) (1) of section 2923.125 of 1493  
the Revised Code, who is the driver or an occupant of a motor 1494  
vehicle that is stopped as a result of a traffic stop or a stop 1495  
for another law enforcement purpose or is the driver or an 1496  
occupant of a commercial motor vehicle that is stopped by an 1497  
employee of the motor carrier enforcement unit for the purposes 1498  
defined in section 5503.34 of the Revised Code, and who is 1499  
transporting or has a loaded handgun in the motor vehicle or 1500  
commercial motor vehicle in any manner, shall do any of the 1501  
following: 1502

(1) Fail to promptly inform any law enforcement officer 1503  
who approaches the vehicle while stopped that the person has 1504  
been issued a concealed handgun license or is authorized to 1505  
carry a concealed handgun as an active duty member of the armed 1506  
forces of the United States and that the person then possesses 1507  
or has a loaded handgun in the motor vehicle; 1508

(2) Fail to promptly inform the employee of the unit who 1509  
approaches the vehicle while stopped that the person has been 1510  
issued a concealed handgun license or is authorized to carry a 1511  
concealed handgun as an active duty member of the armed forces 1512  
of the United States and that the person then possesses or has a 1513  
loaded handgun in the commercial motor vehicle; 1514

(3) Knowingly fail to remain in the motor vehicle while 1515  
stopped or knowingly fail to keep the person's hands in plain 1516  
sight at any time after any law enforcement officer begins 1517  
approaching the person while stopped and before the law 1518  
enforcement officer leaves, unless the failure is pursuant to 1519

and in accordance with directions given by a law enforcement officer; 1520  
1521

(4) Knowingly have contact with the loaded handgun by touching it with the person's hands or fingers in the motor vehicle at any time after the law enforcement officer begins approaching and before the law enforcement officer leaves, unless the person has contact with the loaded handgun pursuant to and in accordance with directions given by the law enforcement officer; 1522  
1523  
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(5) Knowingly disregard or fail to comply with any lawful order of any law enforcement officer given while the motor vehicle is stopped, including, but not limited to, a specific order to the person to keep the person's hands in plain sight. 1529  
1530  
1531  
1532

(F)(1) Divisions (A), (B), (C), and (E) of this section do not apply to any of the following: 1533  
1534

(a) An officer, agent, or employee of this or any other state or the United States, or a law enforcement officer, when authorized to carry or have loaded or accessible firearms in motor vehicles and acting within the scope of the officer's, agent's, or employee's duties; 1535  
1536  
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1539

(b) Any person who is employed in this state, who is authorized to carry or have loaded or accessible firearms in motor vehicles, and who is subject to and in compliance with the requirements of section 109.801 of the Revised Code, unless the appointing authority of the person has expressly specified that the exemption provided in division (F)(1)(b) of this section does not apply to the person. 1540  
1541  
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1546

(2) Division (A) of this section does not apply to a person if all of the following circumstances apply: 1547  
1548

(a) The person discharges a firearm from a motor vehicle 1549  
at a coyote or groundhog, the discharge is not during the deer 1550  
gun hunting season as set by the chief of the division of 1551  
wildlife of the department of natural resources, and the 1552  
discharge at the coyote or groundhog, but for the operation of 1553  
this section, is lawful. 1554

(b) The motor vehicle from which the person discharges the 1555  
firearm is on real property that is located in an unincorporated 1556  
area of a township and that either is zoned for agriculture or 1557  
is used for agriculture. 1558

(c) The person owns the real property described in 1559  
division (F) (2) (b) of this section, is the spouse or a child of 1560  
another person who owns that real property, is a tenant of 1561  
another person who owns that real property, or is the spouse or 1562  
a child of a tenant of another person who owns that real 1563  
property. 1564

(d) The person does not discharge the firearm in any of 1565  
the following manners: 1566

(i) While under the influence of alcohol, a drug of abuse, 1567  
or alcohol and a drug of abuse; 1568

(ii) In the direction of a street, highway, or other 1569  
public or private property used by the public for vehicular 1570  
traffic or parking; 1571

(iii) At or into an occupied structure that is a permanent 1572  
or temporary habitation; 1573

(iv) In the commission of any violation of law, including, 1574  
but not limited to, a felony that includes, as an essential 1575  
element, purposely or knowingly causing or attempting to cause 1576  
the death of or physical harm to another and that was committed 1577

by discharging a firearm from a motor vehicle. 1578

(3) Division (A) of this section does not apply to a 1579  
person if all of the following apply: 1580

(a) The person possesses a valid electric-powered all- 1581  
purpose vehicle permit issued under section 1533.103 of the 1582  
Revised Code by the chief of the division of wildlife. 1583

(b) The person discharges a firearm at a wild quadruped or 1584  
game bird as defined in section 1531.01 of the Revised Code 1585  
during the open hunting season for the applicable wild quadruped 1586  
or game bird. 1587

(c) The person discharges a firearm from a stationary 1588  
electric-powered all-purpose vehicle as defined in section 1589  
1531.01 of the Revised Code or a motor vehicle that is parked on 1590  
a road that is owned or administered by the division of 1591  
wildlife, provided that the road is identified by an electric- 1592  
powered all-purpose vehicle sign. 1593

(d) The person does not discharge the firearm in any of 1594  
the following manners: 1595

(i) While under the influence of alcohol, a drug of abuse, 1596  
or alcohol and a drug of abuse; 1597

(ii) In the direction of a street, a highway, or other 1598  
public or private property that is used by the public for 1599  
vehicular traffic or parking; 1600

(iii) At or into an occupied structure that is a permanent 1601  
or temporary habitation; 1602

(iv) In the commission of any violation of law, including, 1603  
but not limited to, a felony that includes, as an essential 1604  
element, purposely or knowingly causing or attempting to cause 1605

the death of or physical harm to another and that was committed 1606  
by discharging a firearm from a motor vehicle. 1607

(4) Divisions (B) and (C) of this section do not apply to 1608  
a person if all of the following circumstances apply: 1609

(a) At the time of the alleged violation of either of 1610  
those divisions, the person is the operator of or a passenger in 1611  
a motor vehicle. 1612

(b) The motor vehicle is on real property that is located 1613  
in an unincorporated area of a township and that either is zoned 1614  
for agriculture or is used for agriculture. 1615

(c) The person owns the real property described in 1616  
division (D) (4) (b) of this section, is the spouse or a child of 1617  
another person who owns that real property, is a tenant of 1618  
another person who owns that real property, or is the spouse or 1619  
a child of a tenant of another person who owns that real 1620  
property. 1621

(d) The person, prior to arriving at the real property 1622  
described in division (D) (4) (b) of this section, did not 1623  
transport or possess a firearm in the motor vehicle in a manner 1624  
prohibited by division (B) or (C) of this section while the 1625  
motor vehicle was being operated on a street, highway, or other 1626  
public or private property used by the public for vehicular 1627  
traffic or parking. 1628

(5) Divisions (B) and (C) of this section do not apply to 1629  
a person who transports or possesses a handgun in a motor 1630  
vehicle if, at the time of that transportation or possession, 1631  
both of the following apply: 1632

(a) The person transporting or possessing the handgun is 1633  
either carrying a valid concealed handgun license or is an 1634



active duty member of the armed forces of the United States and 1635  
is carrying a valid military identification card and 1636  
documentation of successful completion of firearms training that 1637  
meets or exceeds the training requirements described in division 1638  
(G) (1) of section 2923.125 of the Revised Code. 1639

(b) The person transporting or possessing the handgun is 1640  
not knowingly in a place described in division (B) of section 1641  
2923.126 of the Revised Code. 1642

(6) Divisions (B) and (C) of this section do not apply to 1643  
a person if all of the following apply: 1644

(a) The person possesses a valid electric-powered all- 1645  
purpose vehicle permit issued under section 1533.103 of the 1646  
Revised Code by the chief of the division of wildlife. 1647

(b) The person is on or in an electric-powered all-purpose 1648  
vehicle as defined in section 1531.01 of the Revised Code or a 1649  
motor vehicle during the open hunting season for a wild 1650  
quadruped or game bird. 1651

(c) The person is on or in an electric-powered all-purpose 1652  
vehicle as defined in section 1531.01 of the Revised Code or a 1653  
motor vehicle that is parked on a road that is owned or 1654  
administered by the division of wildlife, provided that the road 1655  
is identified by an electric-powered all-purpose vehicle sign. 1656

(7) Nothing in this section prohibits or restricts a 1657  
person from possessing, storing, or leaving a firearm in a 1658  
locked motor vehicle that is parked in the state underground 1659  
parking garage at the state capitol building or in the parking 1660  
garage at the Riffe center for government and the arts in 1661  
Columbus, if the person's transportation and possession of the 1662  
firearm in the motor vehicle while traveling to the premises or 1663

facility was not in violation of division (A), (B), (C), (D), or 1664  
(E) of this section or any other provision of the Revised Code. 1665

(G) (1) The affirmative defenses authorized in divisions 1666  
(D) (1) and (2) of section 2923.12 of the Revised Code are 1667  
affirmative defenses to a charge under division (B) or (C) of 1668  
this section that involves a firearm other than a handgun. 1669

(2) It is an affirmative defense to a charge under 1670  
division (B) or (C) of this section of improperly handling 1671  
firearms in a motor vehicle that the actor transported or had 1672  
the firearm in the motor vehicle for any lawful purpose and 1673  
while the motor vehicle was on the actor's own property, 1674  
provided that this affirmative defense is not available unless 1675  
the person, immediately prior to arriving at the actor's own 1676  
property, did not transport or possess the firearm in a motor 1677  
vehicle in a manner prohibited by division (B) or (C) of this 1678  
section while the motor vehicle was being operated on a street, 1679  
highway, or other public or private property used by the public 1680  
for vehicular traffic. 1681

(H) (1) No person who is charged with a violation of 1682  
division (B), (C), or (D) of this section shall be required to 1683  
obtain a concealed handgun license as a condition for the 1684  
dismissal of the charge. 1685

(2) (a) If a person is convicted of, was convicted of, 1686  
pleads guilty to, or has pleaded guilty to a violation of 1687  
division (E) of this section as it existed prior to September 1688  
30, 2011, and if the conduct that was the basis of the violation 1689  
no longer would be a violation of division (E) of this section 1690  
on or after September 30, 2011, the person may file an 1691  
application under section 2953.37 of the Revised Code requesting 1692  
the expungement of the record of conviction. 1693

If a person is convicted of, was convicted of, pleads  
guilty to, or has pleaded guilty to a violation of division (B)  
or (C) of this section as the division existed prior to  
September 30, 2011, and if the conduct that was the basis of the  
violation no longer would be a violation of division (B) or (C)  
of this section on or after September 30, 2011, due to the  
application of division (F) (5) of this section as it exists on  
and after September 30, 2011, the person may file an application  
under section 2953.37 of the Revised Code requesting the  
expungement of the record of conviction.

(b) The attorney general shall develop a public media  
advisory that summarizes the expungement procedure established  
under section 2953.37 of the Revised Code and the offenders  
identified in division (H) (2) (a) of this section who are  
authorized to apply for the expungement. Within thirty days  
after September 30, 2011, the attorney general shall provide a  
copy of the advisory to each daily newspaper published in this  
state and each television station that broadcasts in this state.  
The attorney general may provide the advisory in a tangible  
form, an electronic form, or in both tangible and electronic  
forms.

(I) Whoever violates this section is guilty of improperly  
handling firearms in a motor vehicle. Violation of division (A)  
of this section is a felony of the fourth degree. Violation of  
division (C) of this section is a misdemeanor of the fourth  
degree. A violation of division (D) of this section is a felony  
of the fifth degree or, if the loaded handgun is concealed on  
the person's person, a felony of the fourth degree. Except as  
otherwise provided in this division, a violation of division (E)  
(1) or (2) of this section is a misdemeanor of the first degree,  
and, in addition to any other penalty or sanction imposed for

the violation, the offender's concealed handgun license shall be 1725  
suspended pursuant to division (A) (2) of section 2923.128 of the 1726  
Revised Code. If at the time of the stop of the offender for a 1727  
traffic stop, for another law enforcement purpose, or for a 1728  
purpose defined in section 5503.34 of the Revised Code that was 1729  
the basis of the violation any law enforcement officer involved 1730  
with the stop or the employee of the motor carrier enforcement 1731  
unit who made the stop had actual knowledge of the offender's 1732  
status as a licensee, a violation of division (E) (1) or (2) of 1733  
this section is a minor misdemeanor, and the offender's 1734  
concealed handgun license shall not be suspended pursuant to 1735  
division (A) (2) of section 2923.128 of the Revised Code. A 1736  
violation of division (E) (4) of this section is a felony of the 1737  
fifth degree. A violation of division (E) (3) or (5) of this 1738  
section is a misdemeanor of the first degree or, if the offender 1739  
previously has been convicted of or pleaded guilty to a 1740  
violation of division (E) (3) or (5) of this section, a felony of 1741  
the fifth degree. In addition to any other penalty or sanction 1742  
imposed for a misdemeanor violation of division (E) (3) or (5) of 1743  
this section, the offender's concealed handgun license shall be 1744  
suspended pursuant to division (A) (2) of section 2923.128 of the 1745  
Revised Code. A violation of division (B) of this section is a 1746  
felony of the fourth degree. 1747

(J) If a law enforcement officer stops a motor vehicle for 1748  
a traffic stop or any other purpose, if any person in the motor 1749  
vehicle surrenders a firearm to the officer, either voluntarily 1750  
or pursuant to a request or demand of the officer, and if the 1751  
officer does not charge the person with a violation of this 1752  
section or arrest the person for any offense, the person is not 1753  
otherwise prohibited by law from possessing the firearm, and the 1754  
firearm is not contraband, the officer shall return the firearm 1755

to the person at the termination of the stop. If a court orders 1756  
a law enforcement officer to return a firearm to a person 1757  
pursuant to the requirement set forth in this division, division 1758  
(B) of section 2923.163 of the Revised Code applies. 1759

(K) As used in this section: 1760

(1) "Motor vehicle," "street," and "highway" have the same 1761  
meanings as in section 4511.01 of the Revised Code. 1762

(2) "Occupied structure" has the same meaning as in 1763  
section 2909.01 of the Revised Code. 1764

(3) "Agriculture" has the same meaning as in section 1765  
519.01 of the Revised Code. 1766

(4) "Tenant" has the same meaning as in section 1531.01 of 1767  
the Revised Code. 1768

(5) (a) "Unloaded" means, with respect to a firearm other 1769  
than a firearm described in division (K) (6) of this section, 1770  
that no ammunition is in the firearm in question, no magazine or 1771  
speed loader containing ammunition is inserted into the firearm 1772  
in question, and one of the following applies: 1773

(i) There is no ammunition in a magazine or speed loader 1774  
that is in the vehicle in question and that may be used with the 1775  
firearm in question. 1776

(ii) Any magazine or speed loader that contains ammunition 1777  
and that may be used with the firearm in question is stored in a 1778  
compartment within the vehicle in question that cannot be 1779  
accessed without leaving the vehicle or is stored in a container 1780  
that provides complete and separate enclosure. 1781

(b) For the purposes of division (K) (5) (a) (ii) of this 1782  
section, a "container that provides complete and separate 1783

enclosure" includes, but is not limited to, any of the 1784  
following: 1785

(i) A package, box, or case with multiple compartments, as 1786  
long as the loaded magazine or speed loader and the firearm in 1787  
question either are in separate compartments within the package, 1788  
box, or case, or, if they are in the same compartment, the 1789  
magazine or speed loader is contained within a separate 1790  
enclosure in that compartment that does not contain the firearm 1791  
and that closes using a snap, button, buckle, zipper, hook and 1792  
loop closing mechanism, or other fastener that must be opened to 1793  
access the contents or the firearm is contained within a 1794  
separate enclosure of that nature in that compartment that does 1795  
not contain the magazine or speed loader; 1796

(ii) A pocket or other enclosure on the person of the 1797  
person in question that closes using a snap, button, buckle, 1798  
zipper, hook and loop closing mechanism, or other fastener that 1799  
must be opened to access the contents. 1800

(c) For the purposes of divisions (K) (5) (a) and (b) of 1801  
this section, ammunition held in stripper-clips or in en-bloc 1802  
clips is not considered ammunition that is loaded into a 1803  
magazine or speed loader. 1804

(6) "Unloaded" means, with respect to a firearm employing 1805  
a percussion cap, flintlock, or other obsolete ignition system, 1806  
when the weapon is uncapped or when the priming charge is 1807  
removed from the pan. 1808

(7) "Commercial motor vehicle" has the same meaning as in 1809  
division (A) of section 4506.25 of the Revised Code. 1810

(8) "Motor carrier enforcement unit" means the motor 1811  
carrier enforcement unit in the department of public safety, 1812

division of state highway patrol, that is created by section 1813  
5503.34 of the Revised Code. 1814

(L) Divisions (K) (5) (a) and (b) of this section do not 1815  
affect the authority of a person who is carrying a valid 1816  
concealed handgun license to have one or more magazines or speed 1817  
loaders containing ammunition anywhere in a vehicle, without 1818  
being transported as described in those divisions, as long as no 1819  
ammunition is in a firearm, other than a handgun, in the vehicle 1820  
other than as permitted under any other provision of this 1821  
chapter. A person who is carrying a valid concealed handgun 1822  
license may have one or more magazines or speedloaders 1823  
containing ammunition anywhere in a vehicle without further 1824  
restriction, as long as no ammunition is in a firearm, other 1825  
than a handgun, in the vehicle other than as permitted under any 1826  
provision of this chapter. 1827

**Sec. 2923.21.** (A) No person shall do any of the following: 1828

(1) Sell any firearm to a person who is under eighteen 1829  
years of age; 1830

(2) Subject to division (B) of this section, sell any 1831  
handgun to a person who is under twenty-one years of age; 1832

(3) Furnish any firearm to a person who is under eighteen 1833  
years of age or, subject to division (B) of this section, 1834  
furnish any handgun to a person who is under twenty-one years of 1835  
age, except for lawful hunting, sporting, or educational 1836  
purposes, including, but not limited to, instruction in firearms 1837  
or handgun safety, care, handling, or marksmanship under the 1838  
supervision or control of a responsible adult; 1839

(4) Sell or furnish a firearm to a person who is eighteen 1840  
years of age or older if the seller or furnisher knows, or has 1841

reason to know, that the person is purchasing or receiving the 1842  
firearm for the purpose of selling the firearm in violation of 1843  
division (A) (1) of this section to a person who is under 1844  
eighteen years of age or for the purpose of furnishing the 1845  
firearm in violation of division (A) (3) of this section to a 1846  
person who is under eighteen years of age; 1847

(5) Sell or furnish a handgun to a person who is twenty- 1848  
one years of age or older if the seller or furnisher knows, or 1849  
has reason to know, that the person is purchasing or receiving 1850  
the handgun for the purpose of selling the handgun in violation 1851  
of division (A) (2) of this section to a person who is under 1852  
twenty-one years of age or for the purpose of furnishing the 1853  
handgun in violation of division (A) (3) of this section to a 1854  
person who is under twenty-one years of age; 1855

(6) Purchase or attempt to purchase any firearm with the 1856  
intent to sell the firearm in violation of division (A) (1) of 1857  
this section to a person who is under eighteen years of age or 1858  
with the intent to furnish the firearm in violation of division 1859  
(A) (3) of this section to a person who is under eighteen years 1860  
of age; 1861

(7) Purchase or attempt to purchase any handgun with the 1862  
intent to sell the handgun in violation of division (A) (2) of 1863  
this section to a person who is under twenty-one years of age or 1864  
with the intent to furnish the handgun in violation of division 1865  
(A) (3) of this section to a person who is under twenty-one years 1866  
of age. 1867

(B) Divisions (A) (1) and (2) of this section do not apply 1868  
to the sale or furnishing of a handgun to a person eighteen 1869  
years of age or older and under twenty-one years of age if the 1870  
person eighteen years of age or older and under twenty-one years 1871



of age is a law enforcement officer who is properly appointed or 1872  
employed as a law enforcement officer and has received firearms 1873  
training approved by the Ohio peace officer training council or 1874  
equivalent firearms training. Divisions (A) (1) and (2) of this 1875  
section do not apply to the sale or furnishing of a handgun to 1876  
an active duty member of the armed forces of the United States 1877  
who has received firearms training that meets or exceeds the 1878  
training requirements described in division (G) (1) of section 1879  
2923.125 of the Revised Code. 1880

(C) Whoever violates this section is guilty of improperly 1881  
furnishing firearms to a minor, a felony of the fifth degree. 1882

**Sec. 5103.132.** (A) As used in this section, "firearm" has 1883  
the same meaning as in section 2923.11 of the Revised Code. 1884

(B) A children's crisis care facility that has as its 1885  
primary purpose the provision of residential and other care to 1886  
infants who are born drug exposed and that regularly maintains 1887  
on its premises schedule II controlled substances, as defined in 1888  
section 3719.01 of the Revised Code, may do both of the 1889  
following: 1890

(1) Maintain firearms at the facility; 1891

(2) Permit security personnel to bear firearms while on 1892  
the grounds of the facility. 1893

**Section 2.** That existing sections 109.731, 311.42, 1894  
1547.69, 2923.11, 2923.12, 2923.121, 2923.122, 2923.123, 1895  
2923.126, 2923.16, and 2923.21 of the Revised Code are hereby 1896  
repealed. 1897

**Section 3.** Section 2923.122 of the Revised Code is 1898  
presented in this act as a composite of the section as amended 1899  
by both Am. Sub. H.B. 495 and Am. Sub. S.B. 337 of the 129th 1900

General Assembly. The General Assembly, applying the principle 1901  
stated in division (B) of section 1.52 of the Revised Code that 1902  
amendments are to be harmonized if reasonably capable of 1903  
simultaneous operation, finds that the composite is the 1904  
resulting version of the section in effect prior to the 1905  
effective date of the section as presented in this act. 1906