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Representatives Grossman, Becker

**Cosponsors: Representatives Boose, Lynch, Brenner, Hood, Beck, Hackett,
Retherford, Stebelton, Thompson, Maag, Hagan, C., Burkley, Buchy,
Barborak, Blessing, Cera, Hall, Hayes, Johnson, Perales**

Speaker Batchelder

**Senators Uecker, Coley, Balderson, Burke, Eklund, Faber, Hite, Jones,
Jordan, Lehner, Obhof, Patton, Peterson, Schaffer, Seitz, Widener**

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A B I L L

To amend sections 109.69, 109.731, 311.41, 311.42,	1
2923.11, 2923.124, 2923.125, 2923.126, 2923.128,	2
2923.1213, 2923.13, 2923.17, 2929.14, and	3
2941.144, to enact sections 311.43 and 1533.04,	4
and to repeal sections 2923.1210 and 2923.22 of	5
the Revised Code to revise the law governing	6
firearms.	7

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

Section 1. That sections 109.69, 109.731, 311.41, 311.42,	8
2923.11, 2923.124, 2923.125, 2923.126, 2923.128, 2923.1213,	9
2923.13, 2923.17, 2929.14, and 2941.144 be amended and sections	10
311.43 and 1533.04 of the Revised Code be enacted to read as	11
follows:	12

Sec. 109.69. (A)(1) The attorney general shall negotiate and	13
enter into a reciprocity agreement with any other license-issuing	14

state under which a concealed handgun license that is issued by 15
the other state is recognized in this state, except as provided in 16
division (B) of this section, if the attorney general determines 17
that both of the following apply: 18

(a) The eligibility requirements imposed by that 19
license-issuing state for that license are substantially 20
comparable to the eligibility requirements for a concealed handgun 21
license issued under section 2923.125 of the Revised Code. 22

(b) That license-issuing state recognizes a concealed handgun 23
license issued under section 2923.125 of the Revised Code. 24

(2) A reciprocity agreement entered into under division 25
(A)(1) of this section also may provide for the recognition in 26
this state of a concealed handgun license issued on a temporary or 27
emergency basis by the other license-issuing state, if the 28
eligibility requirements imposed by that license-issuing state for 29
the temporary or emergency license are substantially comparable to 30
the eligibility requirements for a concealed handgun license 31
issued under section 2923.125 or 2923.1213 of the Revised Code and 32
if that license-issuing state recognizes a concealed handgun 33
license issued under section 2923.1213 of the Revised Code. 34

(3) The attorney general shall not negotiate any agreement 35
with any other license-issuing state under which a concealed 36
handgun license issued by the other state is recognized in this 37
state other than as provided in divisions (A)(1) and (2) of this 38
section. 39

(B)(1) If, on or after the effective date of this amendment, 40
a person who is a resident of this state has a valid concealed 41
handgun license that was issued by another license-issuing state 42
that has entered into a reciprocity agreement with the attorney 43
general under division (A)(1) of this section or the attorney 44
general determines that the eligibility requirements imposed by 45

that license-issuing state for that license are substantially 46
comparable to the eligibility requirements for a concealed handgun 47
license issued under section 2923.125 of the Revised Code, the 48
license issued by the other license-issuing state shall be 49
recognized in this state, shall be accepted and valid in this 50
state, and grants the person the same right to carry a concealed 51
handgun in this state as a person who was issued a concealed 52
handgun license under section 2923.125 of the Revised Code. 53

(2) If, on or after the effective date of this amendment, a 54
person who is a resident of this state has a valid concealed 55
handgun license that was issued by another license-issuing state 56
that has not entered into a reciprocity agreement with the 57
attorney general under division (A)(1) of this section, the 58
license issued by the other license-issuing state shall be 59
recognized in this state, shall be accepted and valid in this 60
state, and grants the person the same right to carry a concealed 61
handgun in this state as a person who was issued a concealed 62
handgun license under section 2923.125 of the Revised Code for a 63
period of six months after the person became a resident of this 64
state. After that six-month period, if the person wishes to obtain 65
a concealed handgun license, the person shall apply for a 66
concealed handgun license pursuant to section 2923.125 of the 67
Revised Code. 68

(3) If, on or after the effective date of this amendment, a 69
person who is not a resident of this state has a valid concealed 70
handgun license that was issued by another license-issuing state, 71
regardless of whether the other license-issuing state has entered 72
into a reciprocity agreement with the attorney general under 73
division (A)(1) of this section, and the person is temporarily in 74
this state, during the time that the person is temporarily in this 75
state the license issued by the other license-issuing state shall 76
be recognized in this state, shall be accepted and valid in this 77

state, and grants the person the same right to carry a concealed 78
handgun in this state as a person who was issued a concealed 79
handgun license under section 2923.125 of the Revised Code. 80

(C) The attorney general shall publish each determination 81
described in division (B)(1) of this section that the attorney 82
general makes in the same manner that written agreements entered 83
into under division (A)(1) or (2) of this section are published. 84

(D) As used in this section: 85

(1) "Handgun," and "concealed handgun license," and "valid 86
concealed handgun license" have the same meanings as in section 87
2923.11 of the Revised Code. 88

(2) "License-issuing state" means a state other than this 89
state that, pursuant to law, provides for the issuance of a 90
license to carry a concealed handgun. 91

Sec. 109.731. (A)(1) The Ohio peace officer training 92
commission attorney general shall prescribe, and shall make 93
available to sheriffs, all of the following: 94

(1) An an application form that is to be used under section 95
2923.125 of the Revised Code by a person who applies for a 96
concealed handgun license and an application form that is to be 97
used under section 2923.125 of the Revised Code by a person who 98
applies for the renewal of a license of that nature, both of which 99
shall conform substantially to the forms prescribed in section 100
2923.1210 of the Revised Code; 101

(2) A. The attorney general shall design the form to enable 102
applicants to provide the information that is required by law to 103
be collected, and shall update the form as necessary. Burdens or 104
restrictions to obtaining a concealed handgun license that are not 105
expressly prescribed in law shall not be incorporated into the 106
form. The attorney general shall post a printable version of the 107

form on the web site of the attorney general and shall provide the 108
address of the web site to any person who requests the form. 109

(2) The Ohio peace officer training commission shall 110
prescribe, and shall make available to sheriffs, all of the 111
following: 112

(a) A form for the concealed handgun license that is to be 113
issued by sheriffs to persons who qualify for a concealed handgun 114
license under section 2923.125 of the Revised Code and that 115
conforms to the following requirements: 116

~~(a)~~(i) It has space for the licensee's full name, residence 117
address, and date of birth and for a color photograph of the 118
licensee. 119

~~(b)~~(ii) It has space for the date of issuance of the license, 120
its expiration date, its county of issuance, the name of the 121
sheriff who issues the license, and the unique combination of 122
letters and numbers that identify the county of issuance and the 123
license given to the licensee by the sheriff in accordance with 124
division (A)~~(4)~~(2)(c) of this section. 125

~~(c)~~(iii) It has space for the signature of the licensee and 126
the signature or a facsimile signature of the sheriff who issues 127
the license. 128

~~(d)~~(iv) It does not require the licensee to include serial 129
numbers of handguns, other identification related to handguns, or 130
similar data that is not pertinent or relevant to obtaining the 131
license and that could be used as a de facto means of registration 132
of handguns owned by the licensee. 133

~~(3)~~(b) A series of three-letter county codes that identify 134
each county in this state; 135

~~(4)~~(c) A procedure by which a sheriff shall give each 136
concealed handgun license, replacement concealed handgun license, 137

or renewal concealed handgun license and each concealed handgun 138
license on a temporary emergency basis or replacement license on a 139
temporary emergency basis the sheriff issues under section 140
2923.125 or 2923.1213 of the Revised Code a unique combination of 141
letters and numbers that identifies the county in which the 142
license was issued and that uses the county code and a unique 143
number for each license the sheriff of that county issues; 144

~~(5)(d)~~ A form for a concealed handgun license on a temporary 145
emergency basis that is to be issued by sheriffs to persons who 146
qualify for such a license under section 2923.1213 of the Revised 147
Code, which form shall conform to all the requirements set forth 148
in divisions (A)(2)(a)(i) to ~~(d)(iv)~~ of this section and shall 149
additionally conspicuously specify that the license is issued on a 150
temporary emergency basis and the date of its issuance. 151

(B)(1) The Ohio peace officer training commission, in 152
consultation with the attorney general, shall prepare a pamphlet 153
that does all of the following, in everyday language: 154

(a) Explains the firearms laws of this state; 155

(b) Instructs the reader in dispute resolution and explains 156
the laws of this state related to that matter; 157

(c) Provides information to the reader regarding all aspects 158
of the use of deadly force with a firearm, including, but not 159
limited to, the steps that should be taken before contemplating 160
the use of, or using, deadly force with a firearm, possible 161
alternatives to using deadly force with a firearm, and the law 162
governing the use of deadly force with a firearm. 163

(2) The attorney general shall consult with and assist the 164
commission in the preparation of the pamphlet described in 165
division (B)(1) of this section and, as necessary, shall recommend 166
to the commission changes in the pamphlet to reflect changes in 167
the law that are relevant to it. The attorney general shall 168

publish the pamphlet on the web site of the attorney general and 169
shall provide the address of the web site to any person who 170
requests the pamphlet. 171

(C) The Ohio peace officer training commission shall maintain 172
statistics with respect to the issuance, renewal, suspension, 173
revocation, and denial of concealed handgun licenses under section 174
2923.125 of the Revised Code and the suspension of processing of 175
applications for those licenses, and with respect to the issuance, 176
suspension, revocation, and denial of concealed handgun licenses 177
on a temporary emergency basis under section 2923.1213 of the 178
Revised Code, as reported by the sheriffs pursuant to division (C) 179
of section 2923.129 of the Revised Code. Not later than the first 180
day of March in each year, the commission shall submit a 181
statistical report to the governor, the president of the senate, 182
and the speaker of the house of representatives indicating the 183
number of concealed handgun licenses that were issued, renewed, 184
suspended, revoked, and denied under section 2923.125 of the 185
Revised Code in the previous calendar year, the number of 186
applications for those licenses for which processing was suspended 187
in accordance with division (D)(3) of that section in the previous 188
calendar year, and the number of concealed handgun licenses on a 189
temporary emergency basis that were issued, suspended, revoked, or 190
denied under section 2923.1213 of the Revised Code in the previous 191
calendar year. Nothing in the statistics or the statistical report 192
shall identify, or enable the identification of, any individual 193
who was issued or denied a license, for whom a license was 194
renewed, whose license was suspended or revoked, or for whom 195
application processing was suspended. The statistics and the 196
statistical report are public records for the purpose of section 197
149.43 of the Revised Code. 198

(D) As used in this section, "concealed handgun license" and 199
"handgun" have the same meanings as in section 2923.11 of the 200

Revised Code. 201

Sec. 311.41. (A)(1) Upon receipt of an application for a 202
concealed handgun license under division (C) of section 2923.125 203
of the Revised Code, an application to renew a concealed handgun 204
license under division (F) of that section, or an application for 205
a concealed handgun license on a temporary emergency basis under 206
section 2923.1213 of the Revised Code, the sheriff shall conduct a 207
criminal records check and an incompetency check of the applicant 208
to determine whether the applicant fails to meet the criteria 209
described in division (D)(1) of section 2923.125 of the Revised 210
Code. As part of any such criminal records check, the sheriff 211
shall contact the national instant criminal background check 212
system to verify that the applicant is eligible lawfully to 213
receive or possess a firearm in the United States. The sheriff 214
shall conduct the criminal records check and the incompetency 215
records check required by this division through use of an 216
electronic fingerprint reading device or, if the sheriff does not 217
possess and does not have ready access to the use of an electronic 218
fingerprint reading device, by requesting the bureau of criminal 219
identification and investigation to conduct the checks as 220
described in this division. 221

In order to conduct the criminal records check and the 222
incompetency records check, the sheriff shall obtain the 223
fingerprints of at least four fingers of the applicant by using an 224
electronic fingerprint reading device for the purpose of 225
conducting the criminal records check and the incompetency records 226
check or, if the sheriff does not possess and does not have ready 227
access to the use of an electronic fingerprint reading device, 228
shall obtain from the applicant a completed standard fingerprint 229
impression sheet prescribed pursuant to division (C)(2) of section 230
109.572 of the Revised Code. The fingerprints so obtained, along 231
with the applicant's social security number, shall be used to 232

conduct the criminal records check and the incompetency records 233
check. If the sheriff does not use an electronic fingerprint 234
reading device to obtain the fingerprints and conduct the records 235
checks, the sheriff shall submit the completed standard 236
fingerprint impression sheet of the applicant, along with the 237
applicant's social security number, to the superintendent of the 238
bureau of criminal identification and investigation and shall 239
request the bureau to conduct the criminal records check and the 240
incompetency records check of the applicant and, if necessary, 241
shall request the superintendent of the bureau to obtain 242
information from the federal bureau of investigation as part of 243
the criminal records check for the applicant. If it is not 244
possible to use an electronic fingerprint reading device to 245
conduct an incompetency records check, the sheriff shall submit 246
the completed standard fingerprint impression sheet of the 247
applicant, along with the applicant's social security number, to 248
the superintendent of the bureau of criminal identification and 249
investigation and shall request the bureau to conduct the 250
incompetency records check. The sheriff shall not retain the 251
applicant's fingerprints as part of the application. 252

(2) Except as otherwise provided in this division, if at any 253
time the applicant decides not to continue with the application 254
process, the sheriff immediately shall cease any investigation 255
that is being conducted under division (A)(1) of this section. The 256
sheriff shall not cease that investigation if, at the time of the 257
applicant's decision not to continue with the application process, 258
the sheriff had determined from any of the sheriff's 259
investigations that the applicant then was engaged in activity of 260
a criminal nature. 261

(B) If a criminal records check and an incompetency records 262
check conducted under division (A) of this section do not indicate 263
that the applicant fails to meet the criteria described in 264

division (D)(1) of section 2923.125 of the Revised Code, except as 265
otherwise provided in this division, the sheriff shall destroy or 266
cause a designated employee to destroy all records other than the 267
application for a concealed handgun license, the application to 268
renew a concealed handgun license, or the affidavit submitted 269
regarding an application for a concealed handgun license on a 270
temporary emergency basis that were made in connection with the 271
criminal records check and incompetency records check within 272
twenty days after conducting the criminal records check and 273
incompetency records check. If an applicant appeals a denial of an 274
application as described in division (D)(2) of section 2923.125 of 275
the Revised Code or challenges the results of a criminal records 276
check pursuant to section 2923.127 of the Revised Code, records of 277
fingerprints of the applicant shall not be destroyed during the 278
pendency of the appeal or the challenge and review. When an 279
applicant appeals a denial as described in that division, the 280
twenty-day period described in this division commences regarding 281
the fingerprints upon the determination of the appeal. When 282
required as a result of a challenge and review performed pursuant 283
to section 2923.127 of the Revised Code, the source the sheriff 284
used in conducting the criminal records check shall destroy or the 285
chief operating officer of the source shall cause an employee of 286
the source designated by the chief to destroy all records other 287
than the application for a concealed handgun license, the 288
application to renew a concealed handgun license, or the affidavit 289
submitted regarding an application for a concealed handgun license 290
on a temporary emergency basis that were made in connection with 291
the criminal records check within twenty days after completion of 292
that challenge and review. 293

(C) If division (B) of this section applies to a particular 294
criminal records check or incompetency records check, no sheriff, 295
employee of a sheriff designated by the sheriff to destroy records 296
under that division, source the sheriff used in conducting the 297

criminal records check or incompetency records check, or employee 298
of the source designated by the chief operating officer of the 299
source to destroy records under that division shall fail to 300
destroy or cause to be destroyed within the applicable twenty-day 301
period specified in that division all records other than the 302
application for a concealed handgun license, the application to 303
renew a concealed handgun license, or the affidavit submitted 304
regarding an application for a concealed handgun license on a 305
temporary emergency basis made in connection with the particular 306
criminal records check or incompetency records check. 307

(D) Whoever violates division (C) of this section is guilty 308
of failure to destroy records, a misdemeanor of the second degree. 309

(E) As used in this section, ~~"concealed;~~ 310

(1) "Concealed handgun license" and "handgun" have the same 311
meanings as in section 2923.11 of the Revised Code. 312

(2) "National instant criminal background check system" means 313
the system established by the United States attorney general 314
pursuant to section 103 of the "Brady Handgun Violence Prevention 315
Act," Pub. L. No. 103-159. 316

Sec. 311.42. (A) Each county shall establish in the county 317
treasury a sheriff's concealed handgun license issuance expense 318
fund. The sheriff of that county shall deposit into that fund all 319
fees paid by applicants for the issuance or renewal of a concealed 320
handgun license or duplicate concealed handgun license under 321
section 2923.125 of the Revised Code and all fees paid by the 322
person seeking a concealed handgun license on a temporary 323
emergency basis under section 2923.1213 of the Revised Code. The 324
county shall distribute all fees deposited into the fund except 325
forty dollars of each fee paid by an applicant under division (B) 326
of section 2923.125 of the Revised Code, fifteen dollars of each 327
fee paid under section 2923.1213 of the Revised Code, and 328

thirty-five dollars of each fee paid under division (F) of section 329
2923.125 of the Revised Code to the attorney general to be used to 330
pay the cost of background checks performed by the bureau of 331
criminal identification and investigation and the federal bureau 332
of investigation and to cover administrative costs associated with 333
issuing the license. 334

(B) The sheriff, with the approval of the board of county 335
commissioners, may expend any county portion of the fees deposited 336
into the sheriff's concealed handgun license issuance expense fund 337
for any costs incurred by the sheriff in connection with 338
performing any administrative functions related to the issuance of 339
concealed handgun licenses under section 2923.125 or 2923.1213 of 340
the Revised Code, including, but not limited to, personnel 341
expenses and the any costs of any handgun associated with a 342
firearm safety education program, or a firearm training or 343
qualification program that the sheriff chooses to fund. 344
~~Additionally, the sheriff, with the approval of the board of~~ 345
~~county commissioners, may expend any county portion of the fees~~ 346
~~deposited into the sheriff's concealed handgun license issuance~~ 347
~~expense fund for costs of ammunition used in a course, class, or~~ 348
~~program administered by the sheriff for a concealed handgun~~ 349
~~license.~~ 350

Sec. 311.43. (A) As used in this section: 351

(1) "Certification" means the participation and assent of the 352
chief law enforcement officer necessary under federal law for the 353
approval of an application to make or transfer a firearm. 354

(2) "Chief law enforcement officer" means any official the 355
bureau of alcohol, tobacco, firearms, and explosives, or any 356
successor agency, identifies by regulation or otherwise as 357
eligible to provide any required certification for the making or 358

transfer of a firearm. 359

(3) "Concealed handgun license" has the same meaning as in 360
section 2923.11 of the Revised Code. 361

(B) A resident of this state may submit to the sheriff of the 362
county in which the resident resides or to the sheriff of any 363
county adjacent to the county in which the resident resides any 364
federal form that requires a law enforcement certification by a 365
chief law enforcement officer. 366

(C) The sheriff shall accept and process the certification in 367
the same manner as an application for a concealed handgun license 368
is processed under section 2923.125 of the Revised Code, including 369
the requirement for a background check, except as follows: 370

(1) If a resident of this state submits one or more federal 371
forms, the sheriff shall charge the resident no more than the 372
applicable fee described in division (B)(1)(a) of section 2923.125 373
of the Revised Code, without regard to how many federal forms are 374
submitted at the same time. 375

(2) If a resident of this state submits one or more federal 376
forms and currently has a concealed handgun license or the sheriff 377
has previously approved a federal form for that resident, the 378
sheriff shall charge the resident no more than the applicable fee 379
described in division (F)(4) of section 2923.125 of the Revised 380
Code, without regard to how many federal forms are submitted at 381
the same time. 382

Sec. 1533.04. (A) A person who holds a valid hunting license 383
issued under this chapter and who hunts game birds or wild 384
quadrupeds may use a suppressor attached to a gun that is 385
authorized to be used for hunting by section 1533.16 of the 386
Revised Code while hunting, provided that the person is authorized 387
to possess the suppressor under state and federal laws and has 388

registered the suppressor in accordance with the "National 389
Firearms Act," 68A Stat. 725 (1934), 26 U.S.C. 5841, et seq., as 390
amended. 391

(B) As used in this section, "suppressor" means any device 392
used for diminishing the sound of any shot, bullet, or projectile 393
that is discharged from a gun that is authorized to be used for 394
hunting by section 1533.16 of the Revised Code. 395

Sec. 2923.11. As used in sections 2923.11 to 2923.24 of the 396
Revised Code: 397

(A) "Deadly weapon" means any instrument, device, or thing 398
capable of inflicting death, and designed or specially adapted for 399
use as a weapon, or possessed, carried, or used as a weapon. 400

(B)(1) "Firearm" means any deadly weapon capable of expelling 401
or propelling one or more projectiles by the action of an 402
explosive or combustible propellant. "Firearm" includes an 403
unloaded firearm, and any firearm that is inoperable but that can 404
readily be rendered operable. 405

(2) When determining whether a firearm is capable of 406
expelling or propelling one or more projectiles by the action of 407
an explosive or combustible propellant, the trier of fact may rely 408
upon circumstantial evidence, including, but not limited to, the 409
representations and actions of the individual exercising control 410
over the firearm. 411

(C) "Handgun" means any of the following: 412

(1) Any firearm that has a short stock and is designed to be 413
held and fired by the use of a single hand; 414

(2) Any combination of parts from which a firearm of a type 415
described in division (C)(1) of this section can be assembled. 416

(D) "Semi-automatic firearm" means any firearm designed or 417

418 specially adapted to fire a single cartridge and automatically
419 chamber a succeeding cartridge ready to fire, with a single
420 function of the trigger.

421 (E) "Automatic firearm" means any firearm designed or
422 specially adapted to fire a succession of cartridges with a single
423 function of the trigger. ~~"Automatic firearm" also means any~~
424 ~~semi-automatic firearm designed or specially adapted to fire more~~
425 ~~than thirty-one cartridges without reloading, other than a firearm~~
426 ~~chambering only .22 caliber short, long, or long-rifle cartridges.~~

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

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

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

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

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

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

447 (I) "Incendiary device" means any firebomb, and any device

designed or specially adapted to cause physical harm to persons or 448
property by means of fire, and consisting of an incendiary 449
substance or agency and a means to ignite it. 450

(J) "Ballistic knife" means a knife with a detachable blade 451
that is propelled by a spring-operated mechanism. 452

(K) "Dangerous ordnance" means any of the following, except 453
as provided in division (L) of this section: 454

(1) Any automatic or sawed-off firearm, zip-gun, or ballistic 455
knife; 456

(2) Any explosive device or incendiary device; 457

(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, 458
cyclonite, TNT, picric acid, and other high explosives; amatol, 459
tritonol, tetrytol, pentolite, pecretol, cyclotol, and other high 460
explosive compositions; plastic explosives; dynamite, blasting 461
gelatin, gelatin dynamite, sensitized ammonium nitrate, 462
liquid-oxygen blasting explosives, blasting powder, and other 463
blasting agents; and any other explosive substance having 464
sufficient brisance or power to be particularly suitable for use 465
as a military explosive, or for use in mining, quarrying, 466
excavating, or demolitions; 467

(4) Any firearm, rocket launcher, mortar, artillery piece, 468
grenade, mine, bomb, torpedo, or similar weapon, designed and 469
manufactured for military purposes, and the ammunition for that 470
weapon; 471

(5) Any firearm muffler or ~~silencer~~ suppressor; 472

(6) Any combination of parts that is intended by the owner 473
for use in converting any firearm or other device into a dangerous 474
ordnance. 475

(L) "Dangerous ordnance" does not include any of the 476
following: 477

(1) Any firearm, including a military weapon and the 478
ammunition for that weapon, and regardless of its actual age, that 479
employs a percussion cap or other obsolete ignition system, or 480
that is designed and safe for use only with black powder; 481

(2) Any pistol, rifle, or shotgun, designed or suitable for 482
sporting purposes, including a military weapon as issued or as 483
modified, and the ammunition for that weapon, unless the firearm 484
is an automatic or sawed-off firearm; 485

(3) Any cannon or other artillery piece that, regardless of 486
its actual age, is of a type in accepted use prior to 1887, has no 487
mechanical, hydraulic, pneumatic, or other system for absorbing 488
recoil and returning the tube into battery without displacing the 489
carriage, and is designed and safe for use only with black powder; 490

(4) Black powder, priming quills, and percussion caps 491
possessed and lawfully used to fire a cannon of a type defined in 492
division (L)(3) of this section during displays, celebrations, 493
organized matches or shoots, and target practice, and smokeless 494
and black powder, primers, and percussion caps possessed and 495
lawfully used as a propellant or ignition device in small-arms or 496
small-arms ammunition; 497

(5) Dangerous ordnance that is inoperable or inert and cannot 498
readily be rendered operable or activated, and that is kept as a 499
trophy, souvenir, curio, or museum piece. 500

(6) Any device that is expressly excepted from the definition 501
of a destructive device pursuant to the "Gun Control Act of 1968," 502
82 Stat. 1213, 18 U.S.C. 921(a)(4), as amended, and regulations 503
issued under that act. 504

(M) "Explosive" means any chemical compound, mixture, or 505
device, the primary or common purpose of which is to function by 506
explosion. "Explosive" includes all materials that have been 507
classified as division 1.1, division 1.2, division 1.3, or 508

division 1.4 explosives by the United States department of 509
transportation in its regulations and includes, but is not limited 510
to, dynamite, black powder, pellet powders, initiating explosives, 511
blasting caps, electric blasting caps, safety fuses, fuse 512
igniters, squibs, cordeau detonant fuses, instantaneous fuses, and 513
igniter cords and igniters. "Explosive" does not include 514
"fireworks," as defined in section 3743.01 of the Revised Code, or 515
any substance or material otherwise meeting the definition of 516
explosive set forth in this section that is manufactured, sold, 517
possessed, transported, stored, or used in any activity described 518
in section 3743.80 of the Revised Code, provided the activity is 519
conducted in accordance with all applicable laws, rules, and 520
regulations, including, but not limited to, the provisions of 521
section 3743.80 of the Revised Code and the rules of the fire 522
marshal adopted pursuant to section 3737.82 of the Revised Code. 523

(N)(1) "Concealed handgun license" or "license to carry a 524
concealed handgun" means, subject to division (N)(2) of this 525
section, a license or temporary emergency license to carry a 526
concealed handgun issued under section 2923.125 or 2923.1213 of 527
the Revised Code or a license to carry a concealed handgun issued 528
by another state with which the attorney general has entered into 529
a reciprocity agreement under section 109.69 of the Revised Code. 530

(2) A reference in any provision of the Revised Code to a 531
concealed handgun license issued under section 2923.125 of the 532
Revised Code or a license to carry a concealed handgun issued 533
under section 2923.125 of the Revised Code means only a license of 534
the type that is specified in that section. A reference in any 535
provision of the Revised Code to a concealed handgun license 536
issued under section 2923.1213 of the Revised Code, a license to 537
carry a concealed handgun issued under section 2923.1213 of the 538
Revised Code, or a license to carry a concealed handgun on a 539
temporary emergency basis means only a license of the type that is 540

specified in section 2923.1213 of the Revised Code. A reference in 541
any provision of the Revised Code to a concealed handgun license 542
issued by another state or a license to carry a concealed handgun 543
issued by another state means only a license issued by another 544
state with which the attorney general has entered into a 545
reciprocity agreement under section 109.69 of the Revised Code. 546

(O) "Valid concealed handgun license" or "valid license to 547
carry a concealed handgun" means a concealed handgun license that 548
is currently valid, that is not under a suspension under division 549
(A)(1) of section 2923.128 of the Revised Code, under section 550
2923.1213 of the Revised Code, or under a suspension provision of 551
the state other than this state in which the license was issued, 552
and that has not been revoked under division (B)(1) of section 553
2923.128 of the Revised Code, under section 2923.1213 of the 554
Revised Code, or under a revocation provision of the state other 555
than this state in which the license was issued. 556

(P) "Misdemeanor punishable by imprisonment for a term 557
exceeding one year" does not include any of the following: 558

(1) Any federal or state offense pertaining to antitrust 559
violations, unfair trade practices, restraints of trade, or other 560
similar offenses relating to the regulation of business practices; 561

(2) Any misdemeanor offense punishable by a term of 562
imprisonment of two years or less. 563

(Q) "Alien registration number" means the number issued by 564
the United States citizenship and immigration services agency that 565
is located on the alien's permanent resident card and may also be 566
commonly referred to as the "USCIS number" or the "alien number." 567

Sec. 2923.124. As used in sections 2923.124 to 2923.1213 of 568
the Revised Code: 569

(A) "Application form" means the application form prescribed 570

pursuant to division (A)(1) of section 109.731 of the Revised Code 571
and includes a copy of that form. 572

(B) "Competency certification" and "competency certificate" 573
mean a document of the type described in division (B)(3) of 574
section 2923.125 of the Revised Code. 575

(C) "Detention facility" has the same meaning as in section 576
2921.01 of the Revised Code. 577

(D) "Licensee" means a person to whom a concealed handgun 578
license has been issued under section 2923.125 of the Revised Code 579
and, except when the context clearly indicates otherwise, includes 580
a person to whom a concealed handgun license on a temporary 581
emergency basis has been issued under section 2923.1213 of the 582
Revised Code and a person to whom a concealed handgun license has 583
been issued by another state. 584

(E) "License fee" or "license renewal fee" means the fee for 585
a concealed handgun license or the fee to renew that license that 586
~~is prescribed pursuant to division (C) of section 109.731 of the~~ 587
~~Revised Code and that~~ is to be paid by an applicant for a license 588
of that type. 589

(F) "Peace officer" has the same meaning as in section 590
2935.01 of the Revised Code. 591

(G) "State correctional institution" has the same meaning as 592
in section 2967.01 of the Revised Code. 593

(H) "Civil protection order" means a protection order issued, 594
or consent agreement approved, under section 2903.214 or 3113.31 595
of the Revised Code. 596

(I) "Temporary protection order" means a protection order 597
issued under section 2903.213 or 2919.26 of the Revised Code. 598

(J) "Protection order issued by a court of another state" has 599
the same meaning as in section 2919.27 of the Revised Code. 600

(K) "Child day-care center," "type A family day-care home" 601
and "type B family day-care home" have the same meanings as in 602
section 5104.01 of the Revised Code. 603

(L) "Foreign air transportation," "interstate air 604
transportation," and "intrastate air transportation" have the same 605
meanings as in 49 U.S.C. 40102, as now or hereafter amended. 606

(M) "Commercial motor vehicle" has the same meaning as in 607
division (A) of section 4506.25 of the Revised Code. 608

(N) "Motor carrier enforcement unit" has the same meaning as 609
in section 2923.16 of the Revised Code. 610

Sec. 2923.125. ~~(A) It is the intent of the general assembly~~ 611
~~that Ohio concealed handgun license law be compliant with the~~ 612
~~national instant criminal background check system, that the bureau~~ 613
~~of alcohol, tobacco, firearms and explosives is able to determine~~ 614
~~that Ohio law is compliant with the national instant criminal~~ 615
~~background check system, and that no person shall be eligible to~~ 616
~~receive a concealed handgun license permit under section 2923.125~~ 617
~~or 2923.1213 of the Revised Code unless the person is eligible~~ 618
~~lawfully to receive or possess a firearm in the United States.~~ 619

~~(A)~~ This section applies with respect to the application for 620
and issuance by this state of concealed handgun licenses other 621
than concealed handgun licenses on a temporary emergency basis 622
that are issued under section 2923.1213 of the Revised Code. Upon 623
the request of a person who wishes to obtain a concealed handgun 624
license with respect to which this section applies or to renew a 625
concealed handgun license with respect to which this section 626
applies, a sheriff, as provided in division (I) of this section, 627
shall provide to the person free of charge an application form and 628
the web site address at which a printable version of the 629
application form that can be downloaded and the pamphlet described 630
in division (B) of section 109.731 of the Revised Code may be 631

found. A sheriff shall accept a completed application form and the 632
fee, items, materials, and information specified in divisions 633
(B)(1) to (5) of this section at the times and in the manners 634
described in division (I) of this section. 635

(B) An applicant for a concealed handgun license ~~with respect~~ 636
~~to which this section applies who is a resident of this state~~ 637
shall submit a completed application form and all of the ~~following~~ 638
material and information described in divisions (B)(1) to (6) of 639
this section to the sheriff of the county in which the applicant 640
resides or to the sheriff of any county adjacent to the county in 641
which the applicant resides. An applicant for a license who 642
resides in another state shall submit a completed application form 643
and all of the material and information described in divisions 644
(B)(1) to (7) of this section to the sheriff of the county in 645
which the applicant is employed or to the sheriff of any county 646
adjacent to the county in which the applicant is employed: 647

(1)(a) A nonrefundable license fee as described in either of 648
the following: 649

(i) For an applicant who has been a resident of this state 650
for five or more years, a fee of sixty-seven dollars; 651

(ii) For an applicant who has been a resident of this state 652
for less than five years or who is not a resident of this state, 653
but who is employed in this state, a fee of sixty-seven dollars 654
plus the actual cost of having a background check performed by the 655
federal bureau of investigation. 656

(b) No sheriff shall require an applicant to pay for the cost 657
of a background check performed by the bureau of criminal 658
identification and investigation. 659

(c) A sheriff shall waive the payment of the license fee 660
described in division (B)(1)(a) of this section in connection with 661
an initial or renewal application for a license that is submitted 662

by an applicant who is a retired peace officer, a retired person 663
described in division (B)(1)(b) of section 109.77 of the Revised 664
Code, or a retired federal law enforcement officer who, prior to 665
retirement, was authorized under federal law to carry a firearm in 666
the course of duty, unless the retired peace officer, person, or 667
federal law enforcement officer retired as the result of a mental 668
disability. 669

(d) The sheriff shall deposit all fees paid by an applicant 670
under division (B)(1)(a) of this section into the sheriff's 671
concealed handgun license issuance fund established pursuant to 672
section 311.42 of the Revised Code. The county shall distribute 673
the fees in accordance with section 311.42 of the Revised Code. 674

(2) A color photograph of the applicant that was taken within 675
thirty days prior to the date of the application; 676

(3) One or more of the following competency certifications, 677
each of which shall reflect that, regarding a certification 678
described in division (B)(3)(a), (b), (c), (e), or (f) of this 679
section, within the three years immediately preceding the 680
application the applicant has performed that to which the 681
competency certification relates and that, regarding a 682
certification described in division (B)(3)(d) of this section, the 683
applicant currently is an active or reserve member of the armed 684
forces of the United States or within the ~~six~~ ten years 685
immediately preceding the application the honorable discharge or 686
retirement to which the competency certification relates occurred: 687

(a) An original or photocopy of a certificate of completion 688
of a firearms safety, training, or requalification or firearms 689
safety instructor course, class, or program that was offered by or 690
under the auspices of ~~the a national rifle association~~ gun 691
advocacy organization and that complies with the requirements set 692
forth in division (G) of this section; 693

(b) An original or photocopy of a certificate of completion 694
of a firearms safety, training, or requalification or firearms 695
safety instructor course, class, or program that satisfies all of 696
the following criteria: 697

(i) It was open to members of the general public. 698

(ii) It utilized qualified instructors who were certified by 699
~~the a national rifle association~~ gun advocacy organization, the 700
executive director of the Ohio peace officer training commission 701
pursuant to section 109.75 or 109.78 of the Revised Code, or a 702
governmental official or entity of another state. 703

(iii) It was offered by or under the auspices of a law 704
enforcement agency of this or another state or the United States, 705
a public or private college, university, or other similar 706
postsecondary educational institution located in this or another 707
state, a firearms training school located in this or another 708
state, or another type of public or private entity or organization 709
located in this or another state. 710

(iv) It complies with the requirements set forth in division 711
(G) of this section. 712

(c) An original or photocopy of a certificate of completion 713
of a state, county, municipal, or department of natural resources 714
peace officer training school that is approved by the executive 715
director of the Ohio peace officer training commission pursuant to 716
section 109.75 of the Revised Code and that complies with the 717
requirements set forth in division (G) of this section, or the 718
applicant has satisfactorily completed and been issued a 719
certificate of completion of a basic firearms training program, a 720
firearms requalification training program, or another basic 721
training program described in section 109.78 or 109.801 of the 722
Revised Code that complies with the requirements set forth in 723
division (G) of this section; 724

(d) A document that evidences both of the following: 725

(i) That the applicant is an active or reserve member of the 726
armed forces of the United States, has retired from or was 727
honorably discharged from military service in the active or 728
reserve armed forces of the United States, is a retired trooper of 729
the state highway patrol, or is a retired peace officer or federal 730
law enforcement officer described in division (B)(1) of this 731
section or a retired person described in division (B)(1)(b) of 732
section 109.77 of the Revised Code and division (B)(1) of this 733
section; 734

(ii) That, through participation in the military service or 735
through the former employment described in division (B)(3)(d)(i) 736
of this section, the applicant acquired experience with handling 737
handguns or other firearms, and the experience so acquired was 738
equivalent to training that the applicant could have acquired in a 739
course, class, or program described in division (B)(3)(a), (b), or 740
(c) of this section. 741

(e) A certificate or another similar document that evidences 742
satisfactory completion of a firearms training, safety, or 743
requalification or firearms safety instructor course, class, or 744
program that is not otherwise described in division (B)(3)(a), 745
(b), (c), or (d) of this section, that was conducted by an 746
instructor who was certified by an official or entity of the 747
government of this or another state or the United States or by ~~the~~ 748
a national rifle association gun advocacy organization, and that 749
complies with the requirements set forth in division (G) of this 750
section; 751

(f) An affidavit that attests to the applicant's satisfactory 752
completion of a course, class, or program described in division 753
(B)(3)(a), (b), (c), or (e) of this section and that is subscribed 754
by the applicant's instructor or an authorized representative of 755
the entity that offered the course, class, or program or under 756

whose auspices the course, class, or program was offered; 757

(g) A document that evidences that the applicant has 758
successfully completed the Ohio peace officer training program 759
described in section 109.79 of the Revised Code. 760

(4) A certification by the applicant that the applicant has 761
read the pamphlet prepared by the Ohio peace officer training 762
commission pursuant to section 109.731 of the Revised Code that 763
reviews firearms, dispute resolution, and use of deadly force 764
matters. 765

(5) A set of fingerprints of the applicant provided as 766
described in section 311.41 of the Revised Code through use of an 767
electronic fingerprint reading device or, if the sheriff to whom 768
the application is submitted does not possess and does not have 769
ready access to the use of such a reading device, on a standard 770
impression sheet prescribed pursuant to division (C)(2) of section 771
109.572 of the Revised Code. 772

(6) If the applicant is not a citizen or national of the 773
United States, the name of the applicant's country of citizenship 774
and the applicant's alien registration number issued by the United 775
States citizenship and immigration services agency. 776

(7) If the applicant resides in another state, adequate proof 777
of employment in Ohio. 778

(C) Upon receipt of the completed application form, 779
supporting documentation, and, if not waived, license fee of an 780
applicant under this section, a sheriff, in the manner specified 781
in section 311.41 of the Revised Code, shall conduct or cause to 782
be conducted the criminal records check and the incompetency 783
records check described in section 311.41 of the Revised Code. 784

(D)(1) Except as provided in division (D)(3) ~~or (4)~~ of this 785
section, within forty-five days after a sheriff's receipt of an 786
applicant's completed application form for a concealed handgun 787

license under this section, the supporting documentation, and, if 788
not waived, the license fee, the sheriff shall make available 789
through the law enforcement automated data system in accordance 790
with division (H) of this section the information described in 791
that division and, upon making the information available through 792
the system, shall issue to the applicant a concealed handgun 793
license that shall expire as described in division (D)(2)(a) of 794
this section if all of the following apply: 795

(a) The applicant is legally living in the United States, ~~has~~ 796
~~been a resident of this state for at least forty-five days, and~~ 797
~~has been a resident of the county in which the person seeks the~~ 798
~~license or a county adjacent to the county in which the person~~ 799
~~seeks the license for at least thirty days.~~ For purposes of 800
division (D)(1)(a) of this section: 801

~~(i) If, if~~ a person is absent from the United States, ~~from~~ 802
~~this state, or from a particular county in this state in~~ 803
compliance with military or naval orders as an active or reserve 804
member of the armed forces of the United States and if prior to 805
~~leaving this state in compliance with those orders~~ the United 806
States the person was legally living in the United States ~~and was~~ 807
~~a resident of this state,~~ the person, solely by reason of that 808
absence, shall not be considered to have lost the person's status 809
as living in the United States ~~or the person's residence in this~~ 810
~~state or in the county in which the person was a resident prior to~~ 811
~~leaving this state in compliance with those orders, without regard~~ 812
~~to whether or not the person intends to return to this state or to~~ 813
~~that county, shall not be considered to have acquired a residence~~ 814
~~in any other state, and shall not be considered to have become a~~ 815
~~resident of any other state.~~ 816

~~(ii) If a person is present in this state in compliance with~~ 817
~~military or naval orders as an active or reserve member of the~~ 818
~~armed forces of the United States for at least forty-five days,~~ 819

~~the person shall be considered to have been a resident of this~~ 820
~~state for that period of at least forty five days, and, if a~~ 821
~~person is present in a county of this state in compliance with~~ 822
~~military or naval orders as an active or reserve member of the~~ 823
~~armed forces of the United States for at least thirty days, the~~ 824
~~person shall be considered to have been a resident of that county~~ 825
~~for that period of at least thirty days.~~ 826

(b) The applicant is at least twenty-one years of age. 827

(c) The applicant is not a fugitive from justice. 828

(d) The applicant is not under indictment for or otherwise 829
charged with a felony; an offense under Chapter 2925., 3719., or 830
4729. of the Revised Code that involves the illegal possession, 831
use, sale, administration, or distribution of or trafficking in a 832
drug of abuse; a misdemeanor offense of violence; or a violation 833
of section 2903.14 or 2923.1211 of the Revised Code. 834

(e) Except as otherwise provided in division (D)(4) or (5) of 835
this section, the applicant has not been convicted of or pleaded 836
guilty to a felony or an offense under Chapter 2925., 3719., or 837
4729. of the Revised Code that involves the illegal possession, 838
use, sale, administration, or distribution of or trafficking in a 839
drug of abuse; has not been adjudicated a delinquent child for 840
committing an act that if committed by an adult would be a felony 841
or would be an offense under Chapter 2925., 3719., or 4729. of the 842
Revised Code that involves the illegal possession, use, sale, 843
administration, or distribution of or trafficking in a drug of 844
abuse; ~~and~~ has not been convicted of, pleaded guilty to, or 845
adjudicated a delinquent child for committing a violation of 846
section 2903.13 of the Revised Code when the victim of the 847
violation is a peace officer, regardless of whether the applicant 848
was sentenced under division (C)(4) of that section; and has not 849
been convicted of, pleaded guilty to, or adjudicated a delinquent 850
child for committing any other offense that is not previously 851

described in this division that is a misdemeanor punishable by 852
imprisonment for a term exceeding one year. 853

(f) Except as otherwise provided in division (D)(4) or (5) of 854
this section, the applicant, within three years of the date of the 855
application, has not been convicted of or pleaded guilty to a 856
misdemeanor offense of violence other than a misdemeanor violation 857
of section 2921.33 of the Revised Code or a violation of section 858
2903.13 of the Revised Code when the victim of the violation is a 859
peace officer, or a misdemeanor violation of section 2923.1211 of 860
the Revised Code; and has not been adjudicated a delinquent child 861
for committing an act that if committed by an adult would be a 862
misdemeanor offense of violence other than a misdemeanor violation 863
of section 2921.33 of the Revised Code or a violation of section 864
2903.13 of the Revised Code when the victim of the violation is a 865
peace officer or for committing an act that if committed by an 866
adult would be a misdemeanor violation of section 2923.1211 of the 867
Revised Code. 868

(g) Except as otherwise provided in division (D)(1)(e) of 869
this section, the applicant, within five years of the date of the 870
application, has not been convicted of, pleaded guilty to, or 871
adjudicated a delinquent child for committing two or more 872
violations of section 2903.13 or 2903.14 of the Revised Code. 873

(h) Except as otherwise provided in division (D)(4) or (5) of 874
this section, the applicant, within ten years of the date of the 875
application, has not been convicted of, pleaded guilty to, or 876
adjudicated a delinquent child for committing a violation of 877
section 2921.33 of the Revised Code. 878

(i) The applicant has not been adjudicated as a mental 879
defective, has not been committed to any mental institution, is 880
not under adjudication of mental incompetence, has not been found 881
by a court to be a mentally ill person subject to hospitalization 882
by court order, and is not an involuntary patient other than one 883

who is a patient only for purposes of observation. As used in this 884
division, "mentally ill person subject to hospitalization by court 885
order" and "patient" have the same meanings as in section 5122.01 886
of the Revised Code. 887

(j) The applicant is not currently subject to a civil 888
protection order, a temporary protection order, or a protection 889
order issued by a court of another state. 890

(k) The applicant certifies that the applicant desires a 891
legal means to carry a concealed handgun for defense of the 892
applicant or a member of the applicant's family while engaged in 893
lawful activity. 894

(l) The applicant submits a competency certification of the 895
type described in division (B)(3) of this section and submits a 896
certification of the type described in division (B)(4) of this 897
section regarding the applicant's reading of the pamphlet prepared 898
by the Ohio peace officer training commission pursuant to section 899
109.731 of the Revised Code. 900

(m) The applicant currently is not subject to a suspension 901
imposed under division (A)(2) of section 2923.128 of the Revised 902
Code of a concealed handgun license that previously was issued to 903
the applicant under this section or section 2923.1213 of the 904
Revised Code or a similar suspension imposed by another state 905
regarding a concealed handgun license issued by that state. 906

(n) If the applicant resides in another state, the applicant 907
is employed in this state. 908

(o) The applicant certifies that the applicant is not an 909
unlawful user of or addicted to any controlled substance as 910
defined in 21 U.S.C. 802. 911

(p) If the applicant is not a United States citizen, the 912
applicant is an alien and has not been admitted to the United 913
States under a nonimmigrant visa, as defined in the "Immigration 914

and Nationality Act," 8 U.S.C. 1101(a)(26). 915

(q) The applicant has not been discharged from the armed 916
forces of the United States under dishonorable conditions. 917

(r) The applicant certifies that the applicant has not 918
renounced the applicant's United States citizenship, if 919
applicable. 920

(s) The applicant has not been convicted of, pleaded guilty 921
to, or adjudicated a delinquent child for committing a violation 922
of section 2919.25 of the Revised Code or a similar violation in 923
another state. 924

(2)(a) A concealed handgun license that a sheriff issues 925
under division (D)(1) of this section shall expire five years 926
after the date of issuance. 927

If a sheriff issues a license under this section, the sheriff 928
shall place on the license a unique combination of letters and 929
numbers identifying the license in accordance with the procedure 930
prescribed by the Ohio peace officer training commission pursuant 931
to section 109.731 of the Revised Code. 932

(b) If a sheriff denies an application under this section 933
because the applicant does not satisfy the criteria described in 934
division (D)(1) of this section, the sheriff shall specify the 935
grounds for the denial in a written notice to the applicant. The 936
applicant may appeal the denial pursuant to section 119.12 of the 937
Revised Code in the county served by the sheriff who denied the 938
application. If the denial was as a result of the criminal records 939
check conducted pursuant to section 311.41 of the Revised Code and 940
if, pursuant to section 2923.127 of the Revised Code, the 941
applicant challenges the criminal records check results using the 942
appropriate challenge and review procedure specified in that 943
section, the time for filing the appeal pursuant to section 119.12 944
of the Revised Code and this division is tolled during the 945

pendency of the request or the challenge and review. ~~If~~ 946

~~(c) If~~ the court in an appeal under section 119.12 of the 947
Revised Code and ~~this division (D)(2)(b) of this section~~ enters a 948
judgment sustaining the sheriff's refusal to grant to the 949
applicant a concealed handgun license, the applicant may file a 950
new application beginning one year after the judgment is entered. 951
If the court enters a judgment in favor of the applicant, that 952
judgment shall not restrict the authority of a sheriff to suspend 953
or revoke the license pursuant to section 2923.128 or 2923.1213 of 954
the Revised Code or to refuse to renew the license for any proper 955
cause that may occur after the date the judgment is entered. In 956
the appeal, the court shall have full power to dispose of all 957
costs. 958

(3) If the sheriff with whom an application for a concealed 959
handgun license was filed under this section becomes aware that 960
the applicant has been arrested for or otherwise charged with an 961
offense that would disqualify the applicant from holding the 962
license, the sheriff shall suspend the processing of the 963
application until the disposition of the case arising from the 964
arrest or charge. 965

~~(4) If the sheriff determines that the applicant is legally~~ 966
~~living in the United States and is a resident of the county in~~ 967
~~which the applicant seeks the license or of an adjacent county but~~ 968
~~does not yet meet the residency requirements described in division~~ 969
~~(D)(1)(a) of this section, the sheriff shall not deny the license~~ 970
~~because of the residency requirements but shall not issue the~~ 971
~~license until the applicant meets those residency requirements.~~ 972

~~(5)~~ If an applicant has been convicted of or pleaded guilty 973
to an offense identified in division (D)(1)(e), (f), or (h) of 974
this section or has been adjudicated a delinquent child for 975
committing an act or violation identified in any of those 976
divisions, and if a court has ordered the sealing or expungement 977

of the records of that conviction, guilty plea, or adjudication 978
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 979
2953.36, or section 2953.37 of the Revised Code or ~~a court has~~ 980
~~granted the applicant relief pursuant to section 2923.14 of the~~ 981
~~Revised Code~~ has been relieved under operation of law or legal 982
process from the disability imposed pursuant to section 2923.13 of 983
the Revised Code relative to that conviction, guilty plea, or 984
adjudication, the sheriff with whom the application was submitted 985
shall not consider the conviction, guilty plea, or adjudication in 986
making a determination under division (D)(1) or (F) of this 987
section or, in relation to an application for a concealed handgun 988
license on a temporary emergency basis submitted under section 989
2923.1213 of the Revised Code, in making a determination under 990
division (B)(2) of that section. 991

(5) If an applicant has been convicted of or pleaded guilty 992
to a minor misdemeanor offense or has been adjudicated a 993
delinquent child for committing an act or violation that is a 994
minor misdemeanor offense, the sheriff with whom the application 995
was submitted shall not consider the conviction, guilty plea, or 996
adjudication in making a determination under division (D)(1) or 997
(F) of this section or, in relation to an application for a 998
concealed handgun license on a temporary basis submitted under 999
section 2923.1213 of the Revised Code, in making a determination 1000
under division (B)(2) of that section. 1001

(E) If a concealed handgun license issued under this section 1002
is lost or is destroyed, the licensee may obtain from the sheriff 1003
who issued that license a duplicate license upon the payment of a 1004
fee of fifteen dollars and the submission of an affidavit 1005
attesting to the loss or destruction of the license. The sheriff, 1006
in accordance with the procedures prescribed in section 109.731 of 1007
the Revised Code, shall place on the replacement license a 1008
combination of identifying numbers different from the combination 1009

on the license that is being replaced. 1010

(F)(1) A (a) Except as provided in division (F)(1)(b) of this 1011
section, a licensee who wishes to renew a concealed handgun 1012
license issued under this section shall do so not earlier than 1013
ninety days before the expiration date of the license or at any 1014
time after the expiration date of the license by filing with the 1015
sheriff of the county in which the applicant resides or with the 1016
sheriff of an adjacent county, or in the case of a applicant who 1017
resides in another state with the sheriff of the county that 1018
issued the applicant's previous concealed handgun license an 1019
application for renewal of the license obtained pursuant to 1020
division (D) of this section, a certification by the applicant 1021
that, subsequent to the issuance of the license, the applicant has 1022
reread the pamphlet prepared by the Ohio peace officer training 1023
commission pursuant to section 109.731 of the Revised Code that 1024
reviews firearms, dispute resolution, and use of deadly force 1025
matters, and a nonrefundable license renewal fee in an amount 1026
determined pursuant to division (F)(4) of this section unless the 1027
fee is waived. 1028

(b) A person on active duty in the armed forces of the United 1029
States or in service with the peace corps, volunteers in service 1030
to America, or the foreign service of the United States is exempt 1031
from the license requirements of this section for the period of 1032
the person's active duty or service and for six months thereafter, 1033
provided the person was a licensee under this section at the time 1034
the person commenced the person's active duty or service or had 1035
obtained a license while on active duty or service. The spouse or 1036
a dependent of any such person on active duty or in service also 1037
is exempt from the license requirements of this section for the 1038
period of the person's active duty or service and for six months 1039
thereafter, provided the spouse or dependent was a licensee under 1040
this section at the time the person commenced the active duty or 1041

service or had obtained a license while the person was on active 1042
duty or service, and provided further that the person's active 1043
duty or service resulted in the spouse or dependent relocating 1044
outside of this state during the period of the active duty or 1045
service. This division does not prevent such a person or the 1046
person's spouse or dependent from making an application for the 1047
renewal of a concealed handgun license during the period of the 1048
person's active duty or service. 1049

(2) A sheriff shall accept a completed renewal application, 1050
the license renewal fee, and the information specified in division 1051
(F)(1) of this section at the times and in the manners described 1052
in division (I) of this section. Upon receipt of a completed 1053
renewal application, of certification that the applicant has 1054
reread the specified pamphlet prepared by the Ohio peace officer 1055
training commission, and of a license renewal fee unless the fee 1056
is waived, a sheriff, in the manner specified in section 311.41 of 1057
the Revised Code shall conduct or cause to be conducted the 1058
criminal records check and the incompetency records check 1059
described in section 311.41 of the Revised Code. The sheriff shall 1060
renew the license if the sheriff determines that the applicant 1061
continues to satisfy the requirements described in division (D)(1) 1062
of this section, except that the applicant is not required to meet 1063
the requirements of division (D)(1)(1) of this section. A renewed 1064
license shall expire five years after the date of issuance. A 1065
renewed license is subject to division (E) of this section and 1066
sections 2923.126 and 2923.128 of the Revised Code. A sheriff 1067
shall comply with divisions (D)(2) ~~to (4)~~ and (3) of this section 1068
when the circumstances described in those divisions apply to a 1069
requested license renewal. If a sheriff denies the renewal of a 1070
concealed handgun license, the applicant may appeal the denial, or 1071
challenge the criminal record check results that were the basis of 1072
the denial if applicable, in the same manner as specified in 1073
division (D)(2)(b) of this section and in section 2923.127 of the 1074

Revised Code, regarding the denial of a license under this 1075
section. 1076

(3) A renewal application submitted pursuant to division (F) 1077
of this section shall only require the licensee to list on the 1078
application form information and matters occurring since the date 1079
of the licensee's last application for a license pursuant to 1080
division (B) or (F) of this section. A sheriff conducting the 1081
criminal records check and the incompetency records check 1082
described in section 311.41 of the Revised Code shall conduct the 1083
check only from the date of the licensee's last application for a 1084
license pursuant to division (B) or (F) of this section through 1085
the date of the renewal application submitted pursuant to division 1086
(F) of this section. 1087

(4) An applicant for a renewal concealed handgun license 1088
under this section shall submit to the sheriff of the county in 1089
which the applicant resides or to the sheriff of any county 1090
adjacent to the county in which the applicant resides, or in the 1091
case of an applicant who resides in another state to the sheriff 1092
of the county that issued the applicant's previous concealed 1093
handgun license, a nonrefundable license fee as described in 1094
either of the following: 1095

(a) For an applicant who has been a resident of this state 1096
for five or more years, a fee of fifty dollars; 1097

(b) For an applicant who has been a resident of this state 1098
for less than five years or who is not a resident of this state 1099
but who is employed in this state, a fee of fifty dollars plus the 1100
actual cost of having a background check performed by the federal 1101
bureau of investigation. 1102

(5) The concealed handgun license of a licensee who is no 1103
longer a resident of this state or no longer employed in this 1104
state, as applicable, is valid until the date of expiration on the 1105

license, and the licensee is prohibited from renewing the 1106
concealed handgun license. 1107

(G)(1) Each course, class, or program described in division 1108
(B)(3)(a), (b), (c), or (e) of this section shall provide to each 1109
person who takes the course, class, or program the web site 1110
address at which the pamphlet prepared by the Ohio peace officer 1111
training commission pursuant to section 109.731 of the Revised 1112
Code that reviews firearms, dispute resolution, and use of deadly 1113
force matters may be found. Each such course, class, or program 1114
described in one of those divisions shall include at least ~~twelve~~ 1115
eight hours of training in the safe handling and use of a firearm 1116
that shall include training, provided as described in division 1117
(G)(3) of this section, on all of the following: 1118

~~(a) At least ten hours of training on the following matters:~~ 1119

~~(i)~~ The ability to name, explain, and demonstrate the rules 1120
for safe handling of a handgun and proper storage practices for 1121
handguns and ammunition; 1122

~~(ii)~~(b) The ability to demonstrate and explain how to handle 1123
ammunition in a safe manner; 1124

~~(iii)~~(c) The ability to demonstrate the knowledge, skills, 1125
and attitude necessary to shoot a handgun in a safe manner; 1126

~~(iv)~~(d) Gun handling training-; 1127

~~(b) At least~~ (e) A minimum of two hours of in-person training 1128
that consists of range time and live-fire training. 1129

(2) To satisfactorily complete the course, class, or program 1130
described in division (B)(3)(a), (b), (c), or (e) of this section, 1131
the applicant shall pass a competency examination that shall 1132
include both of the following: 1133

(a) A written section, provided as described in division 1134
(G)(3) of this section, on the ability to name and explain the 1135

rules for the safe handling of a handgun and proper storage 1136
practices for handguns and ammunition; 1137

(b) A An in-person physical demonstration of competence in 1138
the use of a handgun and in the rules for safe handling and 1139
storage of a handgun and a physical demonstration of the attitude 1140
necessary to shoot a handgun in a safe manner. 1141

(3)(a) Except as otherwise provided in this division, the 1142
training specified in division (G)(1)(a) of this section shall be 1143
provided to the person receiving the training in person by an 1144
instructor. If the training specified in division (G)(1)(a) of 1145
this section is provided by a course, class, or program described 1146
in division (B)(3)(a) of this section, or it is provided by a 1147
course, class, or program described in division (B)(3)(b), (c), or 1148
(e) of this section and the instructor is a qualified instructor 1149
certified by a national gun advocacy organization, the training so 1150
specified, other than the training that requires the person 1151
receiving the training to demonstrate handling abilities, may be 1152
provided online or as a combination of in-person and online 1153
training, as long as the online training includes an interactive 1154
component that regularly engages the person. 1155

(b) Except as otherwise provided in this division, the 1156
written section of the competency examination specified in 1157
division (G)(2)(a) of this section shall be administered to the 1158
person taking the competency examination in person by an 1159
instructor. If the training specified in division (G)(1)(a) of 1160
this section is provided to the person receiving the training by a 1161
course, class, or program described in division (B)(3)(a) of this 1162
section, or it is provided by a course, class, or program 1163
described in division (B)(3)(b), (c), or (e) of this section and 1164
the instructor is a qualified instructor certified by a national 1165
gun advocacy organization, the written section of the competency 1166
examination specified in division (G)(2)(a) of this section may be 1167

administered online, as long as the online training includes an 1168
interactive component that regularly engages the person. 1169

(4) The competency certification described in division 1170
(B)(3)(a), (b), (c), or (e) of this section shall be dated and 1171
shall attest that the course, class, or program the applicant 1172
successfully completed met the requirements described in division 1173
(G)(1) of this section and that the applicant passed the 1174
competency examination described in division (G)(2) of this 1175
section. 1176

(H) Upon deciding to issue a concealed handgun license, 1177
deciding to issue a replacement concealed handgun license, or 1178
deciding to renew a concealed handgun license pursuant to this 1179
section, and before actually issuing or renewing the license, the 1180
sheriff shall make available through the law enforcement automated 1181
data system all information contained on the license. If the 1182
license subsequently is suspended under division (A)(1) or (2) of 1183
section 2923.128 of the Revised Code, revoked pursuant to division 1184
(B)(1) of section 2923.128 of the Revised Code, or lost or 1185
destroyed, the sheriff also shall make available through the law 1186
enforcement automated data system a notation of that fact. The 1187
superintendent of the state highway patrol shall ensure that the 1188
law enforcement automated data system is so configured as to 1189
permit the transmission through the system of the information 1190
specified in this division. 1191

(I) A sheriff shall accept a completed application form or 1192
renewal application, and the fee, items, materials, and 1193
information specified in divisions (B)(1) to (5) or division (F) 1194
of this section, whichever is applicable, and shall provide an 1195
application form or renewal application to any person during at 1196
least fifteen hours a week and shall provide the web site address 1197
at which a printable version of the application form that can be 1198
downloaded and the pamphlet described in division (B) of section 1199

109.731 of the Revised Code may be found at any time, upon 1200
request. The sheriff shall post notice of the hours during which 1201
the sheriff is available to accept or provide the information 1202
described in this division. 1203

Sec. 2923.126. (A) A concealed handgun license that is issued 1204
under section 2923.125 of the Revised Code shall expire five years 1205
after the date of issuance. A licensee who has been issued a 1206
license under that section shall be granted a grace period of 1207
thirty days after the licensee's license expires during which the 1208
licensee's license remains valid. Except as provided in divisions 1209
(B) and (C) of this section, a licensee who has been issued a 1210
concealed handgun license under section 2923.125 or 2923.1213 of 1211
the Revised Code may carry a concealed handgun anywhere in this 1212
state if the licensee also carries a valid license and valid 1213
identification when the licensee is in actual possession of a 1214
concealed handgun. The licensee shall give notice of any change in 1215
the licensee's residence address to the sheriff who issued the 1216
license within forty-five days after that change. 1217

If a licensee is the driver or an occupant of a motor vehicle 1218
that is stopped as the result of a traffic stop or a stop for 1219
another law enforcement purpose and if the licensee is 1220
transporting or has a loaded handgun in the motor vehicle at that 1221
time, the licensee shall promptly inform any law enforcement 1222
officer who approaches the vehicle while stopped that the licensee 1223
has been issued a concealed handgun license and that the licensee 1224
currently possesses or has a loaded handgun; the licensee shall 1225
not knowingly disregard or fail to comply with lawful orders of a 1226
law enforcement officer given while the motor vehicle is stopped, 1227
knowingly fail to remain in the motor vehicle while stopped, or 1228
knowingly fail to keep the licensee's hands in plain sight after 1229
any law enforcement officer begins approaching the licensee while 1230
stopped and before the officer leaves, unless directed otherwise 1231

by a law enforcement officer; and the licensee shall not knowingly 1232
have contact with the loaded handgun by touching it with the 1233
licensee's hands or fingers, in any manner in violation of 1234
division (E) of section 2923.16 of the Revised Code, after any law 1235
enforcement officer begins approaching the licensee while stopped 1236
and before the officer leaves. Additionally, if a licensee is the 1237
driver or an occupant of a commercial motor vehicle that is 1238
stopped by an employee of the motor carrier enforcement unit for 1239
the purposes defined in section 5503.04 of the Revised Code and if 1240
the licensee is transporting or has a loaded handgun in the 1241
commercial motor vehicle at that time, the licensee shall promptly 1242
inform the employee of the unit who approaches the vehicle while 1243
stopped that the licensee has been issued a concealed handgun 1244
license and that the licensee currently possesses or has a loaded 1245
handgun. 1246

If a licensee is stopped for a law enforcement purpose and if 1247
the licensee is carrying a concealed handgun at the time the 1248
officer approaches, the licensee shall promptly inform any law 1249
enforcement officer who approaches the licensee while stopped that 1250
the licensee has been issued a concealed handgun license and that 1251
the licensee currently is carrying a concealed handgun; the 1252
licensee shall not knowingly disregard or fail to comply with 1253
lawful orders of a law enforcement officer given while the 1254
licensee is stopped or knowingly fail to keep the licensee's hands 1255
in plain sight after any law enforcement officer begins 1256
approaching the licensee while stopped and before the officer 1257
leaves, unless directed otherwise by a law enforcement officer; 1258
and the licensee shall not knowingly remove, attempt to remove, 1259
grasp, or hold the loaded handgun or knowingly have contact with 1260
the loaded handgun by touching it with the licensee's hands or 1261
fingers, in any manner in violation of division (B) of section 1262
2923.12 of the Revised Code, after any law enforcement officer 1263
begins approaching the licensee while stopped and before the 1264

officer leaves. 1265

(B) A valid concealed handgun license does not authorize the 1266
licensee to carry a concealed handgun in any manner prohibited 1267
under division (B) of section 2923.12 of the Revised Code or in 1268
any manner prohibited under section 2923.16 of the Revised Code. A 1269
valid license does not authorize the licensee to carry a concealed 1270
handgun into any of the following places: 1271

(1) A police station, sheriff's office, or state highway 1272
patrol station, premises controlled by the bureau of criminal 1273
identification and investigation, a state correctional 1274
institution, jail, workhouse, or other detention facility, an 1275
airport passenger terminal, or an institution that is maintained, 1276
operated, managed, and governed pursuant to division (A) of 1277
section 5119.14 of the Revised Code or division (A)(1) of section 1278
5123.03 of the Revised Code; 1279

(2) A school safety zone if the licensee's carrying the 1280
concealed handgun is in violation of section 2923.122 of the 1281
Revised Code; 1282

(3) A courthouse or another building or structure in which a 1283
courtroom is located, in violation of section 2923.123 of the 1284
Revised Code; 1285

(4) Any premises or open air arena for which a D permit has 1286
been issued under Chapter 4303. of the Revised Code if the 1287
licensee's carrying the concealed handgun is in violation of 1288
section 2923.121 of the Revised Code; 1289

(5) Any premises owned or leased by any public or private 1290
college, university, or other institution of higher education, 1291
unless the handgun is in a locked motor vehicle or the licensee is 1292
in the immediate process of placing the handgun in a locked motor 1293
vehicle; 1294

(6) Any church, synagogue, mosque, or other place of worship, 1295

unless the church, synagogue, mosque, or other place of worship 1296
posts or permits otherwise; 1297

(7) A child day-care center, a type A family day-care home, 1298
or a type B family day-care home, except that this division does 1299
not prohibit a licensee who resides in a type A family day-care 1300
home or a type B family day-care home from carrying a concealed 1301
handgun at any time in any part of the home that is not dedicated 1302
or used for day-care purposes, or from carrying a concealed 1303
handgun in a part of the home that is dedicated or used for 1304
day-care purposes at any time during which no children, other than 1305
children of that licensee, are in the home; 1306

(8) An aircraft that is in, or intended for operation in, 1307
foreign air transportation, interstate air transportation, 1308
intrastate air transportation, or the transportation of mail by 1309
aircraft; 1310

(9) Any building that is a government facility of this state 1311
or a political subdivision of this state and that is not a 1312
building that is used primarily as a shelter, restroom, parking 1313
facility for motor vehicles, or rest facility and is not a 1314
courthouse or other building or structure in which a courtroom is 1315
located that is subject to division (B)(3) of this section; 1316

(10) A place in which federal law prohibits the carrying of 1317
handguns. 1318

(C)(1) Nothing in this section shall negate or restrict a 1319
rule, policy, or practice of a private employer that is not a 1320
private college, university, or other institution of higher 1321
education concerning or prohibiting the presence of firearms on 1322
the private employer's premises or property, including motor 1323
vehicles owned by the private employer. Nothing in this section 1324
shall require a private employer of that nature to adopt a rule, 1325
policy, or practice concerning or prohibiting the presence of 1326

firearms on the private employer's premises or property, including 1327
motor vehicles owned by the private employer. 1328

(2)(a) A private employer shall be immune from liability in a 1329
civil action for any injury, death, or loss to person or property 1330
that allegedly was caused by or related to a licensee bringing a 1331
handgun onto the premises or property of the private employer, 1332
including motor vehicles owned by the private employer, unless the 1333
private employer acted with malicious purpose. A private employer 1334
is immune from liability in a civil action for any injury, death, 1335
or loss to person or property that allegedly was caused by or 1336
related to the private employer's decision to permit a licensee to 1337
bring, or prohibit a licensee from bringing, a handgun onto the 1338
premises or property of the private employer. As used in this 1339
division, "private employer" includes a private college, 1340
university, or other institution of higher education. 1341

(b) A political subdivision shall be immune from liability in 1342
a civil action, to the extent and in the manner provided in 1343
Chapter 2744. of the Revised Code, for any injury, death, or loss 1344
to person or property that allegedly was caused by or related to a 1345
licensee bringing a handgun onto any premises or property owned, 1346
leased, or otherwise under the control of the political 1347
subdivision. As used in this division, "political subdivision" has 1348
the same meaning as in section 2744.01 of the Revised Code. 1349

(3)(a) Except as provided in division (C)(3)(b) of this 1350
section, the owner or person in control of private land or 1351
premises, and a private person or entity leasing land or premises 1352
owned by the state, the United States, or a political subdivision 1353
of the state or the United States, may post a sign in a 1354
conspicuous location on that land or on those premises prohibiting 1355
persons from carrying firearms or concealed firearms on or onto 1356
that land or those premises. Except as otherwise provided in this 1357
division, a person who knowingly violates a posted prohibition of 1358

that nature is guilty of criminal trespass in violation of 1359
division (A)(4) of section 2911.21 of the Revised Code and is 1360
guilty of a misdemeanor of the fourth degree. If a person 1361
knowingly violates a posted prohibition of that nature and the 1362
posted land or premises primarily was a parking lot or other 1363
parking facility, the person is not guilty of criminal trespass ~~in~~ 1364
~~violation of division (A)(4) of~~ under section 2911.21 of the 1365
Revised Code or under any other criminal law of this state or 1366
criminal law, ordinance, or resolution of a political subdivision 1367
of this state, and instead is subject only to a civil cause of 1368
action for trespass based on the violation. 1369

(b) A landlord may not prohibit or restrict a tenant who is a 1370
licensee and who on or after September 9, 2008, enters into a 1371
rental agreement with the landlord for the use of residential 1372
premises, and the tenant's guest while the tenant is present, from 1373
lawfully carrying or possessing a handgun on those residential 1374
premises. 1375

(c) As used in division (C)(3) of this section: 1376

(i) "Residential premises" has the same meaning as in section 1377
5321.01 of the Revised Code, except "residential premises" does 1378
not include a dwelling unit that is owned or operated by a college 1379
or university. 1380

(ii) "Landlord," "tenant," and "rental agreement" have the 1381
same meanings as in section 5321.01 of the Revised Code. 1382

(D) A person who holds a valid concealed handgun license 1383
issued by another state that is recognized by the attorney general 1384
pursuant to a reciprocity agreement entered into pursuant to 1385
section 109.69 of the Revised Code or a person who holds a valid 1386
concealed handgun license under the circumstances described in 1387
division (B) of section 109.69 of the Revised Code has the same 1388
right to carry a concealed handgun in this state as a person who 1389

was issued a concealed handgun license under section 2923.125 of 1390
the Revised Code and is subject to the same restrictions that 1391
apply to a person who carries a license issued under that section. 1392

(E) A peace officer has the same right to carry a concealed 1393
handgun in this state as a person who was issued a concealed 1394
handgun license under section 2923.125 of the Revised Code. For 1395
purposes of reciprocity with other states, a peace officer shall 1396
be considered to be a licensee in this state. 1397

(F)(1) A qualified retired peace officer who possesses a 1398
retired peace officer identification card issued pursuant to 1399
division (F)(2) of this section and a valid firearms 1400
requalification certification issued pursuant to division (F)(3) 1401
of this section has the same right to carry a concealed handgun in 1402
this state as a person who was issued a concealed handgun license 1403
under section 2923.125 of the Revised Code and is subject to the 1404
same restrictions that apply to a person who carries a license 1405
issued under that section. For purposes of reciprocity with other 1406
states, a qualified retired peace officer who possesses a retired 1407
peace officer identification card issued pursuant to division 1408
(F)(2) of this section and a valid firearms requalification 1409
certification issued pursuant to division (F)(3) of this section 1410
shall be considered to be a licensee in this state. 1411

(2)(a) Each public agency of this state or of a political 1412
subdivision of this state that is served by one or more peace 1413
officers shall issue a retired peace officer identification card 1414
to any person who retired from service as a peace officer with 1415
that agency, if the issuance is in accordance with the agency's 1416
policies and procedures and if the person, with respect to the 1417
person's service with that agency, satisfies all of the following: 1418

(i) The person retired in good standing from service as a 1419
peace officer with the public agency, and the retirement was not 1420
for reasons of mental instability. 1421

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

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

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

(b) A retired peace officer identification card issued to a person under division (F)(2)(a) of this section shall identify the person by name, contain a photograph of the person, identify the public agency of this state or of the political subdivision of this state from which the person retired as a peace officer and that is issuing the identification card, and specify that the person retired in good standing from service as a peace officer with the issuing public agency and satisfies the criteria set forth in divisions (F)(2)(a)(i) to (iv) of this section. In addition to the required content specified in this division, a retired peace officer identification card issued to a person under division (F)(2)(a) of this section may include the firearms requalification certification described in division (F)(3) of this section, and if the identification card includes that certification, the identification card shall serve as the firearms requalification certification for the retired peace officer. If the issuing public agency issues credentials to active law

enforcement officers who serve the agency, the agency may comply 1454
with division (F)(2)(a) of this section by issuing the same 1455
credentials to persons who retired from service as a peace officer 1456
with the agency and who satisfy the criteria set forth in 1457
divisions (F)(2)(a)(i) to (iv) of this section, provided that the 1458
credentials so issued to retired peace officers are stamped with 1459
the word "RETIRED." 1460

(c) A public agency of this state or of a political 1461
subdivision of this state may charge persons who retired from 1462
service as a peace officer with the agency a reasonable fee for 1463
issuing to the person a retired peace officer identification card 1464
pursuant to division (F)(2)(a) of this section. 1465

(3) If a person retired from service as a peace officer with 1466
a public agency of this state or of a political subdivision of 1467
this state and the person satisfies the criteria set forth in 1468
divisions (F)(2)(a)(i) to (iv) of this section, the public agency 1469
may provide the retired peace officer with the opportunity to 1470
attend a firearms requalification program that is approved for 1471
purposes of firearms requalification required under section 1472
109.801 of the Revised Code. The retired peace officer may be 1473
required to pay the cost of the course. 1474

If a retired peace officer who satisfies the criteria set 1475
forth in divisions (F)(2)(a)(i) to (iv) of this section attends a 1476
firearms requalification program that is approved for purposes of 1477
firearms requalification required under section 109.801 of the 1478
Revised Code, the retired peace officer's successful completion of 1479
the firearms requalification program requalifies the retired peace 1480
officer for purposes of division (F) of this section for five 1481
years from the date on which the program was successfully 1482
completed, and the requalification is valid during that five-year 1483
period. If a retired peace officer who satisfies the criteria set 1484
forth in divisions (F)(2)(a)(i) to (iv) of this section 1485

satisfactorily completes such a firearms requalification program, 1486
the retired peace officer shall be issued a firearms 1487
requalification certification that identifies the retired peace 1488
officer by name, identifies the entity that taught the program, 1489
specifies that the retired peace officer successfully completed 1490
the program, specifies the date on which the course was 1491
successfully completed, and specifies that the requalification is 1492
valid for five years from that date of successful completion. The 1493
firearms requalification certification for a retired peace officer 1494
may be included in the retired peace officer identification card 1495
issued to the retired peace officer under division (F)(2) of this 1496
section. 1497

A retired peace officer who attends a firearms 1498
requalification program that is approved for purposes of firearms 1499
requalification required under section 109.801 of the Revised Code 1500
may be required to pay the cost of the program. 1501

(G) As used in this section: 1502

(1) "Qualified retired peace officer" means a person who 1503
satisfies all of the following: 1504

(a) The person satisfies the criteria set forth in divisions 1505
(F)(2)(a)(i) to (v) of this section. 1506

(b) The person is not under the influence of alcohol or 1507
another intoxicating or hallucinatory drug or substance. 1508

(c) The person is not prohibited by federal law from 1509
receiving firearms. 1510

(2) "Retired peace officer identification card" means an 1511
identification card that is issued pursuant to division (F)(2) of 1512
this section to a person who is a retired peace officer. 1513

(3) "Government facility of this state or a political 1514
subdivision of this state" means any of the following: 1515

(a) A building or part of a building that is owned or leased 1516
by the government of this state or a political subdivision of this 1517
state and where employees of the government of this state or the 1518
political subdivision regularly are present for the purpose of 1519
performing their official duties as employees of the state or 1520
political subdivision; 1521

(b) The office of a deputy registrar serving pursuant to 1522
Chapter 4503. of the Revised Code that is used to perform deputy 1523
registrar functions. 1524

Sec. 2923.128. (A)(1)(a) If a licensee holding a valid 1525
concealed handgun license is arrested for or otherwise charged 1526
with an offense described in division (D)(1)(d) of section 1527
2923.125 of the Revised Code or with a violation of section 1528
2923.15 of the Revised Code or becomes subject to a temporary 1529
protection order or to a protection order issued by a court of 1530
another state that is substantially equivalent to a temporary 1531
protection order, the sheriff who issued the license shall suspend 1532
it and shall comply with division (A)(3) of this section upon 1533
becoming aware of the arrest, charge, or protection order. Upon 1534
suspending the license, the sheriff also shall comply with 1535
division (H) of section 2923.125 of the Revised Code. 1536

(b) A suspension under division (A)(1)(a) of this section 1537
shall be considered as beginning on the date that the licensee is 1538
arrested for or otherwise charged with an offense described in 1539
that division or on the date the appropriate court issued the 1540
protection order described in that division, irrespective of when 1541
the sheriff notifies the licensee under division (A)(3) of this 1542
section. The suspension shall end on the date on which the charges 1543
are dismissed or the licensee is found not guilty of the offense 1544
described in division (A)(1)(a) of this section or, subject to 1545
division (B) of this section, on the date the appropriate court 1546

terminates the protection order described in that division. If the 1547
suspension so ends, the sheriff shall return the license or 1548
temporary emergency license to the licensee. 1549

(2)(a) If a licensee holding a valid concealed handgun 1550
license is convicted of or pleads guilty to a misdemeanor 1551
violation of division (B)(1), (2), or (4) of section 2923.12 of 1552
the Revised Code or of division (E)(1), (2), (3), or (5) of 1553
section 2923.16 of the Revised Code, except as provided in 1554
division (A)(2)(c) of this section and subject to division (C) of 1555
this section, the sheriff who issued the license shall suspend it 1556
and shall comply with division (A)(3) of this section upon 1557
becoming aware of the conviction or guilty plea. Upon suspending 1558
the license, the sheriff also shall comply with division (H) of 1559
section 2923.125 of the Revised Code. 1560

(b) A suspension under division (A)(2)(a) of this section 1561
shall be considered as beginning on the date that the licensee is 1562
convicted of or pleads guilty to the offense described in that 1563
division, irrespective of when the sheriff notifies the licensee 1564
under division (A)(3) of this section. If the suspension is 1565
imposed for a misdemeanor violation of division (B)(1) or (2) of 1566
section 2923.12 of the Revised Code or of division (E)(1), (2), or 1567
(3) of section 2923.16 of the Revised Code, it shall end on the 1568
date that is one year after the date that the licensee is 1569
convicted of or pleads guilty to that violation. If the suspension 1570
is imposed for a misdemeanor violation of division (B)(4) of 1571
section 2923.12 of the Revised Code or of division (E)(5) of 1572
section 2923.16 of the Revised Code, it shall end on the date that 1573
is two years after the date that the licensee is convicted of or 1574
pleads guilty to that violation. If the licensee's license was 1575
issued under section 2923.125 of the Revised Code and the license 1576
remains valid after the suspension ends as described in this 1577
division, when the suspension ends, the sheriff shall return the 1578

license to the licensee. If the licensee's license was issued 1579
under section 2923.125 of the Revised Code and the license expires 1580
before the suspension ends as described in this division, or if 1581
the licensee's license was issued under section 2923.1213 of the 1582
Revised Code, the licensee is not eligible to apply for a new 1583
license under section 2923.125 or 2923.1213 of the Revised Code or 1584
to renew the license under section 2923.125 of the Revised Code 1585
until after the suspension ends as described in this division. 1586

(c) The license of a licensee who is convicted of or pleads 1587
guilty to a violation of division (B)(1) of section 2923.12 or 1588
division (E)(1) or (2) of section 2923.16 of the Revised Code 1589
shall not be suspended pursuant to division (A)(2)(a) of this 1590
section if, at the time of the stop of the licensee for a law 1591
enforcement purpose, for a traffic stop, or for a purpose defined 1592
in section 5503.34 of the Revised Code that was the basis of the 1593
violation, any law enforcement officer involved with the stop or 1594
the employee of the motor carrier enforcement unit who made the 1595
stop had actual knowledge of the licensee's status as a licensee. 1596

(3) Upon becoming aware of an arrest, charge, or protection 1597
order described in division (A)(1)(a) of this section with respect 1598
to a licensee who was issued a concealed handgun license, or a 1599
conviction of or plea of guilty to a misdemeanor offense described 1600
in division (A)(2)(a) of this section with respect to a licensee 1601
who was issued a concealed handgun license and with respect to 1602
which division (A)(2)(c) of this section does not apply, subject 1603
to division (C) of this section, the sheriff who issued the 1604
licensee's license shall notify the licensee, by certified mail, 1605
return receipt requested, at the licensee's last known residence 1606
address that the license has been suspended and that the licensee 1607
is required to surrender the license at the sheriff's office 1608
within ten days of the date on which the notice was mailed. If the 1609
suspension is pursuant to division (A)(2) of this section, the 1610

notice shall identify the date on which the suspension ends. 1611

(B)(1) A sheriff who issues a concealed handgun license to a 1612
licensee shall revoke the license in accordance with division 1613
(B)(2) of this section upon becoming aware that the licensee 1614
satisfies any of the following: 1615

(a) The licensee is under twenty-one years of age. 1616

(b) Subject to division (C) of this section, at the time of 1617
the issuance of the license, the licensee did not satisfy the 1618
eligibility requirements of division (D)(1)(c), (d), (e), (f), 1619
(g), or (h) of section 2923.125 of the Revised Code. 1620

(c) Subject to division (C) of this section, on or after the 1621
date on which the license was issued, the licensee is convicted of 1622
or pleads guilty to a violation of section 2923.15 of the Revised 1623
Code or an offense described in division (D)(1)(e), (f), (g), or 1624
(h) of section 2923.125 of the Revised Code. 1625

(d) On or after the date on which the license was issued, the 1626
licensee becomes subject to a civil protection order or to a 1627
protection order issued by a court of another state that is 1628
substantially equivalent to a civil protection order. 1629

(e) The licensee knowingly carries a concealed handgun into a 1630
place that the licensee knows is an unauthorized place specified 1631
in division (B) of section 2923.126 of the Revised Code. 1632

(f) On or after the date on which the license was issued, the 1633
licensee is adjudicated as a mental defective or is committed to a 1634
mental institution. 1635

(g) At the time of the issuance of the license, the licensee 1636
did not meet the residency requirements described in division 1637
(D)(1) of section 2923.125 of the Revised Code and currently does 1638
not meet the residency requirements described in that division. 1639

(h) Regarding a license issued under section 2923.125 of the 1640

Revised Code, the competency certificate the licensee submitted 1641
was forged or otherwise was fraudulent. 1642

(2) Upon becoming aware of any circumstance listed in 1643
division (B)(1) of this section that applies to a particular 1644
licensee who was issued a concealed handgun license, subject to 1645
division (C) of this section, the sheriff who issued the license 1646
to the licensee shall notify the licensee, by certified mail, 1647
return receipt requested, at the licensee's last known residence 1648
address that the license is subject to revocation and that the 1649
licensee may come to the sheriff's office and contest the 1650
sheriff's proposed revocation within fourteen days of the date on 1651
which the notice was mailed. After the fourteen-day period and 1652
after consideration of any information that the licensee provides 1653
during that period, if the sheriff determines on the basis of the 1654
information of which the sheriff is aware that the licensee is 1655
described in division (B)(1) of this section and no longer 1656
satisfies the requirements described in division (D)(1) of section 1657
2923.125 of the Revised Code that are applicable to the licensee's 1658
type of license, the sheriff shall revoke the license, notify the 1659
licensee of that fact, and require the licensee to surrender the 1660
license. Upon revoking the license, the sheriff also shall comply 1661
with division (H) of section 2923.125 of the Revised Code. 1662

(C) If a sheriff who issues a concealed handgun license to a 1663
licensee becomes aware that at the time of the issuance of the 1664
license the licensee had been convicted of or pleaded guilty to an 1665
offense identified in division (D)(1)(e), (f), or (h) of section 1666
2923.125 of the Revised Code or had been adjudicated a delinquent 1667
child for committing an act or violation identified in any of 1668
those divisions or becomes aware that on or after the date on 1669
which the license was issued the licensee has been convicted of or 1670
pleaded guilty to an offense identified in division (A)(2)(a) or 1671
(B)(1)(c) of this section, the sheriff shall not consider that 1672

conviction, guilty plea, or adjudication as having occurred for 1673
purposes of divisions (A)(2), (A)(3), (B)(1), and (B)(2) of this 1674
section if a court has ordered the sealing or expungement of the 1675
records of that conviction, guilty plea, or adjudication pursuant 1676
to sections 2151.355 to 2151.358 or sections 2953.31 to 2953.36 of 1677
the Revised Code or ~~a court has granted the licensee relief~~ 1678
~~pursuant to section 2923.14 of the Revised Code~~ has been relieved 1679
under operation of law or legal process from the disability 1680
imposed pursuant to section 2923.13 of the Revised Code relative 1681
to that conviction, guilty plea, or adjudication. 1682

(D) As used in this section, "motor carrier enforcement unit" 1683
has the same meaning as in section 2923.16 of the Revised Code. 1684

Sec. 2923.1213. (A) As used in this section: 1685

(1) "Evidence of imminent danger" means any of the following: 1686

(a) A statement sworn by the person seeking to carry a 1687
concealed handgun that is made under threat of perjury and that 1688
states that the person has reasonable cause to fear a criminal 1689
attack upon the person or a member of the person's family, such as 1690
would justify a prudent person in going armed; 1691

(b) A written document prepared by a governmental entity or 1692
public official describing the facts that give the person seeking 1693
to carry a concealed handgun reasonable cause to fear a criminal 1694
attack upon the person or a member of the person's family, such as 1695
would justify a prudent person in going armed. Written documents 1696
of this nature include, but are not limited to, any temporary 1697
protection order, civil protection order, protection order issued 1698
by another state, or other court order, any court report, and any 1699
report filed with or made by a law enforcement agency or 1700
prosecutor. 1701

(2) "Prosecutor" has the same meaning as in section 2935.01 1702

of the Revised Code. 1703

(B)(1) A person seeking a concealed handgun license on a 1704
temporary emergency basis shall submit to the sheriff of the 1705
county in which the person resides or, if the person usually 1706
resides in another state, to the sheriff of the county in which 1707
the person is temporarily staying, all of the following: 1708

(a) Evidence of imminent danger to the person or a member of 1709
the person's family; 1710

(b) A sworn affidavit that contains all of the information 1711
required to be on the license and attesting that the person is 1712
legally living in the United States; is at least twenty-one years 1713
of age; is not a fugitive from justice; is not under indictment 1714
for or otherwise charged with an offense identified in division 1715
(D)(1)(d) of section 2923.125 of the Revised Code; has not been 1716
convicted of or pleaded guilty to an offense, and has not been 1717
adjudicated a delinquent child for committing an act, identified 1718
in division (D)(1)(e) of that section and to which division (B)(3) 1719
of this section does not apply; within three years of the date of 1720
the submission, has not been convicted of or pleaded guilty to an 1721
offense, and has not been adjudicated a delinquent child for 1722
committing an act, identified in division (D)(1)(f) of that 1723
section and to which division (B)(3) of this section does not 1724
apply; within five years of the date of the submission, has not 1725
been convicted of, pleaded guilty, or adjudicated a delinquent 1726
child for committing two or more violations identified in division 1727
(D)(1)(g) of that section; within ten years of the date of the 1728
submission, has not been convicted of, pleaded guilty, or 1729
adjudicated a delinquent child for committing a violation 1730
identified in division (D)(1)(h) of that section and to which 1731
division (B)(3) of this section does not apply; has not been 1732
adjudicated as a mental defective, has not been committed to any 1733
mental institution, is not under adjudication of mental 1734

incompetence, has not been found by a court to be a mentally ill 1735
person subject to hospitalization by court order, and is not an 1736
involuntary patient other than one who is a patient only for 1737
purposes of observation, as described in division (D)(1)(i) of 1738
that section; is not currently subject to a civil protection 1739
order, a temporary protection order, or a protection order issued 1740
by a court of another state, as described in division (D)(1)(j) of 1741
that section; ~~and~~ is not currently subject to a suspension imposed 1742
under division (A)(2) of section 2923.128 of the Revised Code of a 1743
concealed handgun license that previously was issued to the person 1744
or a similar suspension imposed by another state regarding a 1745
concealed handgun license issued by that state; is not an unlawful 1746
user of or addicted to any controlled substance as defined in 21 1747
U.S.C. 802; if applicable, is an alien and has not been admitted 1748
to the United States under a nonimmigrant visa, as defined in the 1749
"Immigration and Nationality Act," 8 U.S.C. 1101(a)(26); has not 1750
been discharged from the armed forces of the United States under 1751
dishonorable conditions; if applicable, has not renounced the 1752
applicant's United States citizenship; and has not been convicted 1753
of, pleaded guilty to, or been adjudicated a delinquent child for 1754
committing a violation identified in division (D)(1)(s) of section 1755
2923.125 of the Revised Code; 1756

(c) A nonrefundable temporary emergency license fee as 1757
described in either of the following: 1758

(i) For an applicant who has been a resident of this state 1759
for five or more years, a fee of fifteen dollars plus the actual 1760
cost of having a background check performed by the bureau of 1761
criminal identification and investigation pursuant to section 1762
311.41 of the Revised Code; 1763

(ii) For an applicant who has been a resident of this state 1764
for less than five years or who is not a resident of this state, 1765
but is temporarily staying in this state, a fee of fifteen dollars 1766

plus the actual cost of having background checks performed by the 1767
federal bureau of investigation and the bureau of criminal 1768
identification and investigation pursuant to section 311.41 of the 1769
Revised Code. 1770

(d) A set of fingerprints of the applicant provided as 1771
described in section 311.41 of the Revised Code through use of an 1772
electronic fingerprint reading device or, if the sheriff to whom 1773
the application is submitted does not possess and does not have 1774
ready access to the use of an electronic fingerprint reading 1775
device, on a standard impression sheet prescribed pursuant to 1776
division (C)(2) of section 109.572 of the Revised Code. If the 1777
fingerprints are provided on a standard impression sheet, the 1778
person also shall provide the person's social security number to 1779
the sheriff. 1780

(2) A sheriff shall accept the evidence of imminent danger, 1781
the sworn affidavit, the fee, and the set of fingerprints required 1782
under division (B)(1) of this section at the times and in the 1783
manners described in division (I) of this section. Upon receipt of 1784
the evidence of imminent danger, the sworn affidavit, the fee, and 1785
the set of fingerprints required under division (B)(1) of this 1786
section, the sheriff, in the manner specified in section 311.41 of 1787
the Revised Code, immediately shall conduct or cause to be 1788
conducted the criminal records check and the incompetency records 1789
check described in section 311.41 of the Revised Code. Immediately 1790
upon receipt of the results of the records checks, the sheriff 1791
shall review the information and shall determine whether the 1792
criteria set forth in divisions (D)(1)(a) to (j) and (m) to (s) of 1793
section 2923.125 of the Revised Code apply regarding the person. 1794
If the sheriff determines that all of criteria set forth in 1795
divisions (D)(1)(a) to (j) and (m) to (s) of section 2923.125 of 1796
the Revised Code apply regarding the person, the sheriff shall 1797
immediately make available through the law enforcement automated 1798

data system all information that will be contained on the 1799
temporary emergency license for the person if one is issued, and 1800
the superintendent of the state highway patrol shall ensure that 1801
the system is so configured as to permit the transmission through 1802
the system of that information. Upon making that information 1803
available through the law enforcement automated data system, the 1804
sheriff shall immediately issue to the person a concealed handgun 1805
license on a temporary emergency basis. 1806

If the sheriff denies the issuance of a license on a 1807
temporary emergency basis to the person, the sheriff shall specify 1808
the grounds for the denial in a written notice to the person. The 1809
person may appeal the denial, or challenge criminal records check 1810
results that were the basis of the denial if applicable, in the 1811
same manners specified in division (D)(2) of section 2923.125 and 1812
in section 2923.127 of the Revised Code, regarding the denial of 1813
an application for a concealed handgun license under that section. 1814

The license on a temporary emergency basis issued under this 1815
division shall be in the form, and shall include all of the 1816
information, described in divisions (A)(2)(a) and ~~(5)(d)~~ of 1817
section 109.731 of the Revised Code, and also shall include a 1818
unique combination of identifying letters and numbers in 1819
accordance with division (A)~~(4)~~(2)(c) of that section. 1820

The license on a temporary emergency basis issued under this 1821
division is valid for ninety days and may not be renewed. A person 1822
who has been issued a license on a temporary emergency basis under 1823
this division shall not be issued another license on a temporary 1824
emergency basis unless at least four years has expired since the 1825
issuance of the prior license on a temporary emergency basis. 1826

(3) If a person seeking a concealed handgun license on a 1827
temporary emergency basis has been convicted of or pleaded guilty 1828
to an offense identified in division (D)(1)(e), (f), or (h) of 1829
section 2923.125 of the Revised Code or has been adjudicated a 1830

delinquent child for committing an act or violation identified in 1831
any of those divisions, and if a court has ordered the sealing or 1832
expungement of the records of that conviction, guilty plea, or 1833
adjudication pursuant to sections 2151.355 to 2151.358 or sections 1834
2953.31 to 2953.36 of the Revised Code or ~~a court has granted the~~ 1835
~~applicant relief pursuant to section 2923.14 of the Revised Code~~ 1836
has been relieved under operation of law or legal process from the 1837
disability imposed pursuant to section 2923.13 of the Revised Code 1838
relative to that conviction, guilty plea, or adjudication, the 1839
conviction, guilty plea, or adjudication shall not be relevant for 1840
purposes of the sworn affidavit described in division (B)(1)(b) of 1841
this section, and the person may complete, and swear to the truth 1842
of, the affidavit as if the conviction, guilty plea, or 1843
adjudication never had occurred. 1844

(4) The sheriff shall waive the payment pursuant to division 1845
(B)(1)(c) of this section of the license fee in connection with an 1846
application that is submitted by an applicant who is a retired 1847
peace officer, a retired person described in division (B)(1)(b) of 1848
section 109.77 of the Revised Code, or a retired federal law 1849
enforcement officer who, prior to retirement, was authorized under 1850
federal law to carry a firearm in the course of duty, unless the 1851
retired peace officer, person, or federal law enforcement officer 1852
retired as the result of a mental disability. 1853

The sheriff shall deposit all fees paid by an applicant under 1854
division (B)(1)(c) of this section into the sheriff's concealed 1855
handgun license issuance fund established pursuant to section 1856
311.42 of the Revised Code. 1857

(C) A person who holds a concealed handgun license on a 1858
temporary emergency basis has the same right to carry a concealed 1859
handgun as a person who was issued a concealed handgun license 1860
under section 2923.125 of the Revised Code, and any exceptions to 1861
the prohibitions contained in section 1547.69 and sections 2923.12 1862

to 2923.16 of the Revised Code for a licensee under section 1863
2923.125 of the Revised Code apply to a licensee under this 1864
section. The person is subject to the same restrictions, and to 1865
all other procedures, duties, and sanctions, that apply to a 1866
person who carries a license issued under section 2923.125 of the 1867
Revised Code, other than the license renewal procedures set forth 1868
in that section. 1869

(D) A sheriff who issues a concealed handgun license on a 1870
temporary emergency basis under this section shall not require a 1871
person seeking to carry a concealed handgun in accordance with 1872
this section to submit a competency certificate as a prerequisite 1873
for issuing the license and shall comply with division (H) of 1874
section 2923.125 of the Revised Code in regards to the license. 1875
The sheriff shall suspend or revoke the license in accordance with 1876
section 2923.128 of the Revised Code. In addition to the 1877
suspension or revocation procedures set forth in section 2923.128 1878
of the Revised Code, the sheriff may revoke the license upon 1879
receiving information, verifiable by public documents, that the 1880
person is not eligible to possess a firearm under either the laws 1881
of this state or of the United States or that the person committed 1882
perjury in obtaining the license; if the sheriff revokes a license 1883
under this additional authority, the sheriff shall notify the 1884
person, by certified mail, return receipt requested, at the 1885
person's last known residence address that the license has been 1886
revoked and that the person is required to surrender the license 1887
at the sheriff's office within ten days of the date on which the 1888
notice was mailed. Division (H) of section 2923.125 of the Revised 1889
Code applies regarding any suspension or revocation of a concealed 1890
handgun license on a temporary emergency basis. 1891

(E) A sheriff who issues a concealed handgun license on a 1892
temporary emergency basis under this section shall retain, for the 1893
entire period during which the license is in effect, the evidence 1894

of imminent danger that the person submitted to the sheriff and 1895
that was the basis for the license, or a copy of that evidence, as 1896
appropriate. 1897

(F) If a concealed handgun license on a temporary emergency 1898
basis issued under this section is lost or is destroyed, the 1899
licensee may obtain from the sheriff who issued that license a 1900
duplicate license upon the payment of a fee of fifteen dollars and 1901
the submission of an affidavit attesting to the loss or 1902
destruction of the license. The sheriff, in accordance with the 1903
procedures prescribed in section 109.731 of the Revised Code, 1904
shall place on the replacement license a combination of 1905
identifying numbers different from the combination on the license 1906
that is being replaced. 1907

(G) The ~~Ohio peace officer training commission~~ attorney 1908
general shall prescribe, and shall make available to sheriffs, a 1909
standard form to be used under division (B) of this section by a 1910
person who applies for a concealed handgun license on a temporary 1911
emergency basis on the basis of imminent danger of a type 1912
described in division (A)(1)(a) of this section. The attorney 1913
general shall design the form to enable applicants to provide the 1914
information that is required by law to be collected, and shall 1915
update the form as necessary. Burdens or restrictions to obtaining 1916
a concealed handgun license that are not expressly prescribed in 1917
law shall not be incorporated into the form. The attorney general 1918
shall post a printable version of the form on the web site of the 1919
attorney general and shall provide the address of the web site to 1920
any person who requests the form. 1921

(H) A sheriff who receives any fees paid by a person under 1922
this section shall deposit all fees so paid into the sheriff's 1923
concealed handgun license issuance expense fund established under 1924
section 311.42 of the Revised Code. 1925

(I) A sheriff shall accept evidence of imminent danger, a 1926

sworn affidavit, the fee, and the set of fingerprints specified in 1927
division (B)(1) of this section at any time during normal business 1928
hours. In no case shall a sheriff require an appointment, or 1929
designate a specific period of time, for the submission or 1930
acceptance of evidence of imminent danger, a sworn affidavit, the 1931
fee, and the set of fingerprints specified in division (B)(1) of 1932
this section, or for the provision to any person of a standard 1933
form to be used for a person to apply for a concealed handgun 1934
license on a temporary emergency basis. 1935

Sec. 2923.13. (A) Unless relieved from disability ~~as provided~~ 1936
~~in section 2923.14 of the Revised Code under operation of law or~~ 1937
~~legal process~~, no person shall knowingly acquire, have, carry, or 1938
use any firearm or dangerous ordnance, if any of the following 1939
apply: 1940

(1) The person is a fugitive from justice. 1941

(2) The person is under indictment for or has been convicted 1942
of any felony offense of violence or has been adjudicated a 1943
delinquent child for the commission of an offense that, if 1944
committed by an adult, would have been a felony offense of 1945
violence. 1946

(3) The person is under indictment for or has been convicted 1947
of any felony offense involving the illegal possession, use, sale, 1948
administration, distribution, or trafficking in any drug of abuse 1949
or has been adjudicated a delinquent child for the commission of 1950
an offense that, if committed by an adult, would have been a 1951
felony offense involving the illegal possession, use, sale, 1952
administration, distribution, or trafficking in any drug of abuse. 1953

(4) The person is drug dependent, in danger of drug 1954
dependence, or a chronic alcoholic. 1955

(5) The person is under adjudication of mental incompetence, 1956

has been adjudicated as a mental defective, has been committed to 1957
a mental institution, has been found by a court to be a mentally 1958
ill person subject to hospitalization by court order, or is an 1959
involuntary patient other than one who is a patient only for 1960
purposes of observation. As used in this division, "mentally ill 1961
person subject to hospitalization by court order" and "patient" 1962
have the same meanings as in section 5122.01 of the Revised Code. 1963

(B) Whoever violates this section is guilty of having weapons 1964
while under disability, a felony of the third degree. 1965

(C) For the purposes of this section, "under operation of law 1966
or legal process" shall not itself include mere completion, 1967
termination, or expiration of a sentence imposed as a result of a 1968
criminal conviction. 1969

Sec. 2923.17. (A) No person shall knowingly acquire, have, 1970
carry, or use any dangerous ordnance. 1971

(B) No person shall manufacture or process an explosive at 1972
any location in this state unless the person first has been issued 1973
a license, certificate of registration, or permit to do so from a 1974
fire official of a political subdivision of this state or from the 1975
office of the fire marshal. 1976

(C) Division (A) of this section does not apply to: 1977

(1) Officers, agents, or employees of this or any other state 1978
or the United States, members of the armed forces of the United 1979
States or the organized militia of this or any other state, and 1980
law enforcement officers, to the extent that any such person is 1981
authorized to acquire, have, carry, or use dangerous ordnance and 1982
is acting within the scope of the person's duties; 1983

(2) Importers, manufacturers, dealers, and users of 1984
explosives, having a license or user permit issued and in effect 1985
pursuant to the "Organized Crime Control Act of 1970," 84 Stat. 1986

952, 18 U.S.C. 843, and any amendments or additions thereto or 1987
reenactments thereof, with respect to explosives and explosive 1988
devices lawfully acquired, possessed, carried, or used under the 1989
laws of this state and applicable federal law; 1990

(3) Importers, manufacturers, and dealers having a license to 1991
deal in destructive devices or their ammunition, issued and in 1992
effect pursuant to the "Gun Control Act of 1968," 82 Stat. 1213, 1993
18 U.S.C. 923, and any amendments or additions thereto or 1994
reenactments thereof, with respect to dangerous ordnance lawfully 1995
acquired, possessed, carried, or used under the laws of this state 1996
and applicable federal law; 1997

(4) Persons to whom surplus ordnance has been sold, loaned, 1998
or given by the secretary of the army pursuant to 70A Stat. 262 1999
and 263, 10 U.S.C. 4684, 4685, and 4686, and any amendments or 2000
additions thereto or reenactments thereof, with respect to 2001
dangerous ordnance when lawfully possessed and used for the 2002
purposes specified in such section; 2003

(5) Owners of dangerous ordnance registered in the national 2004
firearms registration and transfer record pursuant to the act of 2005
October 22, 1968, 82 Stat. 1229, 26 U.S.C. 5841, and any 2006
amendments or additions thereto or reenactments thereof, and 2007
regulations issued thereunder; 2008

(6) Carriers, warehouses, and others engaged in the business 2009
of transporting or storing goods for hire, with respect to 2010
dangerous ordnance lawfully transported or stored in the usual 2011
course of their business and in compliance with the laws of this 2012
state and applicable federal law; 2013

(7) The holders of a license or temporary permit issued and 2014
in effect pursuant to section 2923.18 of the Revised Code, with 2015
respect to dangerous ordnance lawfully acquired, possessed, 2016
carried, or used for the purposes and in the manner specified in 2017

such license or permit; 2018

(8) Persons who own a dangerous ordnance that is a firearm 2019
muffler or suppressor attached to a gun that is authorized to be 2020
used for hunting by section 1533.16 of the Revised Code and who 2021
are authorized to use such a dangerous ordnance by section 1533.04 2022
of the Revised Code. 2023

(D) Whoever violates division (A) of this section is guilty 2024
of unlawful possession of dangerous ordnance, a felony of the 2025
fifth degree. 2026

(E) Whoever violates division (B) of this section is guilty 2027
of illegally manufacturing or processing explosives, a felony of 2028
the second degree. 2029

Sec. 2929.14. (A) Except as provided in division (B)(1), 2030
(B)(2), (B)(3), (B)(4), (B)(5), (B)(6), (B)(7), (B)(8), (E), (G), 2031
(H), or (J) of this section or in division (D)(6) of section 2032
2919.25 of the Revised Code and except in relation to an offense 2033
for which a sentence of death or life imprisonment is to be 2034
imposed, if the court imposing a sentence upon an offender for a 2035
felony elects or is required to impose a prison term on the 2036
offender pursuant to this chapter, the court shall impose a 2037
definite prison term that shall be one of the following: 2038

(1) For a felony of the first degree, the prison term shall 2039
be three, four, five, six, seven, eight, nine, ten, or eleven 2040
years. 2041

(2) For a felony of the second degree, the prison term shall 2042
be two, three, four, five, six, seven, or eight years. 2043

(3)(a) For a felony of the third degree that is a violation 2044
of section 2903.06, 2903.08, 2907.03, 2907.04, or 2907.05 of the 2045
Revised Code or that is a violation of section 2911.02 or 2911.12 2046
of the Revised Code if the offender previously has been convicted 2047

of or pleaded guilty in two or more separate proceedings to two or 2048
more violations of section 2911.01, 2911.02, 2911.11, or 2911.12 2049
of the Revised Code, the prison term shall be twelve, eighteen, 2050
twenty-four, thirty, thirty-six, forty-two, forty-eight, 2051
fifty-four, or sixty months. 2052

(b) For a felony of the third degree that is not an offense 2053
for which division (A)(3)(a) of this section applies, the prison 2054
term shall be nine, twelve, eighteen, twenty-four, thirty, or 2055
thirty-six months. 2056

(4) For a felony of the fourth degree, the prison term shall 2057
be six, seven, eight, nine, ten, eleven, twelve, thirteen, 2058
fourteen, fifteen, sixteen, seventeen, or eighteen months. 2059

(5) For a felony of the fifth degree, the prison term shall 2060
be six, seven, eight, nine, ten, eleven, or twelve months. 2061

(B)(1)(a) Except as provided in division (B)(1)(e) of this 2062
section, if an offender who is convicted of or pleads guilty to a 2063
felony also is convicted of or pleads guilty to a specification of 2064
the type described in section 2941.141, 2941.144, or 2941.145 of 2065
the Revised Code, the court shall impose on the offender one of 2066
the following prison terms: 2067

(i) A prison term of six years if the specification is of the 2068
type described in section 2941.144 of the Revised Code that 2069
charges the offender with having a firearm that is an automatic 2070
firearm or that was equipped with a firearm muffler or ~~silencer~~ 2071
suppressor on or about the offender's person or under the 2072
offender's control while committing the felony; 2073

(ii) A prison term of three years if the specification is of 2074
the type described in section 2941.145 of the Revised Code that 2075
charges the offender with having a firearm on or about the 2076
offender's person or under the offender's control while committing 2077
the offense and displaying the firearm, brandishing the firearm, 2078

indicating that the offender possessed the firearm, or using it to 2079
facilitate the offense; 2080

(iii) A prison term of one year if the specification is of 2081
the type described in section 2941.141 of the Revised Code that 2082
charges the offender with having a firearm on or about the 2083
offender's person or under the offender's control while committing 2084
the felony. 2085

(b) If a court imposes a prison term on an offender under 2086
division (B)(1)(a) of this section, the prison term shall not be 2087
reduced pursuant to section 2967.19, section 2929.20, section 2088
2967.193, or any other provision of Chapter 2967. or Chapter 5120. 2089
of the Revised Code. Except as provided in division (B)(1)(g) of 2090
this section, a court shall not impose more than one prison term 2091
on an offender under division (B)(1)(a) of this section for 2092
felonies committed as part of the same act or transaction. 2093

(c) Except as provided in division (B)(1)(e) of this section, 2094
if an offender who is convicted of or pleads guilty to a violation 2095
of section 2923.161 of the Revised Code or to a felony that 2096
includes, as an essential element, purposely or knowingly causing 2097
or attempting to cause the death of or physical harm to another, 2098
also is convicted of or pleads guilty to a specification of the 2099
type described in section 2941.146 of the Revised Code that 2100
charges the offender with committing the offense by discharging a 2101
firearm from a motor vehicle other than a manufactured home, the 2102
court, after imposing a prison term on the offender for the 2103
violation of section 2923.161 of the Revised Code or for the other 2104
felony offense under division (A), (B)(2), or (B)(3) of this 2105
section, shall impose an additional prison term of five years upon 2106
the offender that shall not be reduced pursuant to section 2107
2929.20, section 2967.19, section 2967.193, or any other provision 2108
of Chapter 2967. or Chapter 5120. of the Revised Code. A court 2109
shall not impose more than one additional prison term on an 2110

offender under division (B)(1)(c) of this section for felonies 2111
committed as part of the same act or transaction. If a court 2112
imposes an additional prison term on an offender under division 2113
(B)(1)(c) of this section relative to an offense, the court also 2114
shall impose a prison term under division (B)(1)(a) of this 2115
section relative to the same offense, provided the criteria 2116
specified in that division for imposing an additional prison term 2117
are satisfied relative to the offender and the offense. 2118

(d) If an offender who is convicted of or pleads guilty to an 2119
offense of violence that is a felony also is convicted of or 2120
pleads guilty to a specification of the type described in section 2121
2941.1411 of the Revised Code that charges the offender with 2122
wearing or carrying body armor while committing the felony offense 2123
of violence, the court shall impose on the offender a prison term 2124
of two years. The prison term so imposed, subject to divisions (C) 2125
to (I) of section 2967.19 of the Revised Code, shall not be 2126
reduced pursuant to section 2929.20, section 2967.19, section 2127
2967.193, or any other provision of Chapter 2967. or Chapter 5120. 2128
of the Revised Code. A court shall not impose more than one prison 2129
term on an offender under division (B)(1)(d) of this section for 2130
felonies committed as part of the same act or transaction. If a 2131
court imposes an additional prison term under division (B)(1)(a) 2132
or (c) of this section, the court is not precluded from imposing 2133
an additional prison term under division (B)(1)(d) of this 2134
section. 2135

(e) The court shall not impose any of the prison terms 2136
described in division (B)(1)(a) of this section or any of the 2137
additional prison terms described in division (B)(1)(c) of this 2138
section upon an offender for a violation of section 2923.12 or 2139
2923.123 of the Revised Code. The court shall not impose any of 2140
the prison terms described in division (B)(1)(a) or (b) of this 2141
section upon an offender for a violation of section 2923.122 that 2142

involves a deadly weapon that is a firearm other than a dangerous 2143
ordnance, section 2923.16, or section 2923.121 of the Revised 2144
Code. The court shall not impose any of the prison terms described 2145
in division (B)(1)(a) of this section or any of the additional 2146
prison terms described in division (B)(1)(c) of this section upon 2147
an offender for a violation of section 2923.13 of the Revised Code 2148
unless all of the following apply: 2149

(i) The offender previously has been convicted of aggravated 2150
murder, murder, or any felony of the first or second degree. 2151

(ii) Less than five years have passed since the offender was 2152
released from prison or post-release control, whichever is later, 2153
for the prior offense. 2154

(f) If an offender is convicted of or pleads guilty to a 2155
felony that includes, as an essential element, causing or 2156
attempting to cause the death of or physical harm to another and 2157
also is convicted of or pleads guilty to a specification of the 2158
type described in section 2941.1412 of the Revised Code that 2159
charges the offender with committing the offense by discharging a 2160
firearm at a peace officer as defined in section 2935.01 of the 2161
Revised Code or a corrections officer, as defined in section 2162
2941.1412 of the Revised Code, the court, after imposing a prison 2163
term on the offender for the felony offense under division (A), 2164
(B)(2), or (B)(3) of this section, shall impose an additional 2165
prison term of seven years upon the offender that shall not be 2166
reduced pursuant to section 2929.20, section 2967.19, section 2167
2967.193, or any other provision of Chapter 2967. or Chapter 5120. 2168
of the Revised Code. If an offender is convicted of or pleads 2169
guilty to two or more felonies that include, as an essential 2170
element, causing or attempting to cause the death or physical harm 2171
to another and also is convicted of or pleads guilty to a 2172
specification of the type described under division (B)(1)(f) of 2173
this section in connection with two or more of the felonies of 2174

which the offender is convicted or to which the offender pleads 2175
guilty, the sentencing court shall impose on the offender the 2176
prison term specified under division (B)(1)(f) of this section for 2177
each of two of the specifications of which the offender is 2178
convicted or to which the offender pleads guilty and, in its 2179
discretion, also may impose on the offender the prison term 2180
specified under that division for any or all of the remaining 2181
specifications. If a court imposes an additional prison term on an 2182
offender under division (B)(1)(f) of this section relative to an 2183
offense, the court shall not impose a prison term under division 2184
(B)(1)(a) or (c) of this section relative to the same offense. 2185

(g) If an offender is convicted of or pleads guilty to two or 2186
more felonies, if one or more of those felonies are aggravated 2187
murder, murder, attempted aggravated murder, attempted murder, 2188
aggravated robbery, felonious assault, or rape, and if the 2189
offender is convicted of or pleads guilty to a specification of 2190
the type described under division (B)(1)(a) of this section in 2191
connection with two or more of the felonies, the sentencing court 2192
shall impose on the offender the prison term specified under 2193
division (B)(1)(a) of this section for each of the two most 2194
serious specifications of which the offender is convicted or to 2195
which the offender pleads guilty and, in its discretion, also may 2196
impose on the offender the prison term specified under that 2197
division for any or all of the remaining specifications. 2198

(2)(a) If division (B)(2)(b) of this section does not apply, 2199
the court may impose on an offender, in addition to the longest 2200
prison term authorized or required for the offense, an additional 2201
definite prison term of one, two, three, four, five, six, seven, 2202
eight, nine, or ten years if all of the following criteria are 2203
met: 2204

(i) The offender is convicted of or pleads guilty to a 2205
specification of the type described in section 2941.149 of the 2206

Revised Code that the offender is a repeat violent offender. 2207

(ii) The offense of which the offender currently is convicted 2208
or to which the offender currently pleads guilty is aggravated 2209
murder and the court does not impose a sentence of death or life 2210
imprisonment without parole, murder, terrorism and the court does 2211
not impose a sentence of life imprisonment without parole, any 2212
felony of the first degree that is an offense of violence and the 2213
court does not impose a sentence of life imprisonment without 2214
parole, or any felony of the second degree that is an offense of 2215
violence and the trier of fact finds that the offense involved an 2216
attempt to cause or a threat to cause serious physical harm to a 2217
person or resulted in serious physical harm to a person. 2218

(iii) The court imposes the longest prison term for the 2219
offense that is not life imprisonment without parole. 2220

(iv) The court finds that the prison terms imposed pursuant 2221
to division (B)(2)(a)(iii) of this section and, if applicable, 2222
division (B)(1) or (3) of this section are inadequate to punish 2223
the offender and protect the public from future crime, because the 2224
applicable factors under section 2929.12 of the Revised Code 2225
indicating a greater likelihood of recidivism outweigh the 2226
applicable factors under that section indicating a lesser 2227
likelihood of recidivism. 2228

(v) The court finds that the prison terms imposed pursuant to 2229
division (B)(2)(a)(iii) of this section and, if applicable, 2230
division (B)(1) or (3) of this section are demeaning to the 2231
seriousness of the offense, because one or more of the factors 2232
under section 2929.12 of the Revised Code indicating that the 2233
offender's conduct is more serious than conduct normally 2234
constituting the offense are present, and they outweigh the 2235
applicable factors under that section indicating that the 2236
offender's conduct is less serious than conduct normally 2237
constituting the offense. 2238

(b) The court shall impose on an offender the longest prison term authorized or required for the offense and shall impose on the offender an additional definite prison term of one, two, three, four, five, six, seven, eight, nine, or ten years if all of the following criteria are met:

(i) The offender is convicted of or pleads guilty to a specification of the type described in section 2941.149 of the Revised Code that the offender is a repeat violent offender.

(ii) The offender within the preceding twenty years has been convicted of or pleaded guilty to three or more offenses described in division (CC)(1) of section 2929.01 of the Revised Code, including all offenses described in that division of which the offender is convicted or to which the offender pleads guilty in the current prosecution and all offenses described in that division of which the offender previously has been convicted or to which the offender previously pleaded guilty, whether prosecuted together or separately.

(iii) The offense or offenses of which the offender currently is convicted or to which the offender currently pleads guilty is aggravated murder and the court does not impose a sentence of death or life imprisonment without parole, murder, terrorism and the court does not impose a sentence of life imprisonment without parole, any felony of the first degree that is an offense of violence and the court does not impose a sentence of life imprisonment without parole, or any felony of the second degree that is an offense of violence and the trier of fact finds that the offense involved an attempt to cause or a threat to cause serious physical harm to a person or resulted in serious physical harm to a person.

(c) For purposes of division (B)(2)(b) of this section, two or more offenses committed at the same time or as part of the same act or event shall be considered one offense, and that one offense

shall be the offense with the greatest penalty. 2271

(d) A sentence imposed under division (B)(2)(a) or (b) of 2272
this section shall not be reduced pursuant to section 2929.20, 2273
section 2967.19, or section 2967.193, or any other provision of 2274
Chapter 2967. or Chapter 5120. of the Revised Code. The offender 2275
shall serve an additional prison term imposed under this section 2276
consecutively to and prior to the prison term imposed for the 2277
underlying offense. 2278

(e) When imposing a sentence pursuant to division (B)(2)(a) 2279
or (b) of this section, the court shall state its findings 2280
explaining the imposed sentence. 2281

(3) Except when an offender commits a violation of section 2282
2903.01 or 2907.02 of the Revised Code and the penalty imposed for 2283
the violation is life imprisonment or commits a violation of 2284
section 2903.02 of the Revised Code, if the offender commits a 2285
violation of section 2925.03 or 2925.11 of the Revised Code and 2286
that section classifies the offender as a major drug offender, if 2287
the offender commits a felony violation of section 2925.02, 2288
2925.04, 2925.05, 2925.36, 3719.07, 3719.08, 3719.16, 3719.161, 2289
4729.37, or 4729.61, division (C) or (D) of section 3719.172, 2290
division (C) of section 4729.51, or division (J) of section 2291
4729.54 of the Revised Code that includes the sale, offer to sell, 2292
or possession of a schedule I or II controlled substance, with the 2293
exception of marihuana, and the court imposing sentence upon the 2294
offender finds that the offender is guilty of a specification of 2295
the type described in section 2941.1410 of the Revised Code 2296
charging that the offender is a major drug offender, if the court 2297
imposing sentence upon an offender for a felony finds that the 2298
offender is guilty of corrupt activity with the most serious 2299
offense in the pattern of corrupt activity being a felony of the 2300
first degree, or if the offender is guilty of an attempted 2301
violation of section 2907.02 of the Revised Code and, had the 2302

offender completed the violation of section 2907.02 of the Revised Code that was attempted, the offender would have been subject to a sentence of life imprisonment or life imprisonment without parole for the violation of section 2907.02 of the Revised Code, the court shall impose upon the offender for the felony violation a mandatory prison term of the maximum prison term prescribed for a felony of the first degree that, subject to divisions (C) to (I) of section 2967.19 of the Revised Code, cannot be reduced pursuant to section 2929.20, section 2967.19, or any other provision of Chapter 2967. or 5120. of the Revised Code.

(4) If the offender is being sentenced for a third or fourth degree felony OVI offense under division (G)(2) of section 2929.13 of the Revised Code, the sentencing court shall impose upon the offender a mandatory prison term in accordance with that division. In addition to the mandatory prison term, if the offender is being sentenced for a fourth degree felony OVI offense, the court, notwithstanding division (A)(4) of this section, may sentence the offender to a definite prison term of not less than six months and not more than thirty months, and if the offender is being sentenced for a third degree felony OVI offense, the sentencing court may sentence the offender to an additional prison term of any duration specified in division (A)(3) of this section. In either case, the additional prison term imposed shall be reduced by the sixty or one hundred twenty days imposed upon the offender as the mandatory prison term. The total of the additional prison term imposed under division (B)(4) of this section plus the sixty or one hundred twenty days imposed as the mandatory prison term shall equal a definite term in the range of six months to thirty months for a fourth degree felony OVI offense and shall equal one of the authorized prison terms specified in division (A)(3) of this section for a third degree felony OVI offense. If the court imposes an additional prison term under division (B)(4) of this section, the offender shall serve the additional prison term after

the offender has served the mandatory prison term required for the offense. In addition to the mandatory prison term or mandatory and additional prison term imposed as described in division (B)(4) of this section, the court also may sentence the offender to a community control sanction under section 2929.16 or 2929.17 of the Revised Code, but the offender shall serve all of the prison terms so imposed prior to serving the community control sanction.

If the offender is being sentenced for a fourth degree felony OVI offense under division (G)(1) of section 2929.13 of the Revised Code and the court imposes a mandatory term of local incarceration, the court may impose a prison term as described in division (A)(1) of that section.

(5) If an offender is convicted of or pleads guilty to a violation of division (A)(1) or (2) of section 2903.06 of the Revised Code and also is convicted of or pleads guilty to a specification of the type described in section 2941.1414 of the Revised Code that charges that the victim of the offense is a peace officer, as defined in section 2935.01 of the Revised Code, or an investigator of the bureau of criminal identification and investigation, as defined in section 2903.11 of the Revised Code, the court shall impose on the offender a prison term of five years. If a court imposes a prison term on an offender under division (B)(5) of this section, the prison term, subject to divisions (C) to (I) of section 2967.19 of the Revised Code, shall not be reduced pursuant to section 2929.20, section 2967.19, section 2967.193, or any other provision of Chapter 2967. or Chapter 5120. of the Revised Code. A court shall not impose more than one prison term on an offender under division (B)(5) of this section for felonies committed as part of the same act.

(6) If an offender is convicted of or pleads guilty to a violation of division (A)(1) or (2) of section 2903.06 of the Revised Code and also is convicted of or pleads guilty to a

specification of the type described in section 2941.1415 of the Revised Code that charges that the offender previously has been convicted of or pleaded guilty to three or more violations of division (A) or (B) of section 4511.19 of the Revised Code or an equivalent offense, as defined in section 2941.1415 of the Revised Code, or three or more violations of any combination of those divisions and offenses, the court shall impose on the offender a prison term of three years. If a court imposes a prison term on an offender under division (B)(6) of this section, the prison term, subject to divisions (C) to (I) of section 2967.19 of the Revised Code, shall not be reduced pursuant to section 2929.20, section 2967.19, section 2967.193, or any other provision of Chapter 2967. or Chapter 5120. of the Revised Code. A court shall not impose more than one prison term on an offender under division (B)(6) of this section for felonies committed as part of the same act.

(7)(a) If an offender is convicted of or pleads guilty to a felony violation of section 2905.01, 2905.02, 2907.21, 2907.22, or 2923.32, division (A)(1) or (2) of section 2907.323, or division (B)(1), (2), (3), (4), or (5) of section 2919.22 of the Revised Code and also is convicted of or pleads guilty to a specification of the type described in section 2941.1422 of the Revised Code that charges that the offender knowingly committed the offense in furtherance of human trafficking, the court shall impose on the offender a mandatory prison term that is one of the following:

(i) If the offense is a felony of the first degree, a definite prison term of not less than five years and not greater than ten years;

(ii) If the offense is a felony of the second or third degree, a definite prison term of not less than three years and not greater than the maximum prison term allowed for the offense by division (A) of section 2929.14 of the Revised Code;

(iii) If the offense is a felony of the fourth or fifth

degree, a definite prison term that is the maximum prison term 2400
allowed for the offense by division (A) of section 2929.14 of the 2401
Revised Code. 2402

(b) Subject to divisions (C) to (I) of section 2967.19 of the 2403
Revised Code, the prison term imposed under division (B)(7)(a) of 2404
this section shall not be reduced pursuant to section 2929.20, 2405
section 2967.19, section 2967.193, or any other provision of 2406
Chapter 2967. of the Revised Code. A court shall not impose more 2407
than one prison term on an offender under division (B)(7)(a) of 2408
this section for felonies committed as part of the same act, 2409
scheme, or plan. 2410

(8) If an offender is convicted of or pleads guilty to a 2411
felony violation of section 2903.11, 2903.12, or 2903.13 of the 2412
Revised Code and also is convicted of or pleads guilty to a 2413
specification of the type described in section 2941.1423 of the 2414
Revised Code that charges that the victim of the violation was a 2415
woman whom the offender knew was pregnant at the time of the 2416
violation, notwithstanding the range of prison terms prescribed in 2417
division (A) of this section for felonies of the same degree as 2418
the violation, the court shall impose on the offender a mandatory 2419
prison term that is either a definite prison term of six months or 2420
one of the prison terms prescribed in section 2929.14 of the 2421
Revised Code for felonies of the same degree as the violation. 2422

(C)(1)(a) Subject to division (C)(1)(b) of this section, if a 2423
mandatory prison term is imposed upon an offender pursuant to 2424
division (B)(1)(a) of this section for having a firearm on or 2425
about the offender's person or under the offender's control while 2426
committing a felony, if a mandatory prison term is imposed upon an 2427
offender pursuant to division (B)(1)(c) of this section for 2428
committing a felony specified in that division by discharging a 2429
firearm from a motor vehicle, or if both types of mandatory prison 2430
terms are imposed, the offender shall serve any mandatory prison 2431

term imposed under either division consecutively to any other 2432
mandatory prison term imposed under either division or under 2433
division (B)(1)(d) of this section, consecutively to and prior to 2434
any prison term imposed for the underlying felony pursuant to 2435
division (A), (B)(2), or (B)(3) of this section or any other 2436
section of the Revised Code, and consecutively to any other prison 2437
term or mandatory prison term previously or subsequently imposed 2438
upon the offender. 2439

(b) If a mandatory prison term is imposed upon an offender 2440
pursuant to division (B)(1)(d) of this section for wearing or 2441
carrying body armor while committing an offense of violence that 2442
is a felony, the offender shall serve the mandatory term so 2443
imposed consecutively to any other mandatory prison term imposed 2444
under that division or under division (B)(1)(a) or (c) of this 2445
section, consecutively to and prior to any prison term imposed for 2446
the underlying felony under division (A), (B)(2), or (B)(3) of 2447
this section or any other section of the Revised Code, and 2448
consecutively to any other prison term or mandatory prison term 2449
previously or subsequently imposed upon the offender. 2450

(c) If a mandatory prison term is imposed upon an offender 2451
pursuant to division (B)(1)(f) of this section, the offender shall 2452
serve the mandatory prison term so imposed consecutively to and 2453
prior to any prison term imposed for the underlying felony under 2454
division (A), (B)(2), or (B)(3) of this section or any other 2455
section of the Revised Code, and consecutively to any other prison 2456
term or mandatory prison term previously or subsequently imposed 2457
upon the offender. 2458

(d) If a mandatory prison term is imposed upon an offender 2459
pursuant to division (B)(7) or (8) of this section, the offender 2460
shall serve the mandatory prison term so imposed consecutively to 2461
any other mandatory prison term imposed under that division or 2462
under any other provision of law and consecutively to any other 2463

prison term or mandatory prison term previously or subsequently 2464
imposed upon the offender. 2465

(2) If an offender who is an inmate in a jail, prison, or 2466
other residential detention facility violates section 2917.02, 2467
2917.03, or 2921.35 of the Revised Code or division (A)(1) or (2) 2468
of section 2921.34 of the Revised Code, if an offender who is 2469
under detention at a detention facility commits a felony violation 2470
of section 2923.131 of the Revised Code, or if an offender who is 2471
an inmate in a jail, prison, or other residential detention 2472
facility or is under detention at a detention facility commits 2473
another felony while the offender is an escapee in violation of 2474
division (A)(1) or (2) of section 2921.34 of the Revised Code, any 2475
prison term imposed upon the offender for one of those violations 2476
shall be served by the offender consecutively to the prison term 2477
or term of imprisonment the offender was serving when the offender 2478
committed that offense and to any other prison term previously or 2479
subsequently imposed upon the offender. 2480

(3) If a prison term is imposed for a violation of division 2481
(B) of section 2911.01 of the Revised Code, a violation of 2482
division (A) of section 2913.02 of the Revised Code in which the 2483
stolen property is a firearm or dangerous ordnance, or a felony 2484
violation of division (B) of section 2921.331 of the Revised Code, 2485
the offender shall serve that prison term consecutively to any 2486
other prison term or mandatory prison term previously or 2487
subsequently imposed upon the offender. 2488

(4) If multiple prison terms are imposed on an offender for 2489
convictions of multiple offenses, the court may require the 2490
offender to serve the prison terms consecutively if the court 2491
finds that the consecutive service is necessary to protect the 2492
public from future crime or to punish the offender and that 2493
consecutive sentences are not disproportionate to the seriousness 2494
of the offender's conduct and to the danger the offender poses to 2495

the public, and if the court also finds any of the following: 2496

(a) The offender committed one or more of the multiple 2497
offenses while the offender was awaiting trial or sentencing, was 2498
under a sanction imposed pursuant to section 2929.16, 2929.17, or 2499
2929.18 of the Revised Code, or was under post-release control for 2500
a prior offense. 2501

(b) At least two of the multiple offenses were committed as 2502
part of one or more courses of conduct, and the harm caused by two 2503
or more of the multiple offenses so committed was so great or 2504
unusual that no single prison term for any of the offenses 2505
committed as part of any of the courses of conduct adequately 2506
reflects the seriousness of the offender's conduct. 2507

(c) The offender's history of criminal conduct demonstrates 2508
that consecutive sentences are necessary to protect the public 2509
from future crime by the offender. 2510

(5) If a mandatory prison term is imposed upon an offender 2511
pursuant to division (B)(5) or (6) of this section, the offender 2512
shall serve the mandatory prison term consecutively to and prior 2513
to any prison term imposed for the underlying violation of 2514
division (A)(1) or (2) of section 2903.06 of the Revised Code 2515
pursuant to division (A) of this section or section 2929.142 of 2516
the Revised Code. If a mandatory prison term is imposed upon an 2517
offender pursuant to division (B)(5) of this section, and if a 2518
mandatory prison term also is imposed upon the offender pursuant 2519
to division (B)(6) of this section in relation to the same 2520
violation, the offender shall serve the mandatory prison term 2521
imposed pursuant to division (B)(5) of this section consecutively 2522
to and prior to the mandatory prison term imposed pursuant to 2523
division (B)(6) of this section and consecutively to and prior to 2524
any prison term imposed for the underlying violation of division 2525
(A)(1) or (2) of section 2903.06 of the Revised Code pursuant to 2526
division (A) of this section or section 2929.142 of the Revised 2527

Code. 2528

(6) When consecutive prison terms are imposed pursuant to 2529
division (C)(1), (2), (3), (4), or (5) or division (H)(1) or (2) 2530
of this section, the term to be served is the aggregate of all of 2531
the terms so imposed. 2532

(D)(1) If a court imposes a prison term for a felony of the 2533
first degree, for a felony of the second degree, for a felony sex 2534
offense, or for a felony of the third degree that is not a felony 2535
sex offense and in the commission of which the offender caused or 2536
threatened to cause physical harm to a person, it shall include in 2537
the sentence a requirement that the offender be subject to a 2538
period of post-release control after the offender's release from 2539
imprisonment, in accordance with that division. If a court imposes 2540
a sentence including a prison term of a type described in this 2541
division on or after July 11, 2006, the failure of a court to 2542
include a post-release control requirement in the sentence 2543
pursuant to this division does not negate, limit, or otherwise 2544
affect the mandatory period of post-release control that is 2545
required for the offender under division (B) of section 2967.28 of 2546
the Revised Code. Section 2929.191 of the Revised Code applies if, 2547
prior to July 11, 2006, a court imposed a sentence including a 2548
prison term of a type described in this division and failed to 2549
include in the sentence pursuant to this division a statement 2550
regarding post-release control. 2551

(2) If a court imposes a prison term for a felony of the 2552
third, fourth, or fifth degree that is not subject to division 2553
(D)(1) of this section, it shall include in the sentence a 2554
requirement that the offender be subject to a period of 2555
post-release control after the offender's release from 2556
imprisonment, in accordance with that division, if the parole 2557
board determines that a period of post-release control is 2558
necessary. Section 2929.191 of the Revised Code applies if, prior 2559

to July 11, 2006, a court imposed a sentence including a prison 2560
term of a type described in this division and failed to include in 2561
the sentence pursuant to this division a statement regarding 2562
post-release control. 2563

(E) The court shall impose sentence upon the offender in 2564
accordance with section 2971.03 of the Revised Code, and Chapter 2565
2971. of the Revised Code applies regarding the prison term or 2566
term of life imprisonment without parole imposed upon the offender 2567
and the service of that term of imprisonment if any of the 2568
following apply: 2569

(1) A person is convicted of or pleads guilty to a violent 2570
sex offense or a designated homicide, assault, or kidnapping 2571
offense, and, in relation to that offense, the offender is 2572
adjudicated a sexually violent predator. 2573

(2) A person is convicted of or pleads guilty to a violation 2574
of division (A)(1)(b) of section 2907.02 of the Revised Code 2575
committed on or after January 2, 2007, and either the court does 2576
not impose a sentence of life without parole when authorized 2577
pursuant to division (B) of section 2907.02 of the Revised Code, 2578
or division (B) of section 2907.02 of the Revised Code provides 2579
that the court shall not sentence the offender pursuant to section 2580
2971.03 of the Revised Code. 2581

(3) A person is convicted of or pleads guilty to attempted 2582
rape committed on or after January 2, 2007, and a specification of 2583
the type described in section 2941.1418, 2941.1419, or 2941.1420 2584
of the Revised Code. 2585

(4) A person is convicted of or pleads guilty to a violation 2586
of section 2905.01 of the Revised Code committed on or after 2587
January 1, 2008, and that section requires the court to sentence 2588
the offender pursuant to section 2971.03 of the Revised Code. 2589

(5) A person is convicted of or pleads guilty to aggravated 2590

murder committed on or after January 1, 2008, and division 2591
(A)(2)(b)(ii) of section 2929.022, division (A)(1)(e), 2592
(C)(1)(a)(v), (C)(2)(a)(ii), (D)(2)(b), (D)(3)(a)(iv), or 2593
(E)(1)(d) of section 2929.03, or division (A) or (B) of section 2594
2929.06 of the Revised Code requires the court to sentence the 2595
offender pursuant to division (B)(3) of section 2971.03 of the 2596
Revised Code. 2597

(6) A person is convicted of or pleads guilty to murder 2598
committed on or after January 1, 2008, and division (B)(2) of 2599
section 2929.02 of the Revised Code requires the court to sentence 2600
the offender pursuant to section 2971.03 of the Revised Code. 2601

(F) If a person who has been convicted of or pleaded guilty 2602
to a felony is sentenced to a prison term or term of imprisonment 2603
under this section, sections 2929.02 to 2929.06 of the Revised 2604
Code, section 2929.142 of the Revised Code, section 2971.03 of the 2605
Revised Code, or any other provision of law, section 5120.163 of 2606
the Revised Code applies regarding the person while the person is 2607
confined in a state correctional institution. 2608

(G) If an offender who is convicted of or pleads guilty to a 2609
felony that is an offense of violence also is convicted of or 2610
pleads guilty to a specification of the type described in section 2611
2941.142 of the Revised Code that charges the offender with having 2612
committed the felony while participating in a criminal gang, the 2613
court shall impose upon the offender an additional prison term of 2614
one, two, or three years. 2615

(H)(1) If an offender who is convicted of or pleads guilty to 2616
aggravated murder, murder, or a felony of the first, second, or 2617
third degree that is an offense of violence also is convicted of 2618
or pleads guilty to a specification of the type described in 2619
section 2941.143 of the Revised Code that charges the offender 2620
with having committed the offense in a school safety zone or 2621
towards a person in a school safety zone, the court shall impose 2622

upon the offender an additional prison term of two years. The 2623
offender shall serve the additional two years consecutively to and 2624
prior to the prison term imposed for the underlying offense. 2625

(2)(a) If an offender is convicted of or pleads guilty to a 2626
felony violation of section 2907.22, 2907.24, 2907.241, or 2907.25 2627
of the Revised Code and to a specification of the type described 2628
in section 2941.1421 of the Revised Code and if the court imposes 2629
a prison term on the offender for the felony violation, the court 2630
may impose upon the offender an additional prison term as follows: 2631

(i) Subject to division (H)(2)(a)(ii) of this section, an 2632
additional prison term of one, two, three, four, five, or six 2633
months; 2634

(ii) If the offender previously has been convicted of or 2635
pleaded guilty to one or more felony or misdemeanor violations of 2636
section 2907.22, 2907.23, 2907.24, 2907.241, or 2907.25 of the 2637
Revised Code and also was convicted of or pleaded guilty to a 2638
specification of the type described in section 2941.1421 of the 2639
Revised Code regarding one or more of those violations, an 2640
additional prison term of one, two, three, four, five, six, seven, 2641
eight, nine, ten, eleven, or twelve months. 2642

(b) In lieu of imposing an additional prison term under 2643
division (H)(2)(a) of this section, the court may directly impose 2644
on the offender a sanction that requires the offender to wear a 2645
real-time processing, continual tracking electronic monitoring 2646
device during the period of time specified by the court. The 2647
period of time specified by the court shall equal the duration of 2648
an additional prison term that the court could have imposed upon 2649
the offender under division (H)(2)(a) of this section. A sanction 2650
imposed under this division shall commence on the date specified 2651
by the court, provided that the sanction shall not commence until 2652
after the offender has served the prison term imposed for the 2653
felony violation of section 2907.22, 2907.24, 2907.241, or 2907.25 2654

of the Revised Code and any residential sanction imposed for the 2655
violation under section 2929.16 of the Revised Code. A sanction 2656
imposed under this division shall be considered to be a community 2657
control sanction for purposes of section 2929.15 of the Revised 2658
Code, and all provisions of the Revised Code that pertain to 2659
community control sanctions shall apply to a sanction imposed 2660
under this division, except to the extent that they would by their 2661
nature be clearly inapplicable. The offender shall pay all costs 2662
associated with a sanction imposed under this division, including 2663
the cost of the use of the monitoring device. 2664

(I) At the time of sentencing, the court may recommend the 2665
offender for placement in a program of shock incarceration under 2666
section 5120.031 of the Revised Code or for placement in an 2667
intensive program prison under section 5120.032 of the Revised 2668
Code, disapprove placement of the offender in a program of shock 2669
incarceration or an intensive program prison of that nature, or 2670
make no recommendation on placement of the offender. In no case 2671
shall the department of rehabilitation and correction place the 2672
offender in a program or prison of that nature unless the 2673
department determines as specified in section 5120.031 or 5120.032 2674
of the Revised Code, whichever is applicable, that the offender is 2675
eligible for the placement. 2676

If the court disapproves placement of the offender in a 2677
program or prison of that nature, the department of rehabilitation 2678
and correction shall not place the offender in any program of 2679
shock incarceration or intensive program prison. 2680

If the court recommends placement of the offender in a 2681
program of shock incarceration or in an intensive program prison, 2682
and if the offender is subsequently placed in the recommended 2683
program or prison, the department shall notify the court of the 2684
placement and shall include with the notice a brief description of 2685
the placement. 2686

If the court recommends placement of the offender in a 2687
program of shock incarceration or in an intensive program prison 2688
and the department does not subsequently place the offender in the 2689
recommended program or prison, the department shall send a notice 2690
to the court indicating why the offender was not placed in the 2691
recommended program or prison. 2692

If the court does not make a recommendation under this 2693
division with respect to an offender and if the department 2694
determines as specified in section 5120.031 or 5120.032 of the 2695
Revised Code, whichever is applicable, that the offender is 2696
eligible for placement in a program or prison of that nature, the 2697
department shall screen the offender and determine if there is an 2698
available program of shock incarceration or an intensive program 2699
prison for which the offender is suited. If there is an available 2700
program of shock incarceration or an intensive program prison for 2701
which the offender is suited, the department shall notify the 2702
court of the proposed placement of the offender as specified in 2703
section 5120.031 or 5120.032 of the Revised Code and shall include 2704
with the notice a brief description of the placement. The court 2705
shall have ten days from receipt of the notice to disapprove the 2706
placement. 2707

(J) If a person is convicted of or pleads guilty to 2708
aggravated vehicular homicide in violation of division (A)(1) of 2709
section 2903.06 of the Revised Code and division (B)(2)(c) of that 2710
section applies, the person shall be sentenced pursuant to section 2711
2929.142 of the Revised Code. 2712

Sec. 2941.144. (A) Imposition of a six-year mandatory prison 2713
term upon an offender under division (B)(1)(a) of section 2929.14 2714
of the Revised Code is precluded unless the indictment, count in 2715
the indictment, or information charging the offense specifies that 2716
the offender had a firearm that is an automatic firearm or that 2717

was equipped with a firearm muffler or ~~silencer~~ suppressor on or 2718
about the offender's person or under the offender's control while 2719
committing the offense. The specification shall be stated at the 2720
end of the body of the indictment, count, or information and shall 2721
be stated in substantially the following form: 2722

"SPECIFICATION (or, SPECIFICATION TO THE FIRST COUNT). The 2723
Grand Jurors (or insert the person's or the prosecuting attorney's 2724
name when appropriate) further find and specify that (set forth 2725
that the offender had a firearm that is an automatic firearm or 2726
that was equipped with a firearm muffler or ~~silencer~~ suppressor on 2727
or about the offender's person or under the offender's control 2728
while committing the offense)." 2729

(B) Imposition of a six-year mandatory prison term upon an 2730
offender under division (B)(1)(a) of section 2929.14 of the 2731
Revised Code is precluded if a court imposes a three-year or 2732
one-year mandatory prison term on the offender under that division 2733
relative to the same felony. 2734

(C) The specification described in division (A) of this 2735
section may be used in a delinquent child proceeding in the manner 2736
and for the purpose described in section 2152.17 of the Revised 2737
Code. 2738

(D) As used in this section, "firearm" and "automatic 2739
firearm" have the same meanings as in section 2923.11 of the 2740
Revised Code. 2741

Section 2. That existing sections 109.69, 109.731, 311.41, 2742
311.42, 2923.11, 2923.124, 2923.125, 2923.126, 2923.128, 2743
2923.1213, 2923.13, 2923.17, 2929.14, and 2941.144 and sections 2744
2923.1210 and 2923.22 of the Revised Code are hereby repealed. 2745