

As Introduced

**124th General Assembly
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H. B. No. 274

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Hughes, Grendell, Gilb, Collier, Wolpert, Seitz, Callender, Young, Schmidt,
Hoops, Flowers**

A B I L L

To amend sections 1547.69, 2921.13, 2923.12, 2923.121, 1
2923.123, 2923.16, and 2953.32 and to enact 2
sections 109.731, 311.41, 2923.124, 2923.125, 3
2923.126, 2923.127, 2923.128, 2923.129, 2923.1210, 4
2923.1211, and 2923.1212 of the Revised Code to 5
authorize county sheriffs to issue licenses to 6
carry concealed handguns to certain persons and to 7
create the offenses of falsification to obtain a 8
concealed handgun license, falsification of a 9
concealed handgun license, and possessing a revoked 10
or suspended concealed handgun license. 11
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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 1547.69, 2921.13, 2923.12, 2923.121, 13
2923.123, 2923.16, and 2953.32 be amended and sections 109.731, 14
311.41, 2923.124, 2923.125, 2923.126, 2923.127, 2923.128, 15

2923.129, 2923.1210, 2923.1211, and 2923.1212 of the Revised Code 16
be enacted to read as follows: 17

Sec. 109.731. (A) The Ohio peace officer training commission 18
shall prescribe, and shall make available to sheriffs, both of the 19
following: 20

(1) An application form that is to be used under section 21
2923.125 of the Revised Code by a person who applies for a license 22
to carry a concealed handgun or for the renewal of a license of 23
that nature and that conforms substantially to the form prescribed 24
in section 2923.1210 of the Revised Code; 25

(2) A form for the license to carry a concealed handgun that 26
is to be issued by sheriffs to persons who qualify for a license 27
to carry a concealed handgun under section 2923.125 of the Revised 28
Code and that conforms to the following requirements: 29

(a) It has space for the licensee's full name, residence 30
address, and date of birth and for a color photograph of the 31
licensee. 32

(b) It has space for the date of issuance of the license, its 33
expiration date, its county of issuance, and the name of the 34
sheriff who issues the license. 35

(c) It has space for the signature of the licensee and the 36
signature or a facsimile signature of the sheriff who issues the 37
license. 38

(d) It does not require the licensee to include serial 39
numbers of handguns, other identification related to handguns, or 40
similar data that is not pertinent or relevant to obtaining the 41
license and that could be used as a de facto means of registration 42
of handguns owned by the licensee. 43

(B) The Ohio peace officer training commission shall prepare 44

a pamphlet that contains the text of the firearms laws of this state and shall make copies of the pamphlet available to sheriffs for distribution to applicants under section 2923.125 of the Revised Code for a license to carry a concealed handgun and applicants under that section for the renewal of a license to carry a concealed handgun.

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(C) The Ohio peace officer training commission shall prescribe a fee to be paid by an applicant under section 2923.125 of the Revised Code for a license to carry a concealed handgun in an amount that does not exceed twenty-five dollars and shall specify the portion of the fee that will be used to pay each particular cost of the issuance of the license. The commission also shall prescribe a fee to be paid by an applicant under that section for the renewal of a license to carry a concealed handgun in an amount that does not exceed twenty-five dollars and shall specify the portion of the fee that will be used to pay each particular cost of the license renewal.

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(D) The Ohio peace officer training commission shall maintain statistics with respect to the issuance, renewal, suspension, revocation, and denial of licenses to carry a concealed handgun and the suspension of applications for those licenses as reported by the sheriffs pursuant to division (C) of section 2923.129 of the Revised Code. Not later than the first day of March in each year, the commission shall submit a statistical report to the governor, the president of the senate, and the speaker of the house of representatives indicating the number of those licenses that were issued, renewed, suspended, revoked, and denied in the previous calendar year and the number of applications for those licenses for which processing was suspended in accordance with division (D)(3) of section 2923.125 of the Revised Code in the previous calendar year.

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(E) The peace officer training commission shall oversee

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compliance with the requirement for the destruction of records 77
required by division (B) of section 341.11 of the Revised Code. 78
The commission may adopt rules in accordance with Chapter 119. of 79
the Revised Code implementing procedures to be followed in 80
relation to the destruction of those records and to ensure that 81
the destruction requirements are followed. The commission may hire 82
employees to make appropriate investigations to ensure that the 83
destruction requirements are followed. County sheriffs shall 84
cooperate with any investigation under this division and shall 85
give the employees access to all places and records in the 86
sheriff's office related to criminal records checks conducted in 87
accordance with section 311.41 of the Revised Code. 88

(F) As used in this section, "handgun" has the same meaning 89
as in section 2923.11 of the Revised Code. 90

Sec. 311.41. (A) Upon receipt of an application for a license 91
to carry a concealed handgun under division (C) of section 92
2923.124 of the Revised Code or an application to renew a license 93
to carry a concealed handgun under division (F) of that section, 94
the sheriff shall conduct or cause to be conducted a criminal 95
records check of the applicant in the following manner: 96

(1) The sheriff or the sheriff's designee shall obtain 97
fingerprints of four fingers of the applicant using an electronic 98
fingerprint reading device. 99

(2) Using the law enforcement automated data system, the 100
sheriff shall access the automated fingerprint index system within 101
the bureau of criminal identification and investigation to 102
determine whether the bureau has any information that indicates 103
that the applicant fails to meet the criteria described in 104
division (D)(1) of section 2923.125 of the Revised Code. 105

(B) If, after conducting the criminal records check under 106
division (A) of this section, the sheriff concludes that no 107

information was found that may be relevant to the sheriff's 108
determination of whether the applicant fails to meet the criteria 109
described in division (D)(1) of section 2923.125 of the Revised 110
Code, the sheriff shall destroy or cause a designated employee to 111
destroy all records that were made in connection with the criminal 112
records check within twenty days after conducting the criminal 113
records check. When required by section 2923.127 of the Revised 114
Code, the superintendent of the bureau of criminal identification 115
and investigation shall destroy or the superintendent shall cause 116
an employee of the bureau designated by the superintendent to 117
destroy all records that were made in connection with the criminal 118
records check within the twenty-day period described in that 119
section. 120

(C) If division (B) of this section applies to a particular 121
criminal records check, no sheriff, employee of a sheriff 122
designated by the sheriff to destroy records under that division, 123
superintendent of bureau of criminal identification and 124
investigation, or employee of the bureau designated by the 125
superintendent to destroy records under that division shall fail 126
to destroy or cause to be destroyed within the applicable 127
twenty-day period specified in that division all records made in 128
connection with the particular criminal records check. 129

(D) Whoever violates division (C) of this section is guilty 130
of failure to destroy records, a felony of the fourth degree. 131

(E) As used in this section, "handgun" has the same meaning 132
as in section 2923.11 of the Revised Code. 133

Sec. 1547.69. (A) As used in this section: 134

(1) "Firearm" ~~has~~ and "handgun" have the same ~~meaning~~ 135
meanings as in section 2923.11 of the Revised Code. 136

(2) "Unloaded" has the same meaning as in section 2923.16 of 137

the Revised Code. 138

(B) No person shall knowingly discharge a firearm while in or 139
on a vessel. 140

(C) No person shall knowingly transport or have a loaded 141
firearm in a vessel in ~~such~~ a manner that the firearm is 142
accessible to the operator or any passenger. 143

(D) No person shall knowingly transport or have a firearm in 144
a vessel unless it is unloaded and is carried in one of the 145
following ways: 146

(1) In a closed package, box, or case; 147

(2) In plain sight with the action opened or the weapon 148
stripped, or, if the firearm is of a type on which the action will 149
not stay open or that cannot easily be stripped, in plain sight. 150

(E) The affirmative defenses ~~contained~~ authorized in 151
divisions (C)(1) ~~and~~, (2), and (5) of section 2923.12 of the 152
Revised Code are affirmative defenses to a charge under division 153
(C) or (D) of this section. 154

(F) Divisions (B), (C), and (D) of this section do not apply 155
to the possession or discharge of a United States coast guard 156
approved signaling device required to be carried aboard a vessel 157
under section 1547.251 of the Revised Code when the signaling 158
device is possessed or used for the purpose of giving a visual 159
distress signal. No person shall knowingly transport or possess 160
any ~~such~~ signaling device of that nature in or on a vessel in a 161
loaded condition at any time other than immediately prior to the 162
discharge of the signaling device for the purpose of giving a 163
visual distress signal. 164

(G) No person shall operate or permit to be operated any 165
vessel on the waters in this state in violation of this section. 166

(H) This section does not apply to officers, agents, or 167

employees of this or any other state or of the United States, or 168
to law enforcement officers, when authorized to carry or have 169
loaded or accessible firearms in a vessel and acting within the 170
scope of their duties, ~~nor~~ and this section does not apply to 171
persons legally engaged in hunting. Divisions (C) and (D) of this 172
section do not apply to a person who transports or possesses a 173
handgun in a vessel and who, at the time of that transportation or 174
possession, is carrying a valid license to carry a concealed 175
handgun issued to the person under section 2923.125 of the Revised 176
Code, unless the person knowingly is in a place on the vessel 177
described in division (B) of section 2923.126 of the Revised Code. 178

Sec. 2921.13. (A) No person shall knowingly make a false 179
statement, or knowingly swear or affirm the truth of a false 180
statement previously made, when any of the following applies: 181

(1) The statement is made in any official proceeding. 182

(2) The statement is made with purpose to incriminate 183
another. 184

(3) The statement is made with purpose to mislead a public 185
official in performing the public official's official function. 186

(4) The statement is made with purpose to secure the payment 187
of unemployment compensation; Ohio works first; prevention, 188
retention, and contingency assistance; disability assistance; 189
retirement benefits; economic development assistance, as defined 190
in section 9.66 of the Revised Code; or other benefits 191
administered by a governmental agency or paid out of a public 192
treasury. 193

(5) The statement is made with purpose to secure the issuance 194
by a governmental agency of a license, permit, authorization, 195
certificate, registration, release, or provider agreement. 196

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(6) The statement is sworn or affirmed before a notary public or another person empowered to administer oaths.	198 199
(7) The statement is in writing on or in connection with a report or return that is required or authorized by law.	200 201
(8) The statement is in writing and is made with purpose to induce another to extend credit to or employ the offender, to confer any degree, diploma, certificate of attainment, award of excellence, or honor on the offender, or to extend to or bestow upon the offender any other valuable benefit or distinction, when the person to whom the statement is directed relies upon it to that person's detriment.	202 203 204 205 206 207 208
(9) The statement is made with purpose to commit or facilitate the commission of a theft offense.	209 210
(10) The statement is knowingly made to a probate court in connection with any action, proceeding, or other matter within its jurisdiction, either orally or in a written document, including, but not limited to, an application, petition, complaint, or other pleading, or an inventory, account, or report.	211 212 213 214 215
(11) The statement is made on an account, form, record, stamp, label, or other writing that is required by law.	216 217
(12) The statement is made in connection with the purchase of a firearm, as defined in section 2923.11 of the Revised Code, and in conjunction with the furnishing to the seller of the firearm of a fictitious or altered driver's or commercial driver's license or permit, a fictitious or altered identification card, or any other document that contains false information about the purchaser's identity.	218 219 220 221 222 223 224
(13) The statement is made in a document or instrument of writing that purports to be a judgment, lien, or claim of indebtedness and is filed or recorded with the secretary of state, a county recorder, or the clerk of a court of record.	225 226 227 228

(14) The statement is made in an application filed with a 229
county sheriff pursuant to section 2923.125 of the Revised Code in 230
order to obtain or renew a license to carry a concealed handgun. 231

(B) No person, in connection with the purchase of a firearm, 232
as defined in section 2923.11 of the Revised Code, shall knowingly 233
furnish to the seller of the firearm a fictitious or altered 234
driver's or commercial driver's license or permit, a fictitious or 235
altered identification card, or any other document that contains 236
false information about the purchaser's identity. 237

(C) No person, in an attempt to obtain a license to carry a 238
concealed handgun under section 2923.125 of the Revised Code, 239
shall knowingly present to a sheriff a fictitious or altered 240
document that purports to be certification of the person's 241
competence in handling a handgun as described in division (B)(3) 242
of section 2923.125 of the Revised Code. 243

(D) It is no defense to a charge under division (A)+4+(6) of 244
this section that the oath or affirmation was administered or 245
taken in an irregular manner. 246

~~(D)~~(E) If contradictory statements relating to the same fact 247
are made by the offender within the period of the statute of 248
limitations for falsification, it is not necessary for the 249
prosecution to prove which statement was false but only that one 250
or the other was false. 251

~~(E)~~(F)(1) Whoever violates division (A)(1), (2), (3), (4), 252
(5), (6), (7), (8), (10), (11), or (13) of this section is guilty 253
of falsification, a misdemeanor of the first degree. 254

(2) Whoever violates division (A)(9) of this section is 255
guilty of falsification in a theft offense. Except as otherwise 256
provided in this division, falsification in a theft offense is a 257
misdemeanor of the first degree. If the value of the property or 258
services stolen is five hundred dollars or more and is less than 259

five thousand dollars, falsification in a theft offense is a
felony of the fifth degree. If the value of the property or
services stolen is five thousand dollars or more and is less than
one hundred thousand dollars, falsification in a theft offense is
a felony of the fourth degree. If the value of the property or
services stolen is one hundred thousand dollars or more,
falsification in a theft offense is a felony of the third degree.

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

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~~(F)~~(4) Whoever violates division (A)(14) or (C) of this
section is guilty of falsification to obtain a concealed handgun
license, a felony of the fifth degree.

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

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

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

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(2) A handgun other than a dangerous ordnance;

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(3) A dangerous ordnance.

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(B) This section does not apply to officers, agents, or
employees of this or any other state or the United States, or to

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law enforcement officers, authorized to carry concealed weapons or
dangerous ordnance, and acting within the scope of their duties.
Division (A)(2) of this section does not apply to a person who, at
the time of the alleged carrying or possession of a handgun, is
carrying a valid license to carry a concealed handgun issued to
the person under section 2923.125 of the Revised Code, unless the
person knowingly is in a place described in division (B) of
section 2923.126 of the Revised Code.

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(C) It is an affirmative defense to a charge under this
section of carrying or having control of a weapon other than
dangerous ordnance, that the actor was not otherwise prohibited by
law from having the weapon, and that any of the following ~~apply~~
applies:

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

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(2) The weapon 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.

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

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(4) The weapon was being transported in a motor vehicle for
any lawful purpose, ~~and~~ was not on the actor's person, and, if the
weapon was a firearm, was carried in compliance with the

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applicable requirements of division (C) of section 2923.16 of the Revised Code. 321
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(5) The actor, at the time of the alleged carrying or possession of a handgun, met all of the requirements for a license to carry a concealed handgun under division (D)(1) of section 2923.125 of the Revised Code. An affirmative defense under this division does not apply to a person who knowingly was in a place described in division (B) of section 2923.126 of the Revised Code at the time of the alleged carrying or possession of a concealed handgun. 323
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~~(D)(1) Whoever violates this section is guilty of carrying concealed weapons, a misdemeanor of the first degree. If the offender previously has been convicted of a violation of this section or of any offense of violence, if the weapon involved is a firearm that is either loaded or for which the offender has ammunition ready at hand, or if the weapon involved is dangerous ordnance, carrying concealed weapons is a felony of the fourth degree. If the weapon involved is a firearm and the violation of this section is committed at premises for which a D permit has been issued under Chapter 4303. of the Revised Code or if the offense is committed aboard an aircraft, or with purpose to carry a concealed weapon aboard an aircraft, regardless of the weapon involved. Except as otherwise provided in division (D)(2), (3), or (4) of this section, carrying concealed weapons is a felony misdemeanor of the third first degree.~~ 331
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(2) Carrying concealed weapons is a misdemeanor of the third degree if all of the following apply: 346
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(a) The weapon involved is a handgun. 348

(b) At the time of the commission of the offense, the offender met the requirements for a license to carry a concealed handgun under divisions (D)(1)(b) through (i) of section 2923.125 of the Revised Code but did not meet the requirement for a license 349
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to carry a concealed handgun under division (D)(1)(j) of section 2923.125 of the Revised Code. 353
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(c) At the time of the commission of the offense, the person was not knowingly in a place described in division (B) of section 2923.126 of the Revised Code. 355
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(3) Carrying concealed weapons is a felony of the fourth degree if any of the following apply: 358
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(a) The offender previously has been convicted of any offense of violence. 360
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(b) The weapon involved is a firearm, other than a handgun, that is either loaded or for which the offender has ammunition ready at hand. 362
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(c) The weapon involved is dangerous ordnance. 365

(4) Carrying concealed weapons is a felony of the third degree if any of the following apply: 366
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(a) The weapon involved is a handgun, and, at the time of the commission of the offense, the offender did not meet one or more of the requirements to be eligible for a license to carry a concealed handgun under divisions (D)(1)(b) through (i) of section 2923.125 of the Revised Code and did not meet the requirement to be eligible for a license to carry a concealed handgun under division (D)(1)(j) of section 2923.125 of the Revised Code. 368
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(b) The weapon involved is a handgun, and the offender either used the handgun in the commission of an offense of violence or knowingly carried the handgun for the purpose of committing an offense of violence. 375
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(c) The weapon involved is a firearm, and the violation is committed at premises for which a D permit has been issued under Chapter 4303. of the Revised Code. 379
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(d) The offense is committed aboard an aircraft or with 382

purpose to carry a concealed weapon aboard an aircraft regardless
of the weapon involved.

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Sec. 2923.121. (A) No person shall possess a firearm in any
room in which liquor is being dispensed in premises for which a D
permit has been issued under Chapter 4303. of the Revised Code.

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(B)(1) This section does not apply to officers, agents, or
employees of this or any other state or the United States, or to
law enforcement officers, authorized to carry firearms, and acting
within the scope of their duties.

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(2) This section does not apply to any room used for the
accommodation of guests of a hotel, as defined in section 4301.01
of the Revised Code.

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

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

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(5) This section does not apply to a person who possesses a
handgun in a room in which liquor is being dispensed in premises
for which a D permit has been issued under Chapter 4303. of the

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Revised Code and who, at the time of that possession, is carrying
a valid license to carry a concealed handgun issued to the person
under section 2923.125 of the Revised Code.

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

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

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(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.

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(3) The firearm in question was a handgun, and the actor, at
the time of the alleged possession of the handgun, met all of the
requirements for a license to carry a concealed handgun under
division (D)(1) of section 2923.125 of the Revised Code. An
affirmative defense under this division does not apply to a person
who knowingly was in a place described in division (B) of section
2923.126 of the Revised Code at the time of the alleged possession
of the handgun.

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(D) Whoever violates this section is guilty of illegal
possession of a firearm in liquor permit premises, a felony of the
fifth degree.

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Sec. 2923.123. (A) No person shall knowingly convey or 444
attempt to convey a deadly weapon or dangerous ordnance into a 445
courthouse or into another building or structure in which a 446
courtroom is located. 447

(B) No person shall knowingly possess or have under the 448
person's control a deadly weapon or dangerous ordnance in a 449
courthouse or in another building or structure in which a 450
courtroom is located. 451

(C) This section does not apply to any of the following: 452

(1) A judge of a court of record of this state or a 453
magistrate, unless a rule of superintendence or another type of 454
rule adopted by the supreme court pursuant to Article IV, Ohio 455
Constitution, or an applicable local rule of court prohibits all 456
persons from conveying or attempting to convey a deadly weapon or 457
dangerous ordnance into a courthouse or into another building or 458
structure in which a courtroom is located or from possessing or 459
having under one's control a deadly weapon or dangerous ordnance 460
in a courthouse or in another building or structure in which a 461
courtroom is located; 462

(2) A peace officer, or an officer of a law enforcement 463
agency of another state, a political subdivision of another state, 464
or the United States, who is authorized to carry a deadly weapon 465
or dangerous ordnance, who possesses or has under that 466
individual's control a deadly weapon or dangerous ordnance as a 467
requirement of that individual's duties, and who is acting within 468
the scope of that individual's duties at the time of that 469
possession or control, unless a rule of superintendence or another 470
type of rule adopted by the supreme court pursuant to Article IV, 471
Ohio Constitution, or an applicable local rule of court prohibits 472
all persons from conveying or attempting to convey a deadly weapon 473
or dangerous ordnance into a courthouse or into another building 474

or structure in which a courtroom is located or from possessing or 475
having under one's control a deadly weapon or dangerous ordnance 476
in a courthouse or in another building or structure in which a 477
courtroom is located; 478

(3) A person who conveys, attempts to convey, possesses, or 479
has under the person's control a deadly weapon or dangerous 480
ordnance that is to be used as evidence in a pending criminal or 481
civil action or proceeding; 482

(4) A bailiff or deputy bailiff of a court of record of this 483
state who is authorized to carry a firearm pursuant to section 484
109.77 of the Revised Code, who possesses or has under that 485
individual's control a firearm as a requirement of that 486
individual's duties, and who is acting within the scope of that 487
individual's duties at the time of that possession or control, 488
unless a rule of superintendence or another type of rule adopted 489
by the supreme court pursuant to Article IV, Ohio Constitution, or 490
an applicable local rule of court prohibits all persons from 491
conveying or attempting to convey a deadly weapon or dangerous 492
ordnance into a courthouse or into another building or structure 493
in which a courtroom is located or from possessing or having under 494
one's control a deadly weapon or dangerous ordnance in a 495
courthouse or in another building or structure in which a 496
courtroom is located; 497

(5) A prosecutor, or a secret service officer appointed by a 498
county prosecuting attorney, who is authorized to carry a deadly 499
weapon or dangerous ordnance in the performance of the 500
individual's duties, who possesses or has under that individual's 501
control a deadly weapon or dangerous ordnance as a requirement of 502
that individual's duties, and who is acting within the scope of 503
that individual's duties at the time of that possession or 504
control, unless a rule of superintendence or another type of rule 505
adopted by the supreme court pursuant to Article IV of the Ohio 506

Constitution or an applicable local rule of court prohibits all
persons from conveying or attempting to convey a deadly weapon or
dangerous ordnance into a courthouse or into another building or
structure in which a courtroom is located or from possessing or
having under one's control a deadly weapon or dangerous ordnance
in a courthouse or in another building or structure in which a
courtroom is located;

(6) A person who conveys or attempts to convey a handgun into
a courthouse or into another building or structure in which a
courtroom is located, who, at the time of the conveyance or
attempt, is carrying a valid license to carry a concealed handgun
issued to the person under section 2923.125 of the Revised Code,
and who transfers possession of the handgun to the sheriff or
sheriff's designee who has charge of the courthouse or building.
The sheriff shall secure the handgun until the licensee is
prepared to leave the premises. The exemption described in this
division does not apply if a rule of superintendence or another
type of rule adopted by the supreme court pursuant to Article IV,
Ohio Constitution, or if an applicable local rule of court
prohibits all persons from conveying or attempting to convey a
deadly weapon or dangerous ordnance into a courthouse or into
another building or structure in which a courtroom is located or
from possessing or having under one's control a deadly weapon or
dangerous ordnance in a courthouse or in another building or
structure in which a courtroom is located.

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

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or dangerous ordnance into a courthouse is a felony of the fourth
degree.

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

(E) As used in this section:

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

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

Sec. 2923.124. As used in sections 2923.124 through 2923.1212
of the Revised Code:

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

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

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

(D) "Licensee" means a person to whom a license to carry a

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concealed handgun has been issued under section 2923.125 of the Revised Code. 568
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(E) "License fee" or "license renewal fee" mean the fee for a license to carry a concealed handgun or the fee to renew that license that is prescribed pursuant to division (C) of section 109.731 of the Revised Code and that is to be paid by an applicant for a license of that type. 570
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(F) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code. 575
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(G) "State correctional institution" has the same meaning as in section 2967.01 of the Revised Code. 577
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(H) "Valid license" means a license to carry a concealed handgun that has been issued under section 2923.125 of the Revised Code, that is currently valid, that is not under a suspension under division (A)(1) of section 2923.128 of the Revised Code, and that has not been revoked under division (B)(1) of section 2923.128 of the Revised Code. 579
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Sec. 2923.125. (A) Upon the request of a person who wishes to obtain a license to carry a concealed handgun or to renew a license to carry a concealed handgun, a sheriff shall provide to the person free of charge an application form and a copy of the pamphlet described in division (B) of section 109.731 of the Revised Code. 585
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(B) An applicant for a license to carry a concealed handgun shall submit a completed application form and all of the following to the sheriff of the county in which the applicant resides: 591
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(1) A nonrefundable license fee, except that the sheriff shall waive the payment of the license fee in connection with an initial application for a license that is submitted by an applicant who is a retired peace officer, a retired person 594
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described in division (A)(1)(b) of section 109.77 of the Revised Code, or a retired federal law enforcement officer who, prior to retirement, was authorized under federal law to carry a firearm in the course of duty;

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

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(3) One or more of the following competency certifications:

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(a) An original or photocopy of a certificate of completion of a firearms safety, training, or requalification course, class, or program that was offered by or under the auspices of the national rifle association;

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(b) An original or photocopy of a certificate of completion of a firearms safety, training, or requalification course, class, or program that was open to members of the general public, that utilized qualified instructors who were certified by the national rifle association, the executive director of the Ohio peace officer training commission pursuant to section 109.75 or 109.78 of the Revised Code, or a governmental official or entity of another state, and that was offered by or under the auspices of a law enforcement agency of this or another state or the United States, a public or private college, university, or other similar post-secondary educational institution located in this or another state, a firearms training school located in this or another state, or another type of public or private entity or organization located in this or another state;

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(c) An original or photocopy of a certificate of completion of a state, county, municipal, or department of natural resources peace officer training school approved by the executive director of the Ohio peace officer training commission pursuant to section 109.75 of the Revised Code, or the applicant has satisfactorily completed and been issued a certificate of completion of a basic

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firearms training program, a firearms requalification training 629
program, or another basic training program described in section 630
109.78 or 109.801 of the Revised Code; 631

(d) A document that evidences both of the following: 632

(i) That the applicant is an active or reserve member of the 633
armed forces of the United States, was honorably discharged from 634
military service in the active or reserve armed forces of the 635
United States, has participated in organized shooting 636
competitions, or has held a valid hunting license in this state or 637
another state for a period of not less than three years; 638

(ii) That, through participation in the military service, 639
shooting competitions, or hunting activity described in division 640
(B)(3)(d)(i) of this section, the applicant acquired experience 641
with handling handguns or other firearms, and the experience so 642
acquired was equivalent to training that the applicant could have 643
acquired in a course, class, or program described in divisions 644
(B)(3)(a), (b), or (c) of this section; 645

(e) A certificate or another similar document that evidences 646
satisfactory completion of a firearms training, safety, or 647
requalification course, class, or program that is not otherwise 648
described in divisions (B)(3)(a), (b), (c), or (d) of this section 649
and that was conducted by an instructor who was certified by an 650
official or entity of the government of this or another state or 651
the United States or by the national rifle association; 652

(f) An affidavit that attests to the applicant's satisfactory 653
completion of a course, class, or program described in division 654
(B)(3)(a), (b), (c), or (e) of this section and that is subscribed 655
by the applicant's instructor or an authorized representative of 656
the entity that offered the course, class, or program or under 657
whose auspices the course, class, or program was offered; 658

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(g) A valid license to carry a handgun in this state or in a county or municipal corporation of this state, other than a license issued under this section, that was or is issued prior to, on, or after the effective date of this section and has not been revoked for cause.

(C) Upon receipt of an applicant's completed application form, supporting documentation, and, if not waived, license fee, a sheriff shall conduct or cause to be conducted the criminal records check described in division (A) of section 311.41 of the Revised Code.

(D)(1) Except as provided in division (D)(3) or (4) of this section, within forty-five days after receipt of an applicant's completed application form for a license to carry a concealed handgun, the supporting documentation, and, if not waived, license fee, a sheriff shall issue to the applicant a license to carry a concealed handgun that is valid for four years if all of the following apply:

(a) The sheriff concludes that no information was found during the criminal records check under section 311.41 of the Revised Code that may be relevant to the sheriff's determination of whether the applicant is eligible to be licensed to carry a concealed handgun.

(b) The applicant has been a resident of this state for at least sixty days and a resident of the county in which the person seeks the license for at least thirty days.

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

(d) The applicant is not a fugitive from justice, provided that this requirement does not apply to an applicant in relation to any nonfelony violation of Chapter 4511. or 4513. of the Revised Code or any nonfelony violation of any ordinance, resolution, or regulation enacted by a political subdivision

pursuant to section 4511.07 or Chapter 4521. of the Revised Code. 691

(e) The applicant is not under indictment for, has not been 692
convicted of, and has not pleaded guilty to a felony and has not 693
been adjudicated a delinquent child for an act that would be a 694
felony if committed by an adult. 695

(f) The applicant is not under indictment for or otherwise 696
charged with, has not been convicted of, and has not pleaded 697
guilty to an offense under Chapter 2925., 3719., or 4729. of the 698
Revised Code that involves the illegal possession, use, sale, 699
administration, or trafficking in a drug of abuse and has not been 700
adjudicated a delinquent child for an act that would be an offense 701
of that nature if committed by an adult. 702

(g) The applicant is not under indictment for or otherwise 703
charged with a misdemeanor that is an offense of violence or a 704
misdemeanor violation of section 2923.1211 of the Revised Code, 705
has not been convicted of or pleaded guilty to a misdemeanor of 706
that nature within three years of the date of the application, and 707
has not been adjudicated a delinquent child within three years of 708
the date of the application for an act that would be a misdemeanor 709
of that nature. 710

(h) The applicant is not under an adjudication of mental 711
incompetence and has not been involuntarily institutionalized. 712

(i) The applicant desires a legal means to carry a concealed 713
handgun for defense of the applicant or a member of the 714
applicant's family while engaged in lawful activity. 715

(j) The applicant submits a competency certification of the 716
type described in division (B)(3) of this section. 717

(2) If a sheriff denies an application under this section 718
because the applicant does not satisfy the criteria described in 719
division (D)(1) of this section, the sheriff shall specify the 720
grounds for the denial in a written notice to the applicant and, 721

if applicable, shall comply with division (D)(4) of this section.

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

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(4)(a) If a sheriff determines that an applicant for a license under this section does not meet the criteria described in division (D)(1) of this section for reasons other than the information provided by the superintendent of the bureau of criminal identification and investigation under section 109.578 of the Revised Code, the sheriff shall file a petition in the court of common pleas of the sheriff's county that requests the court to review the applicant's application and supporting documentation and other relevant information that the sheriff submits and that was acquired in connection with the application and that requests the court to authorize the sheriff to deny the requested license.

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(b) If the court determines that the sheriff who filed a petition under division (D)(4)(a) of this section established by clear and convincing evidence that the applicant does not satisfy the requirements described in division (D)(1) of this section for reasons other than the information provided by the superintendent, the court shall authorize the sheriff to deny the requested license. If the court determines that the sheriff has not sustained that burden of proof, it shall order the sheriff to issue the requested license.

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(E) If a license to carry a concealed handgun issued under this section is lost or is destroyed, the licensee may obtain from the sheriff who issued that license a duplicate license upon the payment of a fee of fifteen dollars and the submission of an

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affidavit attesting to the loss or destruction of the license. 754

(F) A licensee who wishes to renew a license to carry a 755
concealed handgun shall do so on or before the expiration date of 756
the license by filing with the sheriff of the county in which the 757
applicant resides an application for renewal of the license 758
obtained pursuant to division (A) of this section, a new color 759
photograph of the licensee that was taken within thirty days prior 760
to the date of the renewal application, and a nonrefundable 761
license renewal fee. The licensee is not required to submit a new 762
competency certificate. 763

Upon receipt of a completed renewal application, color 764
photograph, and license renewal fee, a sheriff shall conduct or 765
cause to be conducted the criminal records check described in 766
division (A) of section 311.41 of the Revised Code. The sheriff 767
shall renew the license if the sheriff determines that the 768
applicant continues to satisfy the requirements described in 769
division (D)(1) of this section. A renewed license is valid for 770
four years from the date of issuance and is subject to division 771
(E) of this section and sections 2923.126 and 2923.128 of the 772
Revised Code. A sheriff shall comply with divisions (D)(3) and (4) 773
of this section when the circumstances described in those 774
divisions apply to a requested license renewal. 775

Sec. 2923.126. (A) A license to carry a concealed handgun 776
that is issued under section 2923.125 of the Revised Code is valid 777
for four years from the date of issuance. Except as provided in 778
division (B) of this section, the licensee may carry a concealed 779
handgun anywhere in this state if the licensee also carries a 780
valid license and valid identification when the licensee is in 781
actual possession of a concealed handgun. The licensee shall give 782
notice of any change in the licensee's residence address to the 783
sheriff who issued the license within forty-five days after that 784

change. 785

(B) A valid license does not authorize the licensee to carry a concealed handgun into any of the following places: 786
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(1) A police station, sheriff's office, state highway patrol station, state correctional institution, jail, workhouse, other detention facility, or airport passenger terminal; 788
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(2) A school safety zone, in violation of section 2923.122 of the Revised Code; 791
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(3) A courthouse or another building or structure in which a courtroom is located, in violation of section 2923.123 of the Revised Code; 793
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(4) A place in which federal law prohibits the carrying of handguns. 796
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(C) A person who holds a license to carry a concealed handgun that was issued pursuant to the law of another state may carry a concealed handgun in this state pursuant to the laws of this state. 798
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Sec. 2923.127. (A) If a sheriff denies an application for a license to carry a concealed handgun or denies the renewal of a license to carry a concealed handgun as a result of information reported by the bureau of criminal identification and investigation to the sheriff pursuant to section 311.41 of the Revised Code and if the applicant believes the denial was based on incorrect information reported by the bureau, the applicant may file a written request with the superintendent requesting the bureau to conduct another criminal records check with respect to the applicant, to correct all erroneous information in the bureau's records that relates to the applicant and that may be relevant to the applicant's eligibility for a license to carry a concealed handgun, and to transmit the corrected information to 802
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the sheriff. 815

If the bureau fails to perform those functions within 816
fourteen days or denies the applicant's request, the applicant may 817
file in the court of common pleas of the applicant's county of 818
residence a complaint that requests the court to order the bureau 819
to perform those functions. The court shall order the bureau to 820
perform the requested functions if the applicant establishes by 821
clear and convincing evidence all of the following: 822

(1) The bureau's records contain erroneous information that 823
relates to the applicant and that may be relevant to a sheriff's 824
determination as to the applicant's eligibility for a license. 825

(2) The erroneous information should be corrected. 826

(3) The bureau's records as so corrected contain, and the 827
criminal records check otherwise contained, no information that 828
may be relevant to a sheriff's determination as to the applicant's 829
eligibility for a license. 830

(B) If a court enters an order of the type described in 831
division (A) of this section, within twenty days after the bureau 832
transmits corrected information to the sheriff who denied the 833
issuance or renewal of the license, the destruction of records 834
provisions of divisions (B) and (C) of section 311.41 of the 835
Revised Code shall apply to the superintendent or an employee of 836
the bureau designated by the superintendent. 837

Sec. 2923.128. (A)(1) If a licensee holding a valid license 838
is arrested for or otherwise charged with a felony, a misdemeanor 839
that is an offense of violence, a violation of section 2923.1211 840
or 2923.15 of the Revised Code, or an offense described in 841
division (D)(1)(f) of section 2923.125 of the Revised Code, the 842
sheriff who issued the license shall suspend it and shall comply 843
with division (A)(3) of this section upon becoming aware of the 844

arrest or charge.

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(2) A suspension under division (A)(1) of this section shall
be considered as beginning on the date that the licensee is
arrested for or otherwise charged with an offense described in
that division, irrespective of when the sheriff notifies the
licensee under division (A)(3) of this section. The suspension
shall end on the date on which the charges are dismissed or the
licensee is found not guilty of the offense described in division
(A)(1) of this section. If the suspension so ends, the sheriff
shall return the license to the licensee.

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(3) Upon becoming aware of an arrest or charge described in
division (A)(1) of this section with respect to a licensee, the
sheriff who issued the licensee's license to carry a concealed
handgun shall notify the licensee, by certified mail, return
receipt requested, at the licensee's last known residence address
that the license has been suspended and that the licensee is
required to surrender the license at the sheriff's office within
ten days of the date on which the notice was mailed.

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

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

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(b) At the time of the issuance of the license, the licensee
did not satisfy the eligibility requirements of division
(D)(1)(e), (f), or (g) of section 2923.125 of the Revised Code.

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(c) On or after the date on which the license was issued, the
licensee is convicted of or pleads guilty to a violation of
section 2923.15 of the Revised Code or an offense described in
division (D)(1)(e), (f), or (g) of section 2923.125 of the Revised
Code.

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(d) The licensee knowingly carries a concealed handgun into a place that the licensee knows is an unauthorized place specified in division (B) of section 2923.126 of the Revised Code. 876
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(2) Upon becoming aware of any circumstance listed in division (B)(1) of this section that applies to a particular licensee, the sheriff who issued the license to carry a concealed handgun to the licensee shall notify the licensee, by certified mail, return receipt requested, at the licensee's last known residence address that the license is subject to revocation and that the licensee may come to the sheriff's office and contest the sheriff's proposed revocation within fourteen days of the date on which the notice was mailed. After the fourteen-day period and after consideration of any information that the licensee provides during that period, if the sheriff determines on the basis of the information of which the sheriff is aware that the licensee is described in division (B)(1) of this section and no longer satisfies the requirements described in division (D)(1) of section 2923.125 of the Revised Code, the sheriff shall revoke the license, notify the licensee of that fact, and require the licensee to surrender the license. 879
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Sec. 2923.129. (A)(1) If a sheriff makes a good faith effort in performing the duties imposed upon the sheriff by sections 2923.124 through 2923.129 of the Revised Code, in addition to the personal immunity provided by division (A)(6) of section 2744.03 of the Revised Code and the governmental immunity of sections 2744.02 and 2744.03 of the Revised Code, the sheriff, the sheriff's office, and the county in which the sheriff has jurisdiction are immune from liability in a civil action for injury, death, or loss to person or property that allegedly was caused by or related to any of the following: 896
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(a) The issuance, renewal, suspension, or revocation of a 906

license to carry a concealed handgun; 907

(b) The failure to issue, renew, suspend, or revoke a license to carry a concealed handgun; 908
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(c) Any action or misconduct with a handgun committed by a licensee. 910
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(2) Any action of a sheriff relating to the issuance, renewal, suspension, or revocation of a license to carry a concealed handgun shall be considered to be a governmental function for purposes of Chapter 2744. of the Revised Code. 912
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(B) Notwithstanding section 149.43 of the Revised Code, the records that a sheriff keeps relative to the issuance, renewal, suspension, or revocation of a license to carry a concealed handgun, including, but not limited to, reports of criminal records checks under section 311.41 of the Revised Code, are not public records. 916
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(C) Each sheriff shall report to the Ohio peace officer training commission the number of licenses to carry a concealed handgun that the sheriff issued, renewed, suspended, revoked, or denied during the previous quarter of the calendar year and the number of applications for those licenses that were suspended in accordance with division (D)(3) of section 2923.125 of the Revised Code during the previous quarter of the calendar year. The sheriff shall report that information in a manner that permits the commission to maintain the statistics described in division (D) of section 109.731 of the Revised Code and to timely prepare the statistical report described in that division. 922
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(D) Each county shall establish a concealed handgun fund in the county treasury. The sheriff of that county shall deposit into that fund all fees paid by applicants for the issuance or renewal of a license or a duplicate license to carry a concealed handgun. The moneys in the fund shall be used to cover the sheriff's 933
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expenses in performing duties under sections 2923.125 through 938
2923.129 of the Revised Code. 939

Sec. 2923.1210. The application for a license to carry a 940
concealed handgun or for the renewal of a license of that nature 941
that is to be used under section 2923.125 of the Revised Code 942
shall conform substantially to the following form: 943

"Ohio Peace APPLICATION FOR A LICENSE TO 944
Officer CARRY A CONCEALED HANDGUN
Training
Commission

Please Type or Print in Ink 945

SECTION I. 946

This application will not be processed unless 947
all applicable questions have been answered and
until all required supporting documents as
described in division (B) or (F) of section
2923.125 of the Ohio Revised Code and, unless
waived, a cashier's check, certified check, or
money order in the amount of the applicable
license fee or license renewal fee have been
submitted. FEES ARE NONREFUNDABLE.

SECTION II. 948

Name: 949

Last First Middle 950

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Social Security or Alien Registration Number: 952

Residence: 953

Street City State County Zip 954

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Mailing Address (If Different From Above): 956

<u>Street</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	957
.....	958
<u>Date of Birth</u>	<u>Place of Birth</u>	<u>Sex</u>	<u>Race</u>	959
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			<u>Residence</u>	
			<u>Telephone</u>	
			(.....).....	960

SECTION III. THE FOLLOWING QUESTIONS ARE TO BE ANSWERED YES OR NO 961

(1) Have you been a resident of Ohio for at least sixty days and have you been a resident for thirty days of the county with whose sheriff you are filing this application? YES NO 963

(2) Are you at least twenty-one years of age? YES NO 964

(3) Are you a fugitive from justice? Fugitive status due to nonfelony violations of Chapter 4511. or 4513. of the Ohio Revised Code or non-felony violations of any ordinance, resolution, or regulation enacted by a political subdivision pursuant to section 4511.07 or Chapter 4521. of the Ohio Revised Code (moving and nonmoving traffic violations) does not apply. YES NO 965

(4) Are you under indictment for a felony, have you ever been convicted of or pleaded guilty to a felony, or have you ever been adjudicated a delinquent child for committing an act that would be a felony if committed by an adult? YES NO 966

(5) Are you under indictment for or otherwise charged with, or have you ever been convicted of or pleaded guilty to, an offense under Chapter 2925., 3719., or 4729. of the Ohio Revised Code that involves the illegal possession, use, sale, administration,

distribution, or trafficking in a drug of abuse, or have you ever been adjudicated a delinquent child for committing an act that would be an offense of that nature if committed by an adult?

(6) Are you under indictment for or otherwise charged with, or have you been convicted of or pleaded guilty to within three years of the date of this application, a misdemeanor that is an offense of violence or the offense of possessing a revoked or suspended concealed handgun license, or have you been adjudicated a delinquent child within three years of the date of this application for committing an act that would be a misdemeanor of that nature if committed by an adult? YES NO 968

(7) Are you under an adjudication of mental incompetence or have you been involuntarily institutionalized? YES NO 969

SECTION IV. 970

AN APPLICANT WHO KNOWINGLY GIVES A FALSE ANSWER TO ANY QUESTION OR SUBMITS A FALSE DOCUMENT WITH THE APPLICATION MAY BE PROSECUTED FOR FALSIFICATION TO OBTAIN A CONCEALED HANDGUN LICENSE, A FELONY OF THE FIFTH DEGREE, IN VIOLATION OF SECTION 2921.13 OF THE OHIO REVISED CODE. 971
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(1) I have been furnished the text of the Ohio firearms laws, and I am knowledgeable of their provisions. 976
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(2) I desire a legal means to carry a concealed handgun for defense of myself or a member of my family while engaged in lawful activity. 978
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(3) I have never been convicted of or pleaded guilty to a crime of violence in the state of Ohio or elsewhere. I am of sound 981
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mind. I hereby certify that the statements contained herein 983
are true and correct to the best of my knowledge and belief. I 984
understand that if I knowingly make any false statements 985
herein I am subject to penalties prescribed by law. I 986
authorize the sheriff or the sheriff's designee to inspect 987
only those records or documents relevant to information 988
required for this application. 989

(4) The information contained in this application and all attached 990
documents are true and correct to the best of my knowledge. 991

..... 993
Signature of Applicant" 994

Sec. 2923.1211. (A) No person shall alter a license to carry 996
a concealed handgun that was issued pursuant to section 2923.125 997
of the Revised Code or create a fictitious document that purports 998
to be a license of that nature. 999

(B) No person, except in the performance of official duties, 1000
shall possess a concealed handgun license that was issued and that 1001
has been revoked or suspended pursuant to section 2923.125 of the 1002
Revised Code. 1003

(C) Whoever violates division (A) of this section is guilty 1004
of falsification of a concealed handgun license, a felony of the 1005
fifth degree. Whoever violates division (B) of this section is 1006
guilty of possessing a revoked or suspended concealed handgun 1007
license, a misdemeanor of the third degree. 1008

Sec. 2923.1212. (A) The following persons, boards, and 1009
entities, or designees, shall post in the following locations a 1010
sign that contains a statement in substantially the following 1011
form: "Unless otherwise authorized by law, pursuant to the Ohio 1012
Revised Code, no person shall knowingly possess, have under the 1013

person's control, convey, or attempt to convey a deadly weapon or dangerous ordnance onto these premises.":

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

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

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(3) The superintendent of the state highway patrol, or the superintendent's designee, in a conspicuous location at all state highway patrol posts;

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(4) Each sheriff, chief of police, or person in charge of every county, multicounty, municipal, municipal-county, or multicounty-municipal jail or workhouse, community-based correctional facility, halfway house, alternative residential facility, or other local or state correctional institution or detention facility within the state, or that person's designee, in a conspicuous location at that facility under that person's charge;

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

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(6) The sheriff or sheriff's designee who has charge of a courthouse or the building or structure in which a courtroom is located in a conspicuous location in that building or structure.

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(B) The following boards, bodies, and persons, or designees, shall post in the following locations a sign that contains a statement in substantially the following form: "Unless otherwise

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authorized by law, pursuant to Ohio Revised Code section 2923.122, 1044
no person shall knowingly possess, have under the person's 1045
control, convey, or attempt to convey a deadly weapon or dangerous 1046
ordnance into a school safety zone.": 1047

(1) A board of education of a city, local, exempted village, 1048
or joint vocational school district or that board's designee in a 1049
conspicuous location in each building and on each parcel of real 1050
property owned or controlled by the board; 1051

(2) A governing body of a school for which the state board of 1052
education prescribes minimum standards under section 3301.07 of 1053
the Revised Code or that body's designee in a conspicuous location 1054
in each building and on each parcel of real property owned or 1055
controlled by the board; 1056

(3) The principal or chief administrative officer of a 1057
nonpublic school in a conspicuous location on property owned or 1058
controlled by that nonpublic school. 1059

Sec. 2923.16. (A) No person shall knowingly discharge a 1060
firearm while in or on a motor vehicle. 1061

(B) No person shall knowingly transport or have a loaded 1062
firearm in a motor vehicle in ~~such~~ a manner that the firearm is 1063
accessible to the operator or any passenger without leaving the 1064
vehicle. 1065

(C) No person shall knowingly transport or have a firearm in 1066
a motor vehicle, unless it is unloaded and is carried in one of 1067
the following ways: 1068

(1) In a closed package, box, or case; 1069

(2) In a compartment that can be reached only by leaving the 1070
vehicle; 1071

(3) In plain sight and secured in a rack or holder made for 1072

the purpose; 1073

(4) In plain sight with the action open or the weapon 1074
stripped, or, if the firearm is of a type on which the action will 1075
not stay open or which cannot easily be stripped, in plain sight. 1076

(D)(1) This section does not apply to officers, agents, or 1077
employees of this or any other state or the United States, or to 1078
law enforcement officers, when authorized to carry or have loaded 1079
or accessible firearms in motor vehicles and acting within the 1080
scope of their duties. 1081

(2) Division (A) of this section does not apply to a person 1082
if all of the following circumstances apply: 1083

(a) The person discharges a firearm from a motor vehicle at a 1084
coyote or groundhog, the discharge is not during the deer gun 1085
hunting season as set by the chief of the division of wildlife of 1086
the department of natural resources, and the discharge at the 1087
coyote or groundhog, but for the operation of this section, is 1088
lawful. 1089

(b) The motor vehicle from which the person discharges the 1090
firearm is on real property that is located in an unincorporated 1091
area of a township and that either is zoned for agriculture or is 1092
used for agriculture. 1093

(c) The person owns the real property described in division 1094
(D)(2)(b) of this section, is the spouse or a child of another 1095
person who owns that real property, is a tenant of another person 1096
who owns that real property, or is the spouse or a child of a 1097
tenant of another person who owns that real property. 1098

(d) The person does not discharge the firearm in any of the 1099
following manners: 1100

(i) While under the influence of alcohol, a drug of abuse, or 1101
alcohol and a drug of abuse; 1102

(ii) In the direction of a street, highway, or other public 1103
or private property used by the public for vehicular traffic or 1104
parking; 1105

(iii) At or into an occupied structure that is a permanent or 1106
temporary habitation; 1107

(iv) In the commission of any violation of law, including, 1108
but not limited to, a felony that includes, as an essential 1109
element, purposely or knowingly causing or attempting to cause the 1110
death of or physical harm to another and that was committed by 1111
discharging a firearm from a motor vehicle. 1112

(3) Divisions (B) and (C) of this section do not apply to a 1113
person if all of the following circumstances apply: 1114

(a) At the time of the alleged violation of either of those 1115
divisions, the person is the operator of or a passenger in a motor 1116
vehicle. 1117

(b) The motor vehicle is on real property that is located in 1118
an unincorporated area of a township and that either is zoned for 1119
agriculture or is used for agriculture. 1120

(c) The person owns the real property described in division 1121
(D)(3)(b) of this section, is the spouse or a child of another 1122
person who owns that real property, is a tenant of another person 1123
who owns that real property, or is the spouse or a child of a 1124
tenant of another person who owns that real property. 1125

(d) The person, prior to arriving at the real property 1126
described in division (D)(3)(b) of this section, did not transport 1127
or possess a firearm in the motor vehicle in a manner prohibited 1128
by division (B) or (C) of this section while the motor vehicle was 1129
being operated on a street, highway, or other public or private 1130
property used by the public for vehicular traffic or parking. 1131

(4) Divisions (B) and (C) of this section do not apply to a 1132

person who transports or possesses a handgun in a motor vehicle 1133
and who, at the time of that transportation or possession, is 1134
carrying a valid license to carry a concealed handgun issued to 1135
the person under section 2923.125 of the Revised Code, unless the 1136
person knowingly is in a place described in division (B) of 1137
section 2923.126 of the Revised Code. 1138

(E) The affirmative defenses ~~contained~~ authorized in 1139
divisions (C)(1) ~~and~~, (2), ~~and~~ (5) of section 2923.12 of the 1140
Revised Code are affirmative defenses to a charge under division 1141
(B) or (C) of this section. 1142

(F) Whoever violates this section is guilty of improperly 1143
handling firearms in a motor vehicle. Violation of division (A) or 1144
(B) of this section is a misdemeanor of the first degree. 1145
Violation of division (C) of this section is a misdemeanor of the 1146
fourth degree. 1147

(G) As used in this section: 1148

(1) "Motor vehicle," "street," and "highway" have the same 1149
meanings as in section 4511.01 of the Revised Code. 1150

(2) "Occupied structure" has the same meaning as in section 1151
2909.01 of the Revised Code. 1152

(3) "Agriculture" has the same meaning as in section 519.01 1153
of the Revised Code. 1154

(4) "Tenant" has the same meaning as in section 1531.01 of 1155
the Revised Code. 1156

(5) "Unloaded" means, with respect to a firearm employing a 1157
percussion cap, flintlock, or other obsolete ignition system, when 1158
the weapon is uncapped or when the priming charge is removed from 1159
the pan. 1160

Sec. 2953.32. (A)(1) Except as provided in section 2953.61 of 1161

the Revised Code, a first offender may apply to the sentencing 1162
court if convicted in this state, or to a court of common pleas if 1163
convicted in another state or in a federal court, for the sealing 1164
of the conviction record. Application may be made at the 1165
expiration of three years after the offender's final discharge if 1166
convicted of a felony, or at the expiration of one year after the 1167
offender's final discharge if convicted of a misdemeanor. 1168

(2) Any person who has been arrested for any misdemeanor 1169
offense and who has effected a bail forfeiture may apply to the 1170
court in which the misdemeanor criminal case was pending when bail 1171
was forfeited for the sealing of the record of the case. Except as 1172
provided in section 2953.61 of the Revised Code, the application 1173
may be filed at any time after the expiration of one year from the 1174
date on which the bail forfeiture was entered upon the minutes of 1175
the court or the journal, whichever entry occurs first. 1176

(B) Upon the filing of an application under this section, the 1178
court shall set a date for a hearing and shall notify the 1179
prosecutor for the case of the hearing on the application. The 1180
prosecutor may object to the granting of the application by filing 1181
an objection with the court prior to the date set for the hearing. 1182
The prosecutor shall specify in the objection the reasons for 1183
believing a denial of the application is justified. The court 1184
shall direct its regular probation officer, a state probation 1185
officer, or the department of probation of the county in which the 1186
applicant resides to make inquiries and written reports as the 1187
court requires concerning the applicant. 1188

(C)(1) The court shall do each of the following: 1189

(a) Determine whether the applicant is a first offender or 1190
whether the forfeiture of bail was agreed to by the applicant and 1191
the prosecutor in the case. If the applicant applies as a first 1192
offender pursuant to division (A)(1) of this section and has two 1193

or three convictions that result from the same indictment, 1194
information, or complaint, from the same plea of guilty, or from 1195
the same official proceeding, and result from related criminal 1196
acts that were committed within a three-month period but do not 1197
result from the same act or from offenses committed at the same 1198
time, in making its determination under this division, the court 1199
initially shall determine whether it is not in the public interest 1200
for the two or three convictions to be counted as one conviction. 1201
If the court determines that it is not in the public interest for 1202
the two or three convictions to be counted as one conviction, the 1203
court shall determine that the applicant is not a first offender; 1204
if the court does not make that determination, the court shall 1205
determine that the offender is a first offender. 1206

(b) Determine whether criminal proceedings are pending 1207
against the applicant; 1208

(c) If the applicant is a first offender who applies pursuant 1209
to division (A)(1) of this section, determine whether the 1210
applicant has been rehabilitated to the satisfaction of the court; 1211

(d) If the prosecutor has filed an objection in accordance 1212
with division (B) of this section, consider the reasons against 1213
granting the application specified by the prosecutor in the 1214
objection; 1215

(e) Weigh the interests of the applicant in having the 1216
records pertaining to the applicant's conviction sealed against 1217
the legitimate needs, if any, of the government to maintain those 1218
records. 1219

(2) If the court determines, after complying with division 1220
(C)(1) of this section, that the applicant is a first offender or 1221
the subject of a bail forfeiture, that no criminal proceeding is 1222
pending against the applicant, and that the interests of the 1223
applicant in having the records pertaining to the applicant's 1224

conviction or bail forfeiture sealed are not outweighed by any 1225
legitimate governmental needs to maintain those records, and that 1226
the rehabilitation of an applicant who is a first offender 1227
applying pursuant to division (A)(1) of this section has been 1228
attained to the satisfaction of the court, the court, except as 1229
provided in division (G) of this section, shall order all official 1230
records pertaining to the case sealed and, except as provided in 1231
division (F) of this section, all index references to the case 1232
deleted and, in the case of bail forfeitures, shall dismiss the 1233
charges in the case. The proceedings in the case shall be 1234
considered not to have occurred and the conviction or bail 1235
forfeiture of the person who is the subject of the proceedings 1236
shall be sealed, except that upon conviction of a subsequent 1237
offense, the sealed record of prior conviction or bail forfeiture 1238
may be considered by the court in determining the sentence or 1239
other appropriate disposition, including the relief provided for 1240
in sections 2953.31 to 2953.33 of the Revised Code. 1241

(3) Upon the filing of an application under this section, the 1242
applicant, unless indigent, shall pay a fee of fifty dollars. The 1243
court shall pay thirty dollars of the fee into the state treasury. 1244
It shall pay twenty dollars of the fee into the county general 1245
revenue fund if the sealed conviction or bail forfeiture was 1246
pursuant to a state statute, or into the general revenue fund of 1247
the municipal corporation involved if the sealed conviction or 1248
bail forfeiture was pursuant to a municipal ordinance. 1249

(D) Inspection of the sealed records included in the order 1250
may be made only by the following persons or for the following 1251
purposes: 1252

(1) By a law enforcement officer or prosecutor, or the 1253
assistants of either, to determine whether the nature and 1254
character of the offense with which a person is to be charged 1255
would be affected by virtue of the person's previously having been 1256

convicted of a crime;	1257
(2) By the parole or probation officer of the person who is the subject of the records, for the exclusive use of the officer in supervising the person while on parole or probation and in making inquiries and written reports as requested by the court or adult parole authority;	1258 1259 1260 1261 1262
(3) Upon application by the person who is the subject of the records, by the persons named in the application;	1263 1264
(4) By a law enforcement officer who was involved in the case, for use in the officer's defense of a civil action arising out of the officer's involvement in that case;	1265 1266 1267
(5) By a prosecuting attorney or the prosecuting attorney's assistants to determine a defendant's eligibility to enter a pre-trial diversion program established pursuant to section 2935.36 of the Revised Code;	1268 1269 1270 1271
(6) By any law enforcement agency or any authorized employee of a law enforcement agency or by the department of rehabilitation and correction as part of a background investigation of a person who applies for employment with the agency as a law enforcement officer or with the department as a corrections officer;	1272 1273 1274 1275 1276
(7) By any law enforcement agency or any authorized employee of a law enforcement agency, for the purposes set forth in, and in the manner provided in, section 2953.321 of the Revised Code;	1277 1278 1279
(8) By the bureau of criminal identification and investigation or any authorized employee of the bureau for the purpose of providing information to a board or person pursuant to division (F) or (G) of section 109.57 of the Revised Code;	1280 1281 1282 1283
(9) By the bureau of criminal identification and investigation or any authorized employee of the bureau for the purpose of performing a criminal history records check on a person	1284 1285 1286

to whom a certificate as prescribed in section 109.77 of the Revised Code is to be awarded;

(10) By the bureau of criminal identification and investigation, an authorized employee of the bureau, a sheriff, or an authorized employee of the sheriff in connection with a criminal records check described in section 311.41 of the Revised Code.

When the nature and character of the offense with which a person is to be charged would be affected by the information, it may be used for the purpose of charging the person with an offense.

(E) In any criminal proceeding, proof of any otherwise admissible prior conviction may be introduced and proved, notwithstanding the fact that for any such prior conviction an order of sealing previously was issued pursuant to sections 2953.31 to 2953.36 of the Revised Code.

(F) The person or governmental agency, office, or department that maintains sealed records pertaining to convictions or bail forfeitures that have been sealed pursuant to this section may maintain a manual or computerized index to the sealed records. The index shall contain only the name of, and alphanumeric identifiers that relate to, the persons who are the subject of the sealed records, the word "sealed," and the name of the person, agency, office, or department that has custody of the sealed records, and shall not contain the name of the crime committed. The index shall be made available by the person who has custody of the sealed records only for the purposes set forth in divisions (C), (D), and (E) of this section.

(G) Notwithstanding any provision of this section or section 2953.33 of the Revised Code that requires otherwise, a board of education of a city, local, exempted village, or joint vocational

school district that maintains records of an individual who has 1318
been permanently excluded under sections 3301.121 and 3313.662 of 1319
the Revised Code is permitted to maintain records regarding a 1320
conviction that was used as the basis for the individual's 1321
permanent exclusion, regardless of a court order to seal the 1322
record. An order issued under this section to seal the record of a 1323
conviction does not revoke the adjudication order of the 1324
superintendent of public instruction to permanently exclude the 1325
individual who is the subject of the sealing order. An order 1326
issued under this section to seal the record of a conviction of an 1327
individual may be presented to a district superintendent as 1328
evidence to support the contention that the superintendent should 1329
recommend that the permanent exclusion of the individual who is 1330
the subject of the sealing order be revoked. Except as otherwise 1331
authorized by this division and sections 3301.121 and 3313.662 of 1332
the Revised Code, any school employee in possession of or having 1333
access to the sealed conviction records of an individual that were 1334
the basis of a permanent exclusion of the individual is subject to 1335
section 2953.35 of the Revised Code. 1336

Section 2. That existing sections 1547.69, 2921.13, 2923.12, 1337
2923.121, 2923.123, 2923.16, and 2953.32 of the Revised Code are 1338
hereby repealed. 1339

Section 3. In amending sections 1547.69, 2921.13, 2923.12, 1340
2923.121, 2923.123, 2923.16, and 2953.32 of the Revised Code and 1341
in enacting sections 109.731, 311.41, 2923.124 to 2923.1212 of the 1342
Revised Code in this act, the General Assembly hereby declares its 1343
intent to recognize both of the following: 1344

(A) The inalienable and fundamental right of an individual to 1345
defend the individual's person and the members of the individual's 1346
family; 1347

(B) The fact that the right described in division (A) of this section predates the adoption of the United States Constitution, the adoption of the Ohio Constitution, and the enactment of all statutory laws by the General Assembly and may not be infringed by any enactment of the General Assembly.

Section 4. In enacting sections 109.731, 311.41, and 2923.124 to 2923.1212 of the Revised Code in this act and in amending sections 1547.69, 2921.13, 2923.12, 2923.121, 2923.123, 2923.16, and 2953.32 of the Revised Code in this act relative to licenses to carry a concealed handgun, the General Assembly hereby declares that it is not its intent to declare or otherwise give the impression that, prior to the effective date of this act, an individual did not have an inalienable and fundamental right, or a right under the Ohio Constitution or the United States Constitution, to carry a concealed handgun or other firearm for the defense of the individual's person or a member of the individual's family while engaged in lawful activity.

Section 5. The Ohio Peace Officer Training Commission shall prepare and make available to the sheriffs of this state the application and license forms described in division (A) of section 109.731 of the Revised Code and the Ohio firearms laws pamphlet described in division (B) of that section and shall prescribe the license fee and renewal license fees described in division (C) of that section. The Ohio Peace Officer Training Commission shall submit its first annual statistical report described in division (D) of that section no later than fifteen months after the effective date of this act.

Section 6. It is the intent of the General Assembly in enacting sections 2923.124 to 2923.1212 of the Revised Code to

enact laws of a general nature. No municipal corporation may adopt	1378
or continue in existence any ordinance, and no township may adopt	1379
or continue in existence, any resolution that is in conflict with	1380
those sections.	1381